EXEMPLARY FROM THE MINUTES OF THE 14TH REGULAR SESSION OF THE
SANGGUNIANG BAYAN OF MALAY, AKLAN (2004-2007) HELD AT THE
SB SESSION HALL ON APRIL 12, 2007.

Present:
SB Member Esel L. Flores, Acting Presiding Officer
SB Member John P. Yap
SB Member Ralf A. Tolosa
SB Member Dante C. Pagsaguiron
SB Member Gideon T. Siñel
SB Member Cristina C. Prado
SB Member Charlie D. Villanueva
SB Member Nolasco V. Claud, Liga President

Absent:
Hon. Frolibar S. Bautista, Municipal Vice Mayor (OB)
SB Member Ladd E. Cahilig, SK Federation President
SB Member Julieta A. Aron (OB)

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MUNICIPAL ORDINANCE NO. 245
Series of 2007

AN ORDINANCE GRANTING FRANCHISE AND PROVIDING CONDITIONS
IN THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF
COCKPIT ARENA WITHIN THE JURISDICTION OF MALAY.

SECTION 1. - RATIONALE. Cockfighting is becoming one of the major
tourist attractions in Boracay. Regulation therefore, by way of
granting a franchise, is the most logical move to ensure the
establishment of a cockpit that can provide acceptable systems and
facilities for tourist cockfighting enthusiasts. Besides being a
traditional activity, cockfighting is also one of the most popular
recreational sports in the country within which people, of different
ages and walks of life, easily mix and blend together. If properly
regulated, this can be a good vehicle in bonding people together for a
productive cause. Further, this franchise granting ordinance is
pursuant to Section 447, Paragraph 3, Sub-paragraph (V) of the Local

SECTION 2. - GRANT OF FRANCHISE. Establishment, operation and maintenance of
cockpit arena in the Island of Boracay and the Mainland Malay,
within the municipal jurisdiction of Malay, by two thirds vote (2/3)
of all its members, may grant franchise to establish, operate
and maintain a cockpit arena provided that the grantee has complied
with all the requirements and conditions provided by this ordinance.

SECTION 3. - COCKPIT ARENA. The Sangguniang Bayan of LGU-Malay, one in the Island of Boracay and the other in
Mainland Malay, it shall be prohibited of any entity, natural or
juridical, to own, establish, operate and maintain the same. Further,
in no case there shall be more than two franchised cockpit arena
within the municipal jurisdiction of Malay.
SECTION 4. - **Length of Franchise.** In no case the grant of cockpit franchise for more than ten (10) years subject to renewal for another ten (10) years, provided that the grantee has complied with all the conditions and requirements provided by this ordinance.

SECTION 5. - **Franchise Fee.** The grantee shall pay a franchise fee equivalent to ten percent (10%) of the total capital investment in the establishment of the cockpit payable to the Municipal Treasurer of LGU-Malay upon release of the franchise. The payment of franchise fee is without prejudice to the payment of fees relative to the required annual mayor’s permit to operate which the grantee must comply.

SECTION 6. - **Implementing Rules.** The Office of the Chief Executive shall be responsible for the promulgation of the implementing rules and regulations of this ordinance to ensure that the purposes and intent provided herein shall be achieved.

SECTION 7. - **Effectivity.** This Ordinance shall take effect upon its approval and proper publication.

**ENACTED.** MARCH 15, 2007.

**APPROVED.** APRIL 12, 2007.

I HEREBY CERTIFY to the correctness of the afore-quoted Municipal Ordinance.

CONCORDIA S. ALCANTARA
Secretary to the Sangguniang Bayan

ATTESTED:

ESEL L. FLORES
SB Member
Acting Presiding Officer

APPROVED:

CECIRON S. CAWALING
Municipal Mayor