



OFFICE OF THE SANGGUNIANG PANLUNGSOD

Tel No. (052) 485-12-37; 485-12-55

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Ordinance No. 2011-007
May 16, 2011

EXCERPTS FROM THE MINUTES OF THE SANGGUNIANG PANLUNGSOD ON ITS 19TH REGULAR SESSION HELD ON MAY 16, 2011 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL, CITY OF LIGAO, PROVINCE OF ALBAY.

Present:

Hon. Patricia G. Alsua	- City Vice Mayor
Hon. Sherwin P. Quising	- City Councilor
Hon. Eva Josephine L. Ribaya	- City Councilor
Hon. Edgardo M. Gonzales	- City Councilor
Hon. Teodorico A. Residilla, Jr.	- City Councilor
Hon. Jorlan T. Guanzon	- City Councilor
Hon. Noel M. Cerillo	- City Councilor
Hon. Alfonso B. Saret	- City Councilor
Hon. Peter S. Vega	- City Councilor
Hon. Jowe G. Cañaveral	- City Councilor / Liga Pres.
Hon. Shieresa Pauline R. Capulong	- City Councilor / SKF Pres.

Absent:

Hon. Ana P. Manlangit	- City Councilor/O.B.
Hon. Manuel L. Garcia	- City Councilor

ORDINANCE NO. 2011 - 007

(Author: COUNCILOR ALFONSO B. SARET)

AN ORDINANCE GRANTING FRANCHISE TO RRJMC CORPORATION TO ESTABLISH, OPERATE, AND MAINTAIN A COCKPIT IN THE WEST SECTION OF THE CITY OF LIGAO AS PER ORDINANCE No. 2010-017.

Explanatory Note:

WHEREAS, the Office of the Sangguniang Panlalawigan of the Province of Albay during their Regular session held at the Provincial Capitol, Legazpi City, on December 21, 2010 has declared valid and operational the City Ordinance No. 2010 - 017 of the City Government of Ligao entitled "An Ordinance amending section 1 (s), (t), (u), Section 3 and Section 4 of Ordinance No. 2005-02 entitled "An Ordinance prescribing the rules and regulations for the grant of authority and license, to operate and maintain cockpits and providing penalties thereof;"

WHEREAS, under Section 2 of the City Ordinance No. 2010 - 017. It is hereby ordered the City of Ligao shall authorize the establishment, maintenance and operation of two (2) cockpits by any legitimate corporation partnership or cooperative of which is 100% Filipino - owned and formed, organized or established and licensed for such purpose;

WHEREAS, Section 4 of City Ordinance NO. 2010 - 017, only one (1) cockpit each shall be established, maintained and operated in the East and West Section;

WHEREAS, Section 3 (B) of the City Ordinance No. 2010 - 017, the West Section is composed of 20 barangays namely:

- | | |
|------------|-----------------|
| 1. Abella | 11. Maonon |
| 2. Allang | 12. Oma - Oma |
| 3. Bacong | 13. Palapas |
| 4. Balanac | 14. Paulba |
| 5. Busac | 15. San Vicente |



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- | | |
|---------------|---------------------|
| 6. Cabarian | 16. Tandarura |
| 7. Catburawan | 17. Tiongson |
| 8. Culliat | 18. Tupas |
| 9. Francia | 19. Tula - Tula (G) |
| 10. Malama | 10. Tula - Tula (P) |

BE ENACTED BY THE SANGGUNIANG PANLUNGSOD OF LIGAO CITY IN SESSION ASSEMBLED, THAT;

SECTION 1. - Basis or authority of the Sangguniang Panlungsod in granting this franchise. - The grant of this franchise is pursuant to the power granted to the Sangguniang Panlungsod provided for Section 458 (Powers, Duties, Functions and Compensation) (a) (3) (v) of RA 7160 which states:

“(v) Any law to the contrary notwithstanding, authorize and license the establishment, operation, and maintenance of cockpits, and regulate cockfighting and commercial breeding gamecocks: Provided, that existing rights should not be prejudiced.”

SECTION 2. *Nature and Scope of Franchise.* - Subject to the provisions of applicable laws, rules and regulations on the grant of franchise, RRJMC Corp., his heirs and assigns, and hereunder referred to as grantee, is hereby granted the privilege, right and authority to establish, operate and maintain a cockpit in Barangay Tula-Tula (Grande), Ligao City. Provided, that the site of the cockpit is more than 200 meters from the church, educational institution, government building/offices and residential subdivision/area.

SECTION 3. *Authority of the Office of the Mayor* - The grantee shall apply and file an application and secure from the Office of the Mayor, Certificate of Public Convenience or appropriate permits and licenses for the location, construction and operation of cockpit. In issuing the certificate of permits or licenses, the Office of the Mayor shall have the power to impose such conditions relative to the construction, operation and maintenance of cockpit, together with the personnel necessary to the operation thereof.

SECTION 4. *Equality Clause.* - If any subsequent franchise for the operation of cockpit is granted by the Sangguniang Panlungsod with terms, privileges and conditions more favorable and beneficial than those contained in this Ordinance, then the same privileges or advantages shall ipso facto accrue to the herein grantee and be deemed part of this Ordinance.

SECTION 5. *Sale, Lease Usufruct, etc.* - The grantee shall not lease, transfer, grant the usufruct of, sell or assign this franchise of the rights and privileges acquired there- under to any person, firm, company, or entity, nor merge with any other corporation nor entity without the prior approval of the Sangguniang Panlungsod. Neither shall the controlling interest in the grantee be transferred, whether as a whole or in parts and whether simultaneously or contemporaneously, to any such person, firm, company, corporation or entity without the prior approval of the Sangguniang Panlungsod of Ligao City.

SECTION 6. *Tax Provision.* - The grantee shall be liable to pay the same taxes and other required fees to the Office of the City Treasurer as other persons or business establishment or entities are now or hereafter may be required by law or ordinance to pay.



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SECTION 7. *Term of Franchise.* – The Ordinance shall be for a period of ten (10) years from the date of affectivity of this Ordinance, unless sooner revoked or cancelled. In the event the grantee fails to operate continuously for six (6) months, this franchise shall be deemed ipso facto revoked.

SECTION 8. *Acceptance of Franchise.* – Within fifteen (15) days after the effectivity of this Ordinance, the grantee shall file with the Office of the Mayor his written acceptance of this franchise and all the terms and conditions hereof. In default of such acceptance within said period, this franchise shall be null and void.

Should the grantee fail, refuse or neglect to begin the business of establishing a cockpit within two(2) months from the date of the grant of franchise and for any reason other than an act of God and other fortuitous events beyond the control of the grantee, then the franchise shall be revoked and cancelled.

SECTION 9. *Separability Clause.* – If any section of this Ordinance is declared unconstitutional or invalid, the other provision not affected thereby shall remain in full force and effect.

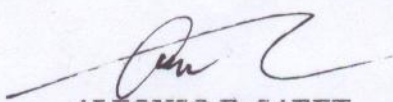
SECTION 10. *Repealing Clause* – any ordinance or resolution inconsistent with the provision of this ordinance is hereby repealed or amended.

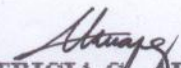
DATE ENACTED: MAY 16, 2011.


RESOLVED FURTHER, that copies of this ordinance be furnished the West Section of the City of Ligao composed of 20 barangays, for their information and reference.

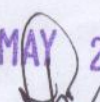
UNANIMOUSLY APPROVED.

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

AUTHOR: 
ALFONSO B. SARET
SP Chairman Committee on Games and Amusement

ATTESTED: 
PATRICIA G. ALSUA
City Vice Mayor/ Presiding Officer


ARMANDO S. ABO
Secretary to the Sanggunian

APPROVED: 
LINDA P. GONZALEZ
City Mayor

18 MAY 2011