



Republic of the Philippines
MUNICIPALITY OF SAN ROQUE
Province of Northern Samar
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OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 89 S, 2020

AN ORDINANCE REGULATING THE MOVEMENT AND/OR TRANSPORT OF GAMEFOWLS, AND FOR OTHER PURPOSES.

Authorized by: SB Member Hilario S. Acebuche
Co-authored by: SB Member Ethel O. Ramirez
SB Member Alvin M. Lagrimas

WHEREAS, Presidential Decree No. 449, otherwise known as the Cockfighting Law of the Philippines, prescribed for the establishment of only one cockpit in each city or municipality, except only in cities or municipalities with a population of more than one hundred thousand where two cockpits may be established, and allowing cockfights only on the days prescribed therein, emphasizing that cockfighting "should neither be exploited as an object of commercialism or business enterprise, nor made a tool of uncontrolled gambling, but more as a vehicle for the preservation and perpetuation of native Filipino heritage and thereby enhance our national identity";

WHEREAS, the obvious thrust of imposing the one-cockpit-per-municipality rule and in limiting the cockfighting days is to limit cockfights as cockfighting is a form of gambling that is essentially antagonistic to the aim of enhancing national productivity and self-reliance;

WHEREAS, notwithstanding existing laws, rules and regulations, including local ordinances, illegal cockfighting, locally known as "tupada" or "gahid", continue unabated, held in places far from the reaches of law enforcement authorities, and are becoming more frequent;

WHEREAS, regulating the movement and/or transport of gamefowls can result in eliminating illegal cockfights, and section 447 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, empowers the Sangguniang Bayan to enact ordinances for the general welfare of the municipality and its inhabitants, and eliminating illegal cockfight certainly redounds to the general welfare of the inhabitants of this Municipality as it minimizes, if not eradicates, that form of illegal gambling;

BE IT ENACTED, by the Sangguniang Bayan of San Roque, Northern Samar during its Special Session duly assembled that:

SECTION 1. Title. This Ordinance shall be known and cited as "The 2020 Gamefowl Transport Ordinance".

SECTION 2. Definition of Terms:

- a. **Gamefowl** – a rooster bred and/or trained for cockfighting; also known as gamecock or fighting cock;
- b. **Cockfighting** – the sport of setting two gamecocks to fight each other, usually with their legs, or one leg, fitted with metal spurs or gaff;

SECTION 3. The transport or movement by any person of any gamefowl from its place of breeding and/or training to any other location is hereby prohibited, and such prohibition includes the transfer of the gamefowl from one breeding or training place to another, unless the owner thereof has secured a transport permit from the Punong Barangay of the place where the gamefowl is kept for breeding or training purposes; a copy of the barangay permit shall at all times be given to the chief of police. The prohibition shall not apply when the gamefowl is moved, carried or transported to a legal cockpit within the Municipality during cockfighting days.

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SECTION 4. The possession, carrying and/or transporting of gaff, metal spur or similar devices used in cockfighting is likewise prohibited, unless the person in possession or carrying or transporting the same is a licensed gaffer, or has secured a permit to possess, carry or transport from the Punong Barangay of the place where he is a resident.

SECTION 5. No gamefowl shall be transported, moved or carried into, or out of this Municipality, from or to another municipality, without the permit issued for that purpose by the municipal mayor of the place of origin. Similar permit shall be required to transport, carry or move gaff, metal spur or similar devices when carried, moved or transported into or out of this Municipality.

SECTION 6. Any person who violates the provision of this Ordinance shall be subject to imprisonment and fine as follows:

- a. **First Offense** – One Month Imprisonment and a fine of One Thousand Pesos (P1,000.00);
- b. **Second Offense** – Two Months Imprisonment and a fine of One Thousand Five Hundred Pesos (P1,500.00);
- c. **Third Offense and Succeeding Offenses** – Three Months Imprisonment and a Fine of Two Thousand Pesos, (P2,000.00) for each offense.

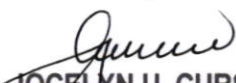
To avoid prosecution and imprisonment, the offender may pay an administrative fine of Two Thousand Five Hundred Pesos (P2,500.00) for each offense.

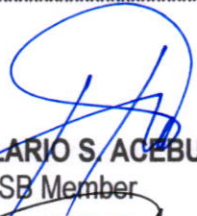
SECTION 7. Repealing Clause. All municipal ordinances, or any part thereof, as well as executive orders issued by the Municipal Mayor, which are inconsistent with any provision of this Ordinance are hereby repealed or modified accordingly.


SECTION 8. Separability Clause. If, for any reason, any part or provision of this Ordinance shall be held to be unconstitutional, invalid, ultra vires, or otherwise inoperative, other parts or provisions hereof that are not affected thereby shall continue to be in full force and effect.


SECTION 9. Effectivity. This Ordinance shall take effect immediately upon its approval.

DONE and APPROVED, this 18th day of September, 2020 at Sangguniang Bayan Session Hall, 2nd Floor, Balaudnan Building, San Roque, Northern Samar, Philippines.


JOCELYN U. CORSO
SB Member


HILARIO S. ACEBUCHÉ
SB Member


ETHEL O. RAMIREZ
SB Member


SOLIDAD S. CAGRO
SB Member


ALVIN M. LAGRIMAS
SB Member


JINCKY F. CISNEROS
SB Member


NESS-LEI S. LAGRIMAS
Ex-Officio Member/PPSK-President

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ABSENT:

FEDDIE F. JARITO
SB Member

DANTE C. TAN
SB Member (SICK)

FREDDIE F. JARITO
Ex-Officio Member/ABC President

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.


ROSA A. SOCORRO
Secretary to the Sangguniang Bayan

ATTESTED:


ENGR. DEODATO L. BANTILO
Municipal Vice Mayor/Presiding Officer

APPROVED:


ATTY. DON L. ABALON
Municipal Mayor