

OFFICE OF THE SANGGUNIANG PANLUNGSOD

LEGISLATIVE TERM 2022-2025

PRESENT:

FIRST DISTRICT:

Hon. Susana G. Say	City Councilor
Hon. Enrico C. De Guzman, M.D. FPOGS	City Councilor
Hon. Charmaine Jill C. Tapales	City Councilor
Hon. Eileen Grace T. Zapanta, M.D.	City Councilor
Hon. Agnes G. Oldan-Gratil	City Councilor
Hon. Robert R. Altamirano, Sr.	City Councilor
Hon. Jewel Anne G. Camacho	City Councilor
Hon. Mariafe S. Pimentel	City Councilor

SECOND DISTRICT:

Hon. Lorenzo Juan Y. Sumulong III	City Councilor/Temporary Presiding Officer
Hon. Ronaldo L. Leyva	City Councilor
Hon. Christian Edward O. Alarcon	City Councilor
Hon. John Michael S. Leyva	City Councilor
Hon. Angie Lou C. Tapales	City Councilor.
Hon. Christian A. Masangkay, DMD	City Councilor
Hon. Alfred J. Zapanta, RN	City Councilor
Hon. Edward R. O'Hara	City Councilor

EX-OFFICIO MEMBER:

Hon. Gerardo S.J. Doroteo	IPM- Representative
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ABSENT:

Hon. Josefina G. Gatlabayan, Ph.D	City Vice Mayor/On-leave
Hon. Jonathan C. Salen	Liga ng mga Brgy. Pres.
Hon. Peter Arnold S. Papel, Jr.	SK Federation Pres.

Proposed Ordinance No. 682, series of 2023

CITY ORDINANCE NO. 2023-1073

AN ORDINANCE GRANTING THE RENEWAL OF FRANCHISE IN FAVOR OF NEW ANTIPOLO COLISEUM, REPRESENTED BY MANUEL S. KO TO OPERATE AND MANAGE A COCKPIT ARENA LOCATED AT LOTS 1, 2-A , 2-B , 2-C AND 14-C PROVINCIAL ROAD, BARANGAY DALIG, ANTIPOLO CITY, SUBJECT TO EXISTING AND APPLICABLE LAWS, RULES AND REGULATIONS AND FOR OTHER PURPOSES.

APPROVED:

C. S. B.

CASIMIRO A. YNARES III, M.D.

City Mayor

**INTRODUCED BY : COUN. EILEEN GRACE T. ZAPANTA
COUN. EDWARD R. O'HARA
COUN. RONALDO L. LEYVA**

**SPONSORED BY: COMM. ON LOCAL FRANCHISING
COMM. ON PLANNING, LAND UTILIZATION
HOUSING & SETTLEMENT
COMM. ON GAMES AND AMUSEMENT**

WHEREAS, Article 4 Section 11 (e) (3) (g) of RA 8508, the Charter of the City of Antipolo provides:

(e) The Sangguniang Panlungsod shall:

(3) Subject to the provisions of the Local Government Code of 1991, enact ordinances, granting franchises and authorizing the issuance of permits or licenses, upon such conditions and for such purposes intended to promote the general welfare of the inhabitants of the City, and pursuant to this legislative authority, shall:

(g) Upon approval by a majority vote of all members of the Sangguniang Panlungsod, grant a franchise to any person, partnership, corporation or cooperative to do business within the City; establish, construct, operate and maintain ferries, markets and slaughterhouses; or undertake such other activities within the City as may be allowed by existing laws: Provided, that cooperatives shall be given preference in the grant of such franchise.

WHEREAS, pursuant to the mandate of City Ordinance No. 32-99 entitled "An Ordinance Regulating Cockfighting and the Establishment and Operation and Maintenance of Cockpits in Antipolo city, Holding of Cockfighting and Derbies and the Licensing of the Officiating Personnel Thereon", "the representative of the New Antipolo Coliseum located at Lots 1, 2-A, 2-B, 2-C and 14-C Provincial Road, Barangay Dalig, Antipolo City has filed for an application for the issuance of a Franchise from the City Council;

WHEREAS, the application for the issuance of a franchise was subsequently referred to the Committee on Local Franchising, Committee on Planning, Land Utilization, Housing and Settlement and Committee Games and Amusement for appropriate action and the said committees, after careful study and review of the application and other pertinent documents, submitted a report strongly recommending favorable action by the Sangguniang Panlungsod after determining that the applicant possess the required capability, competence, logistic of facilities to set up for gaming, amusement and commercial purposes a cockpit arena for entertainment of the people of Antipolo and the public in general;

WHEREAS, considering the wide range of benefits that will accrue to the City in terms of the revenues to be generated and the jobs to be created in the event this business venture is successfully undertaken, this august body has agreed to enjoin the enactment of this Ordinance.

APPROVED:

[Handwritten signature]

CASIMIRO A. YNARES III, M.D.

City Mayor

N O W T H E R E F O R E ,

BE IT ENACTED BY THE SANGGUNIANG PANLUNGSOD IN SESSION ASSEMBLED, THAT:

SECTION 1. For purposes of this Ordinance, the application for renewal of a franchise to establish and operate a Cockpit Arena located in Barangay Dalig, Antipolo City filed by Mr. Manuel S. Ko is hereby granted subject to the following:

- a. The franchise or authority shall continue for the term of ten (10) years to take effect from the date of approval or enactment of this Ordinance, renewable upon the mutual agreement of the Grantee: Provided that in the event the operation of the cockpit arena should prove to be financially unprofitable to the Grantee, then it may be allowed to discontinue operation on at least three (3) months advance notice to the City.
- b. Pursuant to the applicable Zoning Code of Antipolo City (2017-800), the revised Revenue Code of Antipolo (2019) and all other existing laws such as PD 1096 (National Building Code) , PD 1185 (Fire Code of the Philippines) , PD 856 , Sanitation Code of the Philippines and other applicable laws, rules and regulations and guidelines may be promulgated by concerned national government agencies, the Grantee shall faithfully and strictly comply with all the necessary statutory and documentary requirements prescribed by the City and other concerned government agencies for the establishment, operation and maintenance of a cockpit arena in the City.
- c. The Grantor shall collect each year from the Grantee a franchise tax at the rate seventy-five percent (75%) of one percent (1%) of the gross annual gross receipt, which shall include both cash sales on account, realized during the preceding calendar year within the territorial jurisdiction of the City.
- d. The City shall collect from the Grantee, aside from the franchise tax, all the taxes, fees, and charges it shall pay pursuant to the rates imposed under the Revised Revenue Code of Antipolo City 2019 (2019-879).
- e. The City of Antipolo shall issue all local permits required for the construction and operation of the public market upon submission of the required documents, subject to, but not limited to the payment of services fees as provided for under existing ordinances.
- f. The Grantee shall retain all the ownership of all construction and other materials necessary for the business up to the time of expiration of this franchise or authority.
- g. The authority shall be non-transferable and may be revoked anytime when the interest of the government so demands.

SECTION 3. Any ordinance, rules and regulations, executive orders, or issuances or/parts thereof which are inconsistent with the provisions of this ordinance shall be deemed repealed or modified accordingly.

APPROVED:

CASIMIRO A. YNARES III, M.D.

City Mayor


SECTION 4. If for any reason or reasons, any part or provision of this Ordinance shall be held invalid or unconstitutional by the court, another part of thereof which are not affected thereby shall continue to be in full force and effect.

SECTION 5. This Ordinance shall take effect upon approval.

Enacted Unanimously by all the members present, there being a quorum, this 19th day of April 2023, during its Regular Session at 8th Floor, City Hall Annex Building, Antipolo City.

CERTIFICATION

I hereby certify to the correctness of the foregoing ordinance.


ALAN R. ESPINAS
Secretary to the SP I


ATTESTED:

ATTESTED:



SUSANA G. SAY
City Councilor


ENRICO C. DE GUZMAN, M.D., FPOGS
City Councilor



CHARMAINE D. C. TAPALES
City Councilor


EILEEN GRACE T. ZAPANTA, M.D.
City Councilor


AGNES G. OLDAN-GRATIL
City Councilor


LORENZO JUAN Y. SUMULONG III
City Councilor/Temporary Presiding
Officer


RONALDO L. LEYVA
City Councilor


CHRISTIAN EDWARD O. ALARCON
City Councilor


JOHN MICHAEL S. LEYVA
City Councilor



ANGIE LOU C. TAPALES
City Councilor

APPROVED:

CASIMIRO A. YNARES III, M.D.
City Mayor

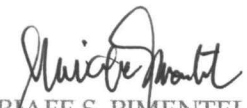
City Ordinance No. 2023-1073


ROBERT R. ALTAMIRANO, SR.
City Councilor



CHRISTIAN A. MASANGKAY, DMD
City Councilor

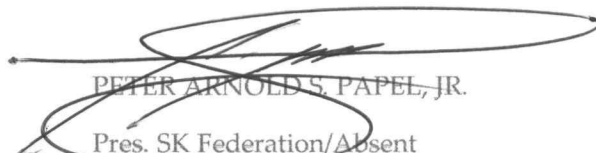

JEWEL ANNE G. CAMACHO
City Councilor


ALFRED J. ZAPANTA, RN
City Councilor


MARIAFE S. PIMENTEL
City Councilor


EDWARD R. O'HARA
City Councilor


JONATHAN C. SALEN
Pres., Liga ng mga Brgy-Absent


PETER ARNOLD S. PAPEL, JR.
Pres. SK Federation/Absent


GERARDO S.J. DOROTEO
IPM-Representative

JOSEFINA G. GATLABAYAN, Ph.D.
City Vice Mayor/Absent/On-leave

APPROVED:


CASIMIRO A. YNARES III, M.D.

✓ City Mayor ✓

MAY 10 2023