

**OFFICE OF THE SANGGUNIAN BAYAN**

Excerpt from the  
MINUTES OF THE 34TH REGULAR SESSION OF THE SANGGUNIAN BAYAN  
OF BAYBAY, LEYTE, HELD IN THE SESSION HALL ON SEPT. 12, 1995.

SECTION 1. Title - this Ordinance shall be known and  
PRESENT: the COCKFIGHTING ORDINANCE of Baybay, Leyte

HON. DOMINADOR L. CHIONG .... Mun. Vice Mayor &  
Presiding Officer

HON. FLORANTE M. CAYUNDA .... Sangguniang Bayan Member

HON. ZENEN A. PURAY ..... -do-

HON. EDUARDO A. GUINOCOR .... -do-

HON. MANUEL A. CHAN ..... -do-

HON. POLICARPO A. RAMIREZ .... -do-

HON. AVELINO D. UY ..... -do-

HON. RICARDO L. AVILA ..... -do-

HON. JOSE CARLOS L. CARI ..... -do-

ABSENT: HON. VICENTE G. VELOSO ..... SB Member, OB, Surigao

SK Municipal Federation, not represented

**MUNICIPAL ORDINANCE NO. 06-95**

AN ORDINANCE REGULATING THE ESTABLISHMENT, OPERATION AND  
MAINTENANCE OF COCKPITS, COCKFIGHTING AND COMMERCIAL BREEDING  
OF GAMECOCKS IN BAYBAY, LEYTE.

WHEREAS, Section 458, paragraph (a), subparagraph (3) (v),  
of Republic Act No. 7160, otherwise known as the Local  
Government Code of 1991, empowers the municipalities through  
their Sangguniang Bayans, to authorize and license the  
establishment, operation, and maintenance of cockpits,  
cockfighting and commercial breeding of gamecocks;

WHEREAS, cockfighting has been, and still is, a popular,  
traditional customary form of recreation and entertainment among  
Filipino customs and traditions, it should neither be exploited  
as an object of commercialism or business enterprises nor made  
as a tool of uncontrolled gambling, but more, as a vehicle for  
the preservation and perpetuation of native heritage, thereby  
enhancing the town's national identity;

WHEREAS, our municipality needs additional sources of  
revenues to finance its multifarious projects, and to provide  
basic services to the people.

NOW, THEREFORE, for and in consideration of the foregoing  
premises, this Sangguniang Bayan, on motion of the Honorable SB  
Member Florante M. Cayunda, duly seconded by the Honorable SB  
Member Zenen A. Puray; be it

RESOLVED, as it is hereby RESOLVED, that the following  
municipal ordinance, be, as hereby is, adopted, to wit:

**AN ORDINANCE**

REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF  
COCKPITS, COCKFIGHTING AND COMMERCIAL BREEDING OF GAMECOCKS IN  
BAYBAY, LEYTE.

SECTION 1. A person who watches and  
oversees the fighting of cocks,  
determines the physical condition of fighting cocks,  
and decides and make his decision  
the result of the cockfight  
announcing the winner, or declaring a tie of  
contest game.



Be it ordained by the Sangguniang Bayan of the Municipality of Baybay, Province of Leyte, in session assembled, that:

SECTION 1.- Title - This Ordinance shall be known and cited as the COCKFIGHTING ORDINANCE of Baybay, Leyte.

SECTION 2.- Scope - This Ordinance shall govern the establishment, operation and maintenance of cockpits, cockfighting and commercial breeding of gamecocks in Baybay, Leyte.

SECTION 3.- Purposes -

- a) To effectively control and regulate the establishment, operation and maintenance of cockpits, and regulate cockfighting and commercial breeding of gamecocks;
- b) To provide wholesome recreation and amusement to our people;
- c) To preserve cockfighting as a traditional and customary form of recreation and entertainment among filipinos; and,
- d) To provide additional revenues, for the municipality.

SECTION 4.- Definition of Terms. - As used herein, the following terms shall be understood, applied and construed as follows:

- a) COCKFIGHTING- shall embrace and mean the commonly known game or term "COCKFIGHTING DERBY, PINTAKASI, or TUPADA", HACK-FIGHTS (refer to fights which are not (pro-matched) or its equivalent term in different parts of the municipality, including cockfighting done outside licensed cockpits when issued a SPECIAL COCKFIGHTING PERMIT (SCP)).
- b) BET TAKER OR PROMOTER- A person who calls and takes are of bets from owners of both gamecocks and those of other bettors before he orders commencement of the cockfight and thereafter distribute won bets to the winners after deducting a certain commission.
- c) GAFFER (Laga-Tari)- A person knowledgeable in the art of arming fighting cocks with gaffs on either or both legs.
- d) SIARTEL (Soltadere)- The person who releases the contending cock in a cockfight.
- e) REFEREE (Sentenciador)- A person who watches and oversees the proper gaffing of fighting cocks, determine the physical condition of fighting cocks while cockfighting is in progress, the injuries sustained by the cocks and their capability to continue fighting and decide and make his decision by word or gestures the result of the cockfight by announcing the winner or declaring a tie or no contest game.



- f) BETTOR- A person who participates in cockfights and with the use of money bets with other bettors or through the bet taker or promoter and wins or loses his bet depending upon the results of the cockfight as announced by the referee or sentenciador. He may be the owner of fighting cock.
- g) COCKPIT OPERATOR'S PERMIT (COP)- The document issued to a qualified persons granting him license to operate, establish and maintain a cockpit in the place specified therein.
- h) SPECIAL COCKFIGHTING PERMIT (SCP)- a permit issued by the Municipal Mayor for the holding of a cockfight in a place other than in a licensed cockpit for a limited duration and for a special occasion, only.

SECTION 5. Ownership. - Only Filipino citizens and partnerships or corporations with 60% filipino equity are qualified to own, manage, and operate cockpits. Cooperative capitalization is encouraged.

SECTION 6. Establishment of cockpits -

- a) Cockpits shall be established, maintained and operated only in specific areas or places where they are now existing, and in such other places as the sangguniang bayan may designate by means of resolution upon application filed by qualified persons thereat. To forestall the proliferation of cockpits in the Municipality, the establishment, maintenance and operation thereof shall be regulated at the ratio of one (1) cockpit to every 100,000 population or a fraction thereof.
- b) No two cockpits shall be established, maintained or operated between a distance of less than one thousand (1,000.00) lineal meters from each other, and no cockpit shall be permitted to operate within a radius of three hundred (300) lineal meters from public buildings, public plazas, public or private schools, churches, chapels, hospitals, athletic stadias, or any institution or building of charity.

SECTION 7. Approval and issuance of building permit for the construction of cockpits shall be made by the Municipal Engineer, in accordance with existing building code, ordinances or engineering laws and practices, and in addition, the applicant must submit, and comply with the following requirements, to wit:

- a) Vicinity map;
- b) Cockpit plan and design;
- c) Cockpits should be constructed of strong materials, strong foundation and galvanized roofing, and the perimeter thereof should be properly fenced;
- d) Cockpits should have ample ringside arena with an accommodation of at least 300 persons and bleachers which can accommodate at least 1,000 persons;



- e) Arenas should have enough space strongly fenced with iron grills and with glass panels, and should be provided with ample lighting for night bouts visibility;
- f) It should be provided with: 1) cookhouses to house at least 50 fighting cocks; 2) comfort rooms for male and female guests and should be properly maintained to ensure sanitation of the premises; 3) Electric fans or air-conditioned to maintain a well ventilated accommodation; d) Emergency generators, and fire fighting equipment.

SECTION 8. Holding of cockfights in licensed cockpits, shall either be:

- a) REGULAR- Cockfighting allowed during SUNDAY, LEGAL HOLIDAYS, and MUNICIPALITY FIESTA.
- b) SPECIAL - Cockfighting allowed, upon special permit secured from the Municipal Mayor, and upon payment of special fees, during agricultural, commercial, or industrial fairs, carnival or exposition, or for the entertainment of foreign dignitaries or for tourists, for returning filipinos, commonly known as "balikbayan", or for support of fund raising campaign for charitable purposes for a period not exceeding three (3) consecutive days. Provided, that no cockfighting shall be held on December 30 (Rizal Day), June 12 (Independence Day), November 30 (National Heroes Day), HOLY THURSDAY, GOOD FRIDAY, election or referendum day, and during registration days for such election or referendum, and on such other dates which may be prohibited by law.

SECTION 9. HOLDING OF COCKFIGHTS OUTSIDE A LICENSED COCKPIT.-

On the occasion of the annual celebration of BARANGAY FIESTAS, upon application which is duly endorsed by a resolution of the sangguniang barangay of the place concerned, for a SPECIAL COCKFIGHTING PERMIT with the Municipal Mayor, and upon approval thereof, and the payment of the required fee, as herein provided, cockfights shall be allowed on the following days: a) once a week, except on SUNDAY, for three (3) consecutive weeks immediately preceding the barangay fiesta; and, b) on the eve and fall of the barangay fiesta.

However, barangays located within the poblacion of this Municipality are not allowed to hold cockfights, except within the premises of a licensed cockpit.

If a SPECIAL COCKFIGHTING PERMIT (SCP) is granted, the cockfights shall be held not earlier than 10:00 o'clock in the morning, and not later than 8:00 o'clock in the evening of the same day.

SECTION 10. No gambling of any kind shall be permitted on the premises of the cockpit, or within a radius of 50 meters from the place of cockfighting during cockfights. The owner, manager or lessee of such cockpit, or the permittee of the SPECIAL COCKFIGHTING PERMIT and the violators of this injunction shall be criminally liable under Section 16 hereof.



SECTION 11. LICENSING OF COCKPITS.- The Municipal Mayor of his duly authorized representative may issued, upon satisfactory proof that the applicant is qualified, and has complied with the requirements of this ordinance specifically section 6 and 7 hereof, a COCKPIT OPERATOR'S PERMIT (COP), which shall be valid for three (3) years, renewable for the same period, upon payment of One Thousand (P1,000.00) pesos.

The grantee of a Cockpit Operator's Permit (COP) shall likewise pay a tax of One Hundred Fifty (P150.00) PESOS, every calendar quarter, payable within the first ten (10) days following the end of the quarter, otherwise, he shall be subject to a surcharge of twenty-five (25%) percent thereof, and to an interest of two (2%) percent per month of the unpaid tax, including the surcharge, until such amount is fully paid, but in no case shall the total interest on the unpaid amount or portion thereof, exceeds thirty-six.

Should the grantee stop the operation of his cockpit before the expiration of his permit, he should immediately notify in writing the Office of the Municipal Treasurer of Baybay of such cessation, so as to except him in the payment of the quarterly tax, thereafter.

The Cockpit Operator's Permit (COP) is strictly personal to the grantee, hence, non-transferrable. In the event that the grantee alienates cockpit to a third person, the latter should first secure the Cockpit Operator's Permit before he commences to operate the cockpit.

SECTION 12. Other fees for a licensed cockpits. - In addition to the fees mentioned in the next preceding section, the following fees shall likewise be collected:

a) Annual Mayor's Permit .....	P225.00
b) three (3) days pintakasi with sponsor without derby .....	500.00
c) three (3) days pintakasi with derby & ..... sponsor .....	1,000.00
d) promotional derby, one day only .....	500.00
e) Baybay Fiesta, three (3) days pintakasi without derby and sponsor .....	500.00
f) Baybay Fiesta, three (3) days pintakasi with derby .....	1,000.00

DURING DERBIES, for every winning bout, the owner of the winning cock shall pay to the Municipality of Baybay a certain amount depending on the pot money to wit:

- P25.00 if the pot money does not exceed P1,000.00
- P50.00 if the pot money exceeds P1,000.00 but not exceed P3,000.00
- P100.00 if the pot money exceeds P3,000.00

