

Republic of the Philippines
Province of Pangasinan
MUNICIPALITY OF MANGALDAN

Office of the Sangguniang Bayan

EXCERPT FROM THE JOURNAL OF PROCEEDINGS OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MANGALDAN, PANGASINAN HELD AT THE SESSION HALL AT M.Y.D.C. ON SEPTEMBER 9, 2022.

Vice Mayor **Dr. Mark Stephen V. Mejia** called the session to order at exactly 4:35 P.M..

ROLL CALL

Present:

1. Hon. Mark Stephen V. Mejia Vice Mayor/
Presiding Officer
2. Hon. Aldrin O. Soriano Councilor /
Presiding Officer Pro-Tempore
3. Hon. Fernando Juan A. Cabrera Councilor
4. Hon. Joseph Emmanuel B. Cera Councilor
5. Hon. Joselito G. Quinto Councilor
6. Hon. Juvy O. Frialde Councilor
7. Hon. Christopher G. Romero Councilor
8. Hon. Joel C. Meneses Councilor
9. Hon. Lovely Lian C. Maramba Councilor
10. Hon. Rolly G. Abalos Councilor - LIGA Pres.
11. Hon. Michael Ervin C. Lomibao Councilor - SKP Pres.

Absent:

N o n e

MUNICIPAL ORDINANCE NO. 2022 – 08

AN ORDINANCE GRANTING FRANCHISE TO MR. JOMEL DELA CRUZ FERRER TO OPERATE AND MAINTAIN A COCKPIT ARENA IN THE MUNICIPALITY OF MANGALDAN, PANGASINAN.

WHEREAS, the Sangguniang Bayan is authorized to license and grant franchise for the establishment, operation and maintenance of cockpits, regulate cockfighting activities and breeding of fighting cocks within its territorial jurisdiction, provided that existing rights should not be prejudiced;

WHEREAS, MR. JOMEL DELA CRUZ FERRER, in his individual capacity has filed his application to be granted a franchise to operate a cockpit arena located at Brgy. Amansabina, Mangaldan, Pangasinan;

WHEREAS, it appears that MR. JOMEL DELA CRUZ FERRER has substantially complied with the requirements and guidelines in the grant of franchise to operate cockpit as provided for and prescribed under existing laws;

NOW, THEREFORE, BE IT ORDAINED, by the Sangguniang Bayan of Mangaldan, Pangasinan in session duly assembled that:

SECTION 1. NATURE, SCOPE, GRANT OF FRANCHISE. – Subject to the provisions of applicable laws, rules and regulations, a franchise to operate and maintain a cockpit within the Municipality of Mangaldan, Pangasinan is hereby granted to MR. JOMEL DELA CRUZ FERRER, a Filipino citizen and resident of Brgy. Amansabina, Mangaldan, Pangasinan (herein referred to as the Grantee). As such, he is authorized to establish and operate one (1) cockpit arena specifically located at Brgy. Amansabina, Mangaldan, Pangasinan.

SECTION 2. FRANCHISE FEE. There shall be collected from the owner/operator of a Cockpit Arena or establishment operating within the municipality, a Franchise Fee in the amount of Ten Thousand Pesos Only (P10,000.00). Provided that the applicant shall pay an amount of Five Thousand Pesos Only (P5,000.00) in case of Renewal of Franchise.

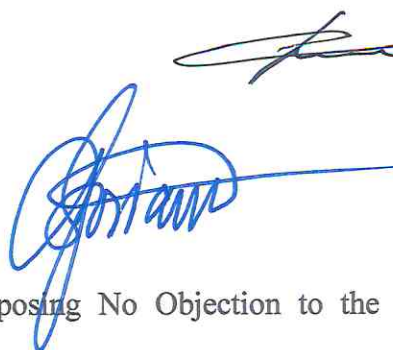
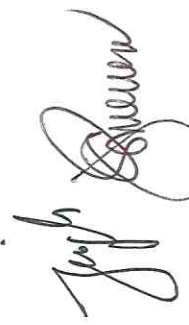

SECTION 3. REQUIREMENTS FOR APPLICATION OF FRANCHISE. – The following documentary requirements shall be submitted by the applicant prior to the granting of franchise:

a. For New Applicants:

1. Registration of business with the Department of Trade and Industry (DTI) or Securities and Exchange Commission (SEC);
2. Proof of Ownership/Possession of the land and/or the building where the business will be established;
3. Zoning Clearance and Building Permit;
4. Proof of payment of Franchise Fee in the amount of Ten Thousand Pesos only (P10,000.00) and other fees prescribed under the Revenue Code of Mangaldan, Pangasinan, specifically Chapter III. Article B, Section 2, par. a, (1) (2) Application Filing Fee in the amount of One Thousand Pesos Only (P1,000.00); and the Annual cockpit permit fee in the amount of Five Thousand Pesos Only (P5,000.00), respectively;
5. Grant of Locational Clearance by the Sangguniang Bayan of Mangaldan by way of a Sangguniang Bayan Resolution; and
6. Proof of Public Hearing/Consultation conducted by the Barangay Council of the Barangay where the cockpit is situated, with the corresponding Resolution of Interposing No Objection.

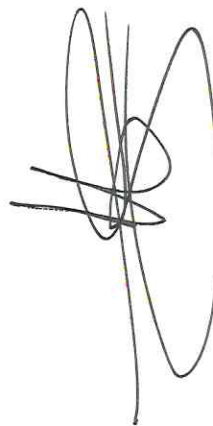
b. For Renewal of Franchise:

1. Latest/updated Registration of business with the Department of Trade and Industry (DTI) or Securities and Exchange Commission (SEC);
2. Barangay Clearance;
3. Mayor's Permit;


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4. Sangguniang Bayan Resolution Interposing No Objection to the Renewal of Franchise; and
5. Proof of payment of Renewal Fee for Franchise in the amount of Five Thousand Pesos only (P5,000.00) as prescribed under Section 2 of this Ordinance and other fees as prescribed under the Revenue Code of Mangaldan, Pangasinan, specifically Chapter III. Article B, Section 2, par. a, (1) (2) such as Application Filing Fee in the amount of One Thousand Pesos Only (P1,000.00); and the Annual cockpit permit fee in the amount of Five Thousand Pesos Only (P5,000.00);

SECTION 4. DECLARATION OF FRANCHISE. – Unless sooner revoked or cancelled, this franchise shall be valid for a period of Five (5) years from the time of the grant of Franchise with the option on the part of the Grantee to renew the same for a similar period subject however, to the approval of the Sangguniang Bayan.



SECTION 5. AUTHORITY OF THE OFFICE OF THE MUNICIPAL MAYOR. – The Grantee shall apply and secure the required business permit to operate from the Office of the Mayor and the latter shall have authority to require compliance to the provision of Presidential Decree 449, otherwise known as the Cockfighting Law of 1974, P.D. 1802 (Creating the Philippine Game Fowl Commission), Revenue Code of Mangaldan, Pangasinan relative to the operation of cockpit for the protection of the welfare and safety of all persons engaging in cockfighting.



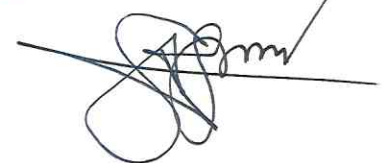
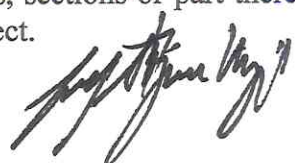

SECTION 6. PROHIBITION ON SALE, LEASE, USUFRUCT AND TRANSFER OF FRANCHISE. – This franchise is non-transferable in nature. As such, the Grantee shall not sell, assign, lease, grant the usufruct of, or transfer this franchise including any rights and privileges acquired thereunder to any person, natural or juridical, firm or other entities, nor merge with any corporation or individual without the prior notice and approval of the Sangguniang Bayan;



SECTION 7. MANDATORY PAYMENT OF TAXES AND FEES PROVISION. – The Grantee shall be liable to pay all taxes and other fees prescribed under Section 2 of this Ordinance and the Revenue Code of Mangaldan, Pangasinan, specifically Chapter III. Article B, Section 2, par. a, (1) (2), for the Application Filing Fee in the amount of One Thousand Pesos Only (P1,000.00); and the Annual cockpit permit fee in the amount of Five Thousand Pesos Only (P5,000.00), respectively. Likewise, the grantee shall pay the corresponding amount as provided in Section 3, par. (a), sub. par. (4) and par. (b), sub. Par. (5) of this ordinance to the Office of the Municipal Treasurer. Said assessments shall be without prejudice to the subsequent impositions as may be adopted or hereafter may be required by law or ordinance. Failure on the part of the grantee to promptly and regularly comply with said tax obligations shall be a ground for the revocation or cancellation of this franchise.



SECTION 8. SEPARABILITY CLAUSE. – If any part of this Ordinance is declared not valid, unconstitutional or unlawful, such declaration shall not affect or impair the remaining provisions, sections or part thereof, which shall remain or continue to be in full force and effect.



SECTION 9. REPEALING CLAUSE. – All previous ordinances and provisions inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

SECTION 10. EFFECTIVITY. – This Ordinance shall take effect after fifteen (15) days following its publication in a newspaper of general circulation.

CERTIFIED CORRECT:


JUAN C. AQUINO
SB Secretary

APPROVED UNANIMOUSLY:
September 9, 2022


ALDRIN O. SORIANO


ATTY. JOSEPH EMMANUEL B. CERA


JUVY O. FRIALDE


JOEL C. MENESES


ROLLY G. ABALOS


ATTY. FERNANDO JUAN A. CABRERA



DR. JOSE LITO G. QUINTO


CHRISTOPHER G. ROMERO

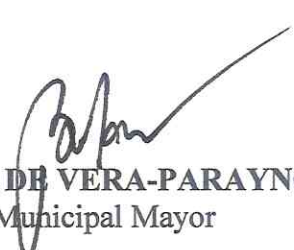

LOVELY LIAN C. MARAMBA


MICHAEL ERVIN C. LOMIBAO

ATTESTED:


DR. MARK STEPHEN X. MEJIA
Municipal Vice Mayor/
Presiding Officer

APPROVED:


BONA FE DE VERA-PARAYNO
Municipal Mayor