



Republic of the Philippines  
PROVINCE OF CAVITE  
City of Bacoor

CGBCR-SPBac-F003.00  
10/20/2023

OFFICE OF THE SANGGUNIANG PANLUNGSOD

COMMITTEE ON GOVERNMENT ENTERPRISES  
AND PRIVATIZATION, PUBLIC FRANCHISES

COMMITTEE REPORT  
NO. GEPPF-03-S-2024

*Atty. Maricris R. Leynes* 04/16/24  
MARICRIS R. LEYNES  
ADMIN. ASSISTANT

**Subject: AN ORDINANCE PRESCRIBING GENERAL GUIDELINES FOR THE GRANT OF FRANCHISE TO CERTAIN BUSINESSES IN THE CITY OF BACOR. (PCO 2023-146 dated 11 December 2023)**

The proposed ordinance (PCO 2023-146) was referred to the Committee on 11 December 2023. The Committee held hearing on January 18, 2024 which was attended by several resource persons (please see the attached attendance sheets and minutes).

During the said hearings, the Committee sought the opinion of the said resource persons who explained that the approval of PCO 2023-146 is necessary to regulate the process of granting franchises to certain businesses within Bacoor's territorial jurisdiction ensuring fairness and transparency and usher in a trade strategy that benefits the general welfare of the Bacoreños.

The Committee recommends that the following changes be made to the proposed ordinance and the reasons for the said changes:

Original Provision	Proposed Revision/s	Reason for Revision/s
<b>SECTION 1. SHORT TITLE.</b> This Ordinance shall be known as the "Grant of Franchise Ordinance of the City of Bacoor."	<b>SECTION 1. SHORT TITLE.</b> This Ordinance shall be known as the " <b>Franchise Regulation Ordinance of the City of Bacoor</b> ".	The original title is too long and prone to misinterpretation.
<b>SECTION 2. SCOPE AND COVERAGE.</b> This Ordinance shall govern the grant of franchise for the establishment, operation, maintenance, and ownership of business, which the grant of franchise is delegated to the Sangguniang Panlungsod under the Local Government Code, special laws, implementing rules and regulations, and other issuances. The grant of franchise shall cover, but not be limited to, the following businesses:  1. Cockpit 2. Traditional Bingo 3. Electronic Bingo or E-Games 4. Electronic Sabong 5. Off-track Betting	<b>SECTION 2. SCOPE AND COVERAGE.</b> This Ordinance shall govern the grant of franchise for the establishment, operation, maintenance, and ownership of businesses that require a franchise as delegated to the Sangguniang Panlungsod under the Local Government Code of 1991, special laws, implementing rules and regulations, and other government issuances. The grant of such franchise shall cover, but shall not be limited to, the following businesses:  1. Cockpit operations 2. Traditional Bingo operations 3. Electronic Bingo or E-Games operations 4. Electronic Sabong operations	By inserting the word "operations" after cockpit, traditional bingo, e-bingo, e-games, and e-sabong, the Committee intended to include in the coverage of the franchise all other commercial transactions related to the day-to-day activities of the said establishments that are related to their core businesses such as the sale of refreshments, food, and other merchandise.  The phrase "as may be provided by law" was inserted to anticipate the approval of any law that might affect the operation of the said establishments in the future.



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<p>It is hereby understood that the enumeration above is not exclusive. All business that requires a franchise for the establishment, operation, maintenance, and ownership shall be covered by this Ordinance as long as the power to grant a franchise is given to or delegated to the Sangguniang Panlungsod.</p>	<p><b>5. Off-Track Betting operations</b></p> <p><i>It is hereby understood that the enumeration above is not exclusive. All businesses that require a franchise for the establishment, operation, maintenance, and ownership thereof shall be covered by this Ordinance or as may be provided by law.</i></p>	
<p><b>SECTION 3. DECLARATION OF POLICY.</b> It is hereby declared a policy of the government to ensure within the framework for the development and promotion of wholesome recreation and amusement activities to bring about the following goals:</p> <p>xxx</p> <p>3. To provide additional revenue for our tourism program;</p>	<p><b>SECTION 3. PURPOSES.</b> <i>The aims of this Ordinance are:</i></p> <p>xxx</p> <p>3. To provide additional revenue for the tourism program of the City Government;</p>	<p>The Committee inserted "of the City Government" to Section 3 to emphasize that the funds to be raised in the implementation of this Ordinance will be partly used to finance the tourism development program of the City.</p>
<p><b>SECTION 4. DEFINITION OF TERMS.</b></p> <p>xxx</p> <p>6. "Gambling" refers to an activity in which a person stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under the control or influence of the person, an agreement or understanding that the person or someone else will receive something of value in the event of a certain outcome.</p> <p>7. "E-sabong" refers to the streaming of legal cockfights from licensed cockpits to licensed operators abroad.</p> <p>8. "Online Gambling" - any type of gambling done on the Internet.</p>	<p><b>SECTION 4. DEFINITION OF TERMS.</b> <i>For purposes of this Ordinance, the following terms are hereby defined as follows:</i></p> <p>7. "Implementing Agency" is the department/unit under the Office of the City Mayor tasked to implement particular governmental functions as mandated by law or by a city ordinance.</p> <p>8. "E-sabong" refers to the streaming of legal cockfights from licensed cockpits to licensed operators abroad.</p> <p>9. "Online Gambling" - any type of gambling done on the Internet.</p>	<p>The Committee inserted the definition of "Implementing Agency" in view of the use of the said term in various parts of the ordinance. The definition provided by the Committee is intended to avoid confusion.</p> <p>Due to the insertion of the said definition, the re-numbering of the sub-sections of the said provision became necessary.</p>
<p><b>SECTION 5. CONSTRUCTION.</b>  <i>All words and phrases shall</i></p>	<p><b>SECTION 5. CONSTRUCTION.</b>  <i>All words and phrases shall</i></p>	<p>The Committee inserted the word "Ordinance" and deleted</p>



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<p>be construed and understood according to the common and approved usage of the language, but technical words and phrases and such other words in this Code which may have acquired a peculiar or appropriate meaning shall be construed and understood according to such technical, peculiar, or appropriating meaning. In case of conflict in interpreting the provisions of this Ordinance, the interpretation in favor of the City Government shall prevail.</p>	<p>be construed and understood according to the common and approved usage of the language, but technical words and phrases and such other words in this Ordinance which may have acquired a peculiar or appropriate meaning shall be construed and understood according to such technical, peculiar, or appropriating meaning. In case of conflict in interpreting the provisions of this Ordinance, the interpretation in favor of the City Government shall prevail.</p>	<p>the word "Code" in the original draft to avoid confusion.</p>
<p><b>SECTION 7. OWNERSHIP, MANAGEMENT AND OPERATION.</b> Only Filipino citizens, or corporations 100% owned by Filipino citizens, of good moral character with no prior conviction for any crime involving moral turpitude and are not otherwise inhibited by existing laws shall be allowed to own, manage, and operate the gaming or gambling business or activity. As for other businesses, the ownership, management, and operation shall be based on the laws and the corresponding Implementing Rules and Regulations allowing the grant of the franchise.</p>	<p><b>SECTION 7. OWNERSHIP, MANAGEMENT AND OPERATION.</b> Only Filipino citizens, or corporations 100% owned by Filipino citizens, of good moral character with no prior conviction for any crime involving moral turpitude and are not otherwise inhibited by existing laws or city ordinances shall be allowed to own, manage, and operate any gaming or gambling business or activity in the City of Bacoor. As for other businesses, the ownership, management, and operation shall be based on the laws, applicable city ordinances, and the corresponding Implementing Rules and Regulations of such laws and ordinances allowing the grant of a franchise.</p>	<p>The Committee inserted:            "or city ordinances" to emphasize the power of local autonomy of the City Government;            changed "operate gaming or gambling business or activity" to "any gaming or gambling business or activity in the City of Bacoor" to make the provision encompass all gaming and gambling business/activities within the City; the phrase "applicable city ordinances" was inserted in view of the existence of city ordinances that can affect the operation of the said establishments; the phrase "of such laws and ordinances" was inserted for the sake of clarity.</p>
<p><b>SECTION 8. GENERAL CONDITIONS.</b> To continuously enjoy the privilege under a franchise, the Grantee shall hold or conduct its business activities in accordance with the existing laws or rules regulating its particular business operation as promulgated by the national laws and agencies concerned, i.e., PAGCOR, Games and Amusement Board.</p>	<p><b>SECTION 8. GENERAL CONDITIONS.</b> To continuously enjoy the privilege under a franchise granted by virtue of this Ordinance, the Grantee shall hold or conduct its business activities in accordance with the existing laws or rules regulating its particular business operation as promulgated by the national laws and agencies concerned (i.e., PAGCOR, Games and Amusement Board) and in strict</p>	<p>The Committee inserted "granted by virtue of this Ordinance" to emphasize that only franchises granted under the proposed ordinance is covered by it and to exclude franchises granted by the national government;            The phrase "and in strict compliance to existing or pertinent ordinances" was inserted to highlight the fact that only franchises granted by the</p>



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<p>The Grantee shall strictly observe compliance with all laws and ordinances for the proper maintenance and sanitation in accordance with the Republic Act 9003 or the Ecological Solid Waste Management Act of 2000.</p> <p>During operation, the Grantee shall conduct Corporate Social Responsibility programs such as providing job opportunities for local constituents, participating in greening programs, and providing other support services to the various social programs and projects of the City.</p>	<p><i>compliance to existing or pertinent ordinances.</i></p> <p><i>The Grantee shall strictly observe compliance with all laws and ordinances for the proper maintenance and sanitation in accordance with Republic Act 9003 (the "Ecological Solid Waste Management Act of 2000") and other applicable laws.</i></p> <p><i>The Grantee shall conduct Corporate Social Responsibility (CSR) programs in partnership with the City Government at least once every year such as by providing job opportunities for Bacoor City residents, participating in greening programs, and providing other support services to the various social programs and projects of the City.</i></p> <p><i>The failure of the Grantee to comply with these general conditions — and any additional conditions that the City Government may impose by way of an ordinance and the other conditions provided hereunder — shall result in the revocation by the Sangguniang Panlungsod of the franchise granted in its favor.</i></p>	<p>City Government is covered by the ordinance.</p> <p>The phrase "(the "Ecological Solid Waste Management Act of 2000") and other applicable laws" was inserted and revised for stylistic reasons.</p> <p>The Committee inserted "in partnership with the City Government at least once every year such as by providing job opportunities for Bacoor City residents," to make it clear that franchise grantees have an obligation to partner with the City Government in the holding of at least one CSR activity every year as a precondition for the maintenance of the said franchise and to mitigate the social cost of gambling related activities to city residents.</p> <p>The Committee decided to insert the highlighted sentence in Section 8 to emphasize the consequences of not complying with the said general conditions to the franchise granted by the City Government.</p>
<p><b>SECTION 10. ADMINISTRATIVE PROVISIONS.</b> Any franchise holder who intends to operate or who is already operating his business in the City of Bacoor shall apply with the Office of the City Mayor through the Business Permit and Licensing Office (BPLO) and attach the following documents/information:</p> <p style="text-align: center;">xxx</p> <p>7. Necessary clearances from Barangay, Zoning, City</p>	<p><b>SECTION 10. ADMINISTRATIVE PROVISIONS.</b> Any franchise holder who intends to operate or who is already operating its business in the City of Bacoor shall apply with the Office of the City Mayor through the Business Permit and Licensing Office (BPLO) and submit the following documents/information:</p> <p style="text-align: center;">xxx</p> <p>7. Necessary clearances from the barangay having jurisdiction over the business operations subject</p>	<p>The word "submit" was inserted to stress that the said documents should be submitted by the franchise applicant.</p> <p>The Committee inserted the highlighted provisions of subsection 7 to clarify which barangays should issue the</p>



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<p>Planning and Development Office, DENR. OBCI;</p> <p style="text-align: center;">xxx</p> <p>10. Other requirements are established by law and rules and regulations related to a specific business or activity concerned.</p>	<p>of the franchise, the Zoning and Land Development Department, the City Planning and Development Coordination Office, the Office of the Building Official, the City Environmental Services Department, the City Health Office, and other departments/units under the Office of the Mayor as may be warranted under the circumstances;</p> <p style="text-align: center;">xxx</p> <p>10. Other requirements as established by law and rules and regulations related to a specific business or activity.</p>	<p>necessary clearances and the official names of the various departments mentioned to avoid confusion.</p>
<p><b>SECTION 11. MANDATORY PAYMENT OF TAXES AND FEES.</b> The Grantee shall be liable to pay all taxes and other fees prescribed by the Revised Revenue Code of the City of Bacoor to the Office of the City 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 grounds for revocation or cancellation of this franchise.</p>	<p><b>SECTION 11. MANDATORY PAYMENT OF TAXES AND FEES.</b> The Grantee shall be liable to pay all taxes and other fees prescribed by the Revised Revenue Code of the City of Bacoor to the Office of the City Treasurer. Said assessments shall be without prejudice to subsequent impositions as may be adopted or hereafter may be required by law or ordinance. The failure of the Grantee to promptly and regularly pay with said tax obligations shall be a ground for the revocation or cancellation of the franchise granted in its favor.</p>	<p>The highlighted portions of Section 11 were inserted by the Committee for stylistic reasons and to emphasize that non-payment of taxes shall result in the cancellation or revocation of the franchise granted by virtue of the proposed ordinance.</p>
<p><b>SECTION 12. PROHIBITION ON SALE, LEASE, USUFRUCT, AND TRANSFER OF FRANCHISE.</b> This franchise is non-transferable. 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 Panlungsod.</p>	<p><b>SECTION 12. PROHIBITION ON SALE, LEASE, USUFRUCT, AND TRANSFER OF FRANCHISE.</b> Any franchise granted by virtue of this Ordinance is non-transferable. The Grantee shall not sell, assign, lease, grant the usufruct of, or in any manner transfer any franchise granted by virtue of this Ordinance, including any right and privilege acquired through such franchise, to any natural or juridical person, firm or other entities, nor merge with any</p>	<p>The Committee inserted the phrase "granted by virtue of this Ordinance" to emphasize that no franchise granted due to the ordinance may be transferred. This provision is made necessary because certain franchises granted by Congress may be transferred to another juridical entity. The subsequent provisions enumerating the means by which such transfer can be done and to whose benefit were inserted to further clarify that no</p>



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	<p>corporation, partnership, or individual without the prior approval of the Sangguniang Panlungsod by way of an ordinance approved by at least <math>\frac{2}{3}</math> of its members.</p>	<p>transfer of the said franchise is allowed.</p> <p>The phrase "prior approval of the Sangguniang Panlungsod by way of an ordinance approved by at least <math>\frac{2}{3}</math> of its members" was inserted to give the City Government the opportunity to make such a transfer possible but only with the imprimatur of <math>\frac{2}{3}</math> of the members of the City Council so as not to unduly restrain trade.</p>
<p><b>SECTION 13. PROHIBITIONS.</b> The Grantee, during the operation of its business or activity, shall ensure that the following prohibitions are adhered to:</p> <ol style="list-style-type: none"> <li>1. Illegal gambling</li> <li>2. Conduct of operation outside the designated premises or place of operation as granted under a franchise</li> <li>3. Carrying deadly weapons except for security personnel and police or military authorities</li> <li>4. Carrying illegal drugs</li> <li>5. Minors shall not be allowed to enter any gaming or gambling premises.</li> </ol>	<p><b>SECTION 13. PROHIBITIONS.</b> Any franchise granted by virtue of this Ordinance is deemed immediately and automatically revoked if the Grantee, as may be determined by the Office of the City Mayor, commits any of the following within its business premises:</p> <ol style="list-style-type: none"> <li>1. Allow the conduct of illegal gambling, prostitution, or human trafficking as defined under Republic Act No. 9208 (the "Anti-Trafficking in Persons Act of 2003") and by Republic Act No. 10364 (the "Expanded Anti-Trafficking in Persons Act").</li> <li>2. Operate outside the Grantee's designated business premises or place of operation as granted under a franchise.</li> <li>3. Allow the carrying, use or storage of firearms, illegal drugs, or toxic chemicals without the requisite government clearances and/or permits.</li> <li>4. Conduct, engage, or take part in any business activity not covered by the franchise.</li> <li>5. Allow minors, students in uniform even if already of age, and beneficiaries of the Pantawid Pamilyang Pilipino Program (4Ps) and other social amelioration programs of the city and national government to enter any establishment engaged in gaming or</li> </ol>	<p>The Committee decided to revise Section 13 almost in its entirety to minimize the social cost of gambling activities, to protect minors/students/the elderly from criminals who might be lurking in gaming establishments, and to strengthen the moral fiber of City residents.</p>



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	<p>gambling activities covered by the franchise; and          6. Conducting any activity similar or analogous to the foregoing.</p>	
<p><b>SECTION 14. TERM OF FRANCHISE.</b>          Unless sooner revoked or canceled, the franchise shall be in effect for the period stated in the Grant of Franchise that the City of Bacoor will issue. This period shall not exceed the maximum period stated in the laws and its Implementing Rules and Regulations allowing the grant of the franchise. The renewal shall be subject to the terms and conditions in the Grant of Franchise that the City of Bacoor will issue and the laws and its implementing Rules and Regulations allowing the grant of the franchise.</p>	<p><b>SECTION 14. TERM OF FRANCHISE.</b>          Unless sooner revoked or canceled, the franchise shall be in effect for the period stated in the Grant of Franchise that the City of Bacoor will issue. This period shall not exceed the maximum period stated in various applicable laws and ordinances and their respective Implementing Rules and Regulations that allowed the grant of the franchise. The renewal of the franchise shall be subject to the terms and conditions in the Grant of Franchise that the City of Bacoor will issue and the laws and ordinances and their respective Implementing Rules and Regulations that allowed the grant of the franchise.</p>	<p>The highlighted portions of Section 14 were inserted by the Committee for stylistic reasons and to avoid confusion on the part of persons who might be affected by the said provision</p>
<p><b>SECTION 15. REVOCATION.</b> In case of violation by the Grantee of the terms and conditions and/or noncompliance with the requirements provided herein and the pertinent laws, ordinances, rules, and regulations governing the operation of the business or activity applied for, as well as the laws, ordinances, rules or regulations that may hereinafter be promulgated, the City Government of Bacoor, thru the Sangguniang Panlungsod, have the right to withdraw or suspend the franchise including the complementing business permit.</p>	<p><b>SECTION 15. REVOCATION.</b> In case of violation by the Grantee of the terms and conditions and/or noncompliance with the requirements provided herein and pertinent laws, ordinances, rules, and regulations governing the operation of the business or activity applied for, as well as the laws, ordinances, rules or regulations that may hereinafter be promulgated, the City Government of Bacoor, thru the Sangguniang Panlungsod, have the right to withdraw or suspend the franchise including all permits issued by any department under the Office of the City Mayor.</p>	<p>The highlighted provisions of Section 15 were inserted by the Committee to stress the consequences of violating the conditions of the franchise and to ensure compliance thereto by franchise grantees.</p>
<p><b>SECTION 16. IMPLEMENTING RULES AND REGULATIONS.</b> Depending on the nature of the franchise subject of the grant, the implementing Agency, with the assistance of the Office of the City Administrator, Business Permit Licensing Department, and the Office of the City Legal</p>	<p><b>SECTION 16. IMPLEMENTING RULES AND REGULATIONS.</b> Depending on the nature of the franchise subject of the grant, the implementing Agency, with the assistance of the Office of the City Administrator, Business Permit Licensing Office, and the Office of the City Legal Service,</p>	<p>The Committee changed the word "Department" to office because the Sanggunian has not approved any ordinance creating a "Business Permit and Licensing Department".</p>



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Service, shall formulate the Implementing Rules and Regulations necessary for the proper execution and implementation of this Ordinance subject to the approval of the City Mayor in the appropriate Executive Order.	shall formulate the implementing Rules and Regulations necessary for the proper execution and implementation of this Ordinance subject to the approval of the City Mayor in the appropriate Executive Order.	
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**RECOMMENDATION:**

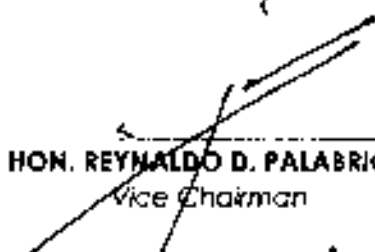
After very careful and precise review and deliberation by the Committee, it is recommended that the proposed amendments to the proposed ordinance be **APPROVED**.

**WE HEREBY CERTIFY** that the contents of the foregoing report are true and correct.

Signed this 14th day of March 2024 at the City of Bacoor, Cavite.

**COMMITTEE ON GOVERNMENT ENTERPRISES AND  
PRIVATIZATION AND PUBLIC FRANCHISES**

  
\_\_\_\_\_  
**HON. ADRIELITO G. GAWARAN**  
Chairman

  
\_\_\_\_\_  
**HON. REYNALDO D. PALABRICA**  
Vice Chairman

  
\_\_\_\_\_  
**HON. ALEJANDRO F. GUTIERREZ**  
Member

  
\_\_\_\_\_  
**HON. ROBERTO L. ADVINCULA**  
Member





OFFICE OF THE SANGGUNIANG PANLUNGSOD

COMMITTEE ON GOVERNMENT ENTERPRISES AND PRIVATIZATION, PUBLIC  
FRANCHISES

MINUTES OF EN BANC HEARING  
NO. GEPPF-03-S-2024

*Atty. Valenciano*  
MARKICRIS R. VALENCIANO  
ADMIN. ASST.

Subject: AN ORDINANCE PRESCRIBING GENERAL GUIDELINES FOR THE GRANT OF FRANCHISE TO CERTAIN BUSINESSES IN THE CITY OF BACOR. (PCO 2023-146 dated 11 December 2023)

The hearing commenced at 10:00 AM at the Sangguniang Panlungsod Session Hall, 6<sup>th</sup> Floor Bacoor Legislative and Disaster Resilience Building, Bacoor Government Center on January 18, 2024. The Honorable Councilor Adrielito Gawaran, presiding officer, acknowledged the presence of the council members including Honorable Reynaldo Palabrica, Honorable Michael Solis, Honorable Alejandro Gutierrez, Honorable Levy Tela, Honorable Rogelio Nolasco, Honorable Simplicio Dominguez, Honorable Randy Francisco and Honorable Palm Angel Buncio. He then requested the guests to introduce themselves, including representatives from the Business Permit and Licensing Office (Raymil Rabe), City Legal Office (Atty. Solve Valenciano), Talaba Cockpit (Carlito Castro & Bhuboy Luz), Cavite Coliseum (John Benedict Del Rosario) and E-Bingo (Laurence De Castro).

The Lead Committee Chairman Hon. Gawaran explained the purpose of the hearing, read the Proposed Ordinance that outlines general guidelines for granting franchises to certain businesses in Bacoor. Councilor Palabrica seconded the motion and provided clarification on the hearing's objective.

Atty. Valenciano elaborated on the background of the proposed ordinance, emphasizing the need to gather ideas and input from councilors, guests and department heads. She expressed the intention to improve, modify, or revise the ordinance and considering existing regulations for recreational activities like online gaming in the city.

Councilor Palabrica raised a follow-up question regarding the difference between the current draft ordinance and previous guidelines, specifically, Sections 1-3. [See attached Proposed City Ordinance]

Atty. Valenciano responded, highlighting the aim of the new ordinance to establish a generalized, uniform application process for any franchise.

Councilor Gawaran posed several questions for discussion:

1. Why does the proposed city ordinance have no PENALTY CLAUSE, which states penalty for offenders?  
Atty. Valenciano acknowledged the question and replied, "That there is currently none."
2. Why is there a need for the businesses to require a franchise?  
Atty. Valenciano answered, "stating that certain businesses require a franchise, similar to a special permit with specific rights and privileges. For example, cockpits, even under national law, require a franchise in their locality."



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3. Is there no existing ordinance to address the problem? Why do we need new guidelines?  
Atty. Valenciano, explained, "That the instruction from the Office of the Mayor was to draft a new ordinance to provide general guidelines instead of separate ordinances for businesses requiring a franchise. Like the City Ordinance 321-2023, Prohibiting Illegal Gambling Activities, may mga ilang procedure/mandate like fees, requirements to operate and grounds to close the business."
4. [Section 4] DEFINITION OF TERMS - para sa sugal lang ba?  
Atty. Valenciano clarified "that the draft outlines are not limited to the listed businesses, and can be expanded, such as in games of chance."
5. Alam nyo ba na sa Local Government Code at sa Supreme Court Decision, ang bawal LGU ay dalawa (2) lang, meion na tayong existing.  
She answered that, "For example, cockpits have certain conditions and limitations under national law. Regarding E-Bingo, further research is needed to determine if it should proceed."

Councilor Palabrica asked the resource persons for their reactions, with E-Bingo, Talabo Cockpit, and Cavite Coliseum expressing no objections or ideas so far. He emphasized that these guidelines do not include fees at this point.

He strongly suggested to invite other stakeholders for broader input before deliberating on this ordinance. Chairman Gawaran asked the three stakeholders if they had complied with the requirements of the Department of Trade & Industry (DTI) and Security & Exchange Commission (SEC) and the city government, to which they replied that they are still in the process of compliance.

Councilor Gutierrez added that the intention of this agenda is to minimize and control the issuance of franchises, as stated from Section 3 (Declaration of Policy). See attached Proposed City Ordinance.

Chairman Gawaran asked the panel if there were more matters to discuss, and Councilor Gutierrez moved to adjourn the meeting, seconded by other members. As there were no further matters to discuss, Chairman Gawaran advised the members to wait for the next notice, hearing concluded at 11:00AM.



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EN BANC HEARING

COMMITTEE ON GOVERNMENT ENTERPRISES AND PRIVATIZATION AND PUBLIC  
FRANCHISES

HON. ADRIELITO G. GAWARAN  
*Chairman*



HON. REYNALDO D. PALABRICA  
*Vice Chairman*



HON. ALEJANDRO F. GUTIERREZ  
*Member*

(Absent)



HON. ROBERTO L. ADVINCULA  
*Member*



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**CITY ORDINANCE NO. 357-2024**  
**Series of 2024**

**AN ORDINANCE PRESCRIBING GENERAL GUIDELINES FOR  
THE ~~GRANT OF FRANCHISE TO CERTAIN~~ BUSINESSES IN THE  
CITY OF BACOR, CAVITE AND PROVIDING PENALTIES FOR  
VIOLATIONS HEREOF.**

Sponsored by:

**Hon. Adrielito G. Gawaran**

Co-Sponsored by:

**Hon. Roberto L. Advincula, Hon. Palm Angel S. Buncio, Hon.  
Simplicio G. Dominguez, Hon. Catherine S. Evaristo, Hon.  
Reynaldo M. Fabian, Hon. Randy C. Francisco, Hon.  
Alejandro F. Gutierrez, Hon. Rogello M. Nolasco, Hon. Alde  
Josellito F. Pagulayan, Hon. Reynaldo D. Palabrica, Hon.  
Michael E. Solis and Hon. Levy M. Tela.**

**WHEREAS**, the Philippine Constitution recognizes the autonomy of local government units to promote the welfare of their constituents and grant them the authority to create their own sources of revenues and to levy taxes, fees, and charges subject to such guidelines and limitations as the Congress may provide;

**WHEREAS**, under the Republic Act No. 7160 (the "Local Government Code of 1991"), the Sangguniang Panlungsod has the legislative authority to grant a franchise to any person, partnership, corporation, or cooperative to establish businesses or activities by enacting an ordinance authorizing the issuance of permits or licenses and levying taxes, fees, and other charges to promote the general welfare of its constituents;

**WHEREAS**, the Local Government Code of 1991 likewise empowers the Sangguniang Panlungsod to adopt measures that will protect the constituents of the city from activities inimical to their welfare and morals;

**WHEREAS**, in the case of national franchise holders (mostly in the telecommunications, utilities, and media sectors), the LGU still has the power to impose a local franchise tax even when the national legislative franchise contains the "in lieu of all taxes" clause or proviso;

**WHEREAS**, the Administrative Code of 1987 provides for the protection of Filipino enterprises against unfair trade practices, recognizes the importance of pursuing a trade

policy that serves the general welfare, and utilizes all forms and arrangements of exchange based on equality and reciprocity:

**WHEREAS**, the current Bacoor Revenue Code provides the imposition of franchise tax covering any activity which the City Government of Bacoor is authorized to provide, establish, maintain, operate, or grant through franchise to private persons such as, but not limited to, communication and transportation terminals, stalled vehicles towing and impounding services, toll roads, public corral, city pounds, slaughterhouses, livestock markets, public markets, talipapa, electric and water supply generation and distribution, public cemeteries, sewerage system, waste collection and disposal and other similar public activity;

**WHEREAS**, there are existing ordinances enacted by the Sangguniang Panlungsod of Bacoor that provide for the establishment and operation of tricycles and pedicabs, public markets, slaughterhouses, road and toll management, sewage system, and waste management;

**WHEREAS**, there is a need to prescribe guidelines for the grant of a franchise in certain businesses within the territorial jurisdiction of the City of Bacoor, Cavite, provided that existing rights should not be prejudiced, such as legalized gaming and gambling activities for the establishment and/or regulation of the same in order to ensure fairness and transparency in its operations, and promote public welfare in general;

**NOW, THEREFORE**, be it **ORDAINED** by the 5<sup>th</sup> Sangguniang Panlungsod that:

**SECTION 1. SHORT TITLE.** This Ordinance shall be known as the "**Franchise Regulation Ordinance of the City of Bacoor**".

**SECTION 2. SCOPE AND COVERAGE.** This Ordinance shall govern the grant of franchise for the establishment, operation, maintenance, and ownership of businesses that require a franchise as delegated to the Sangguniang Panlungsod under the Local Government Code of 1991, special laws, implementing rules and regulations, and other government issuances. The grant of such franchise shall cover, but shall not be limited to, the following businesses:

1. Cockpit operations
2. Traditional Bingo operations
3. Electronic Bingo or E-Games operations



4. Electronic Sabong operations
5. Off-Track Betting operations

It is hereby understood that the enumeration above is not exclusive. All businesses that require a franchise for the establishment, operation, maintenance, and ownership thereof shall be covered by this Ordinance or as may be provided by law.

**SECTION 3. PURPOSES.** The aims of this Ordinance are:

1. To develop the local economy of the City of Bacoor by maximizing the potential and contribution of different business establishments;
2. To effectively control and regulate gaming and gambling activities towards its establishment as a national recreation, relaxation, and source of entertainment;
3. To provide additional revenue for the tourism program of the City Government;
4. To remove and prevent excessive and unreasonable business operation and profit considerations in the management of gaming and gambling activities and, instead, preserve Philippine customs and traditions and thereby enhance our national identity;
5. To nurture and protect the interests of the business sector and balance them with the interests and rights of the general public; and
6. To promote the safety and protection of the public.

**SECTION 4. DEFINITION OF TERMS.** For purposes of this Ordinance, the following terms are hereby defined as follows:

1. "Franchise" is a right or privilege, affected by the public interest which is conferred upon private persons or corporations under such terms and conditions as the government and its political subdivisions may impose in the interest of public welfare, security, and safety;
2. "Franchise Tax" refers to a tax imposed on businesses enjoying a franchise at a rate provided for under the Bacoor City Revenue Code;
3. "Franchise agreement" means a written contract or agreement between a franchisor and franchisee by which the former grants the latter the right to engage in the business of

- offering, selling, or distributing goods or services:
4. "Grantee" means a sole proprietorship, partnership, cooperative, or corporation duly registered with, as applicable, the DTI, the Securities and Exchange Commission (SEC), or the Cooperative Development Authority (CDA);
  5. "Gaming" means participation in gambling events such as but not limited to casino games and the facilitation of wagers in the operation of predicting the outcome and results of a sporting event and/or gaming event.
  6. "Gambling" refers to an activity in which a person stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under the control or influence of the person, an agreement or understanding that the person or someone else will receive something of value in the event of a certain outcome.
  7. "Implementing Agency" is the department/unit under the Office of the City Mayor tasked to implement particular governmental functions as mandated by law or by a city ordinance.
  7. "E-sabong" refers to the streaming of legal cockfights from licensed cockpits to licensed operators abroad.
  8. "Online Gambling" - any type of gambling done on the Internet.

**SECTION 5. CONSTRUCTION.** All words and phrases shall be construed and understood according to the common and approved usage of the language, but technical words and phrases and such other words in this Ordinance which may have acquired a peculiar or appropriate meaning shall be construed and understood according to such technical, peculiar, or appropriating meaning. In case of conflict in interpreting the provisions of this Ordinance, the interpretation in favor of the City Government shall prevail.

**SECTION 6. NATURE AND GRANT OF FRANCHISE.** - Subject to the provisions of applicable laws, rules, and regulations, a franchise to operate and maintain certain businesses and activities cited above shall be granted to sole proprietor, partnership, corporation, or cooperative, subject to terms and conditions as may be imposed by City Government of Bacoor thru the Sangguniang Panlungsod.

**SECTION 7. OWNERSHIP, MANAGEMENT AND OPERATION.** Only Filipino citizens, or corporations 100% owned by Filipino citizens, of good moral character with no prior conviction for any crime involving moral turpitude and are not otherwise inhibited by existing laws or city ordinances shall be allowed to own, manage, and operate any gaming or gambling business or activity in the City of Bacoor. As for other businesses, the ownership, management, and operation shall be based on the laws, applicable city ordinances, and the corresponding Implementing Rules and Regulations of such laws and ordinances allowing the grant of a franchise.

**SECTION 8. GENERAL CONDITIONS.** To continuously enjoy the privilege under a franchise granted by virtue of this Ordinance, the Grantee shall hold or conduct its business activities in accordance with the existing laws or rules regulating its particular business operation as promulgated by the national laws and agencies concerned (i.e., PAGCOR, Games and Amusement Board) and in strict compliance to existing or pertinent ordinances.

The Grantee shall strictly observe compliance with all laws and ordinances for the proper maintenance and sanitation in accordance with Republic Act 9003 (the "Ecological Solid Waste Management Act of 2000") and other applicable laws.

The Grantee shall conduct Corporate Social Responsibility (CSR) programs in partnership with the City Government at least once every year such as by providing job opportunities for Bacoor City residents, participating in greening programs, and providing other support services to the various social programs and projects of the City.

The failure of the Grantee to comply with these general conditions — and any additional conditions that the City Government may impose by way of an ordinance and the other conditions provided hereunder — shall result in the revocation by the Sangguniang Panlungsod of the franchise granted in its favor.

The Sangguniang Panlungsod may impose other conditions upon an applicant for a franchise.

**SECTION 9. AUTHORITY OF THE OFFICE OF THE MAYOR.** The Grantee shall apply and secure the required business permit to operate from the Office of the Mayor, and the latter shall have the authority to require compliance with all existing laws, ordinances, rules, and regulations similarly imposed on all business establishments and impose conditions thereto as are expressly or impliedly necessary

for the protection of the welfare and safety of all persons going or transacting in its business or operation.

**SECTION 10. ADMINISTRATIVE PROVISIONS.** Any franchise holder who intends to operate or who is already operating its business in the City of Bacoor shall apply with the Office of the City Mayor through the Business Permit and Licensing Office (BPLO) and submit the following documents/information:

1. Copy of the franchise;
2. Certificate of registration from the Securities and Exchange Commission, Department of Trade and Industry, or Cooperative Development Authority;
3. Proof of financial capacity, company profile development program, and project impact assessment;
4. Proof of ownership of the land or lease contract if being leased;
5. Current year plan of operation in the City;
6. Last year's gross receipt from operation in the City, if applicable;
7. Necessary clearances from the barangay having jurisdiction over the business operations subject of the franchise, the Zoning and Land Development Department, the City Planning and Development Coordination Office, the Office of the Building Official, the City Environmental Services Department, the City Health Office, and other departments/units under the Office of the Mayor as may be warranted under the circumstances;
8. Land reclassification, if applicable;
9. Health certifications of the operator and his/her personnel; and
10. Other requirements as established by law and rules and regulations related to a specific business or activity.

**SECTION 11. MANDATORY PAYMENT OF TAXES AND FEES.** The Grantee shall be liable to pay all taxes and other fees prescribed by the Revised Revenue Code of the City of Bacoor to the Office of the City Treasurer. Said assessments shall be without prejudice to subsequent impositions as may be adopted or hereafter may be required by law or ordinance. The failure of the Grantee to promptly and regularly pay with said tax obligations shall be a ground for the revocation or cancellation of the franchise granted in its favor.

**SECTION 12. PROHIBITION ON SALE, LEASE, USUFRUCT, AND TRANSFER OF FRANCHISE.** Any franchise granted by virtue of this Ordinance is non-transferable. The Grantee shall not sell, assign, lease, grant the usufruct of, or in any manner transfer any franchise granted by virtue of this Ordinance, including any right and privilege acquired through such franchise, to any natural or juridical person, firm or other entities, nor merge with any corporation, partnership, or individual without the prior approval of the Sangguniang Panlungsod by way of an ordinance approved by at least  $\frac{3}{4}$  of its members.

**SECTION 13. PROHIBITIONS.** Any franchise granted by virtue of this Ordinance is deemed immediately and automatically revoked if the Grantee, as may be determined by the Office of the City Mayor, commits any of the following within its business premises:

1. Allow the conduct of illegal gambling, prostitution, or human trafficking as defined under Republic Act No. 9208 (the "Anti-Trafficking in Persons Act of 2003") and by Republic Act No. 10364 (the "Expanded Anti-Trafficking in Persons Act").
2. Operate outside the Grantee's designated business premises or place of operation as granted under a franchise.
3. Allow the carrying, use or storage of firearms, illegal drugs, or toxic chemicals without the requisite government clearances and/or permits.
4. Conduct, engage, or take part in any business activity not covered by the franchise.
5. Allow minors, students in uniform even if already of age, and beneficiaries of the Pantawid Pamilyang Pilipino Program (4Ps) and other social amelioration programs of the city and national government to enter any establishment engaged in gaming or gambling activities covered by the franchise; and
6. Conducting any activity similar or analogous to the foregoing.

**SECTION 14. TERM OF FRANCHISE.** Unless sooner revoked or canceled, the franchise shall be in effect for the period stated in the Grant of Franchise that the City of Bacoor will issue. This period shall not exceed the maximum period stated in various applicable laws and ordinances and their respective Implementing Rules and Regulations that allowed the grant of the franchise. The renewal of the franchise shall be subject to the terms and conditions in the

Grant of Franchise that the City of Bacoor will issue and the laws and ordinances and their respective Implementing Rules and Regulations that allowed the grant of the franchise.

**SECTION 15. REVOCATION.** In case of violation by the Grantee of the terms and conditions and/or noncompliance with the requirements provided herein and pertinent laws, ordinances, rules, and regulations governing the operation of the business or activity applied for, as well as the laws, ordinances, rules or regulations that may hereinafter be promulgated, the City Government of Bacoor, thru the Sangguniang Panlungsod, have the right to withdraw or suspend the franchise including all permits issued by any department under the Office of the City Mayor.

**SECTION 16. IMPLEMENTING RULES AND REGULATIONS.** Depending on the nature of the franchise subject of the grant, the Implementing Agency, with the assistance of the Office of the City Administrator, Business Permit Licensing Office, and the Office of the City Legal Service, shall formulate the Implementing Rules and Regulations necessary for the proper execution and implementation of this Ordinance subject to the approval of the City Mayor in the appropriate Executive Order.

A Technical Working Group may be created through an Executive Order to assist the offices in drafting the details of the requirements and procedures for the grant of franchise for each covered business or activity.

**SECTION 17. SEPARABILITY.** If, for any reason, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, the other parts or provisions thereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 18. REPEAL.** All other City Ordinances, Memorandums, Issuances, and Orders, contrary or inconsistent with the provisions of this Ordinance, are hereby amended or repealed accordingly.

**SECTION 19. EFFECTIVITY.** This Ordinance shall take effect immediately upon publication in a newspaper of general circulation within the City of Bacoor, Cavite.

**ENACTED** this 18<sup>th</sup> day of March 2024 at the City of Bacoor, Cavite by the 5<sup>th</sup> Sangguniang Panlungsod of the City of Bacoor, Cavite.

*I hereby certify that the foregoing Ordinance was duly approved in accordance with law and the contents thereof are true and correct.*

Certified by:

**HON. ROWENA BAUTISTA-MENDIOLA**  
*City Vice Mayor/Presiding Officer*

Attested by:

**ATTY. KHALID A. ATEGA JR.**  
*Sangguniang Pantungsod Secretary*

Approved by:

**HON. STRIKE B. REVILLA**  
*City Mayor*

Date of Approval: \_\_\_\_\_



Republic of the Philippines  
Province of Cavite

**CITY OF BACOOR**

*Office of the Mayor*

December 5, 2023

CGBCR-MO-02-F03.00  
10/20/2023

**HON. ROWENA BAUTISTA-MENDIOLA**

City Vice Mayor  
Bacoor Government Center  
Bacoor City, Cavite

ARIBB  
12/16/23  
4:03

**THRU: Atty. Khalid Atega, Jr.**  
Sangguniang Panlungsod Secretary

**SUBJECT: Endorsement Letter**

Dear Hon. Bautista-Mendiola:

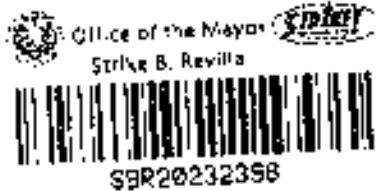
I hereby endorse to the esteemed members of the Sangguniang Panlungsod for appropriate action the letter, dated 4 December 2023, from the Office of the City Administrator, relative to ~~proposed ordinance prescribing general~~ guidelines for the grant of franchise to certain businesses in the City of Bacoor.

Attached herewith is the aforementioned letter, including the proposed ordinance, for your immediate reference.

I trust that you give this matter your utmost consideration.

Sincerely yours,

**STRIKE B. REVILLA**  
City Mayor







OFFICE OF THE CITY ADMINISTRATOR

04 December 2023

**HON. STRIKE B. REVILLA**  
City Mayor

**THRU: ATTY. PAUL MG. SANGALANG** *Man 2/05*  
Executive Assistant IV *10: 59AM*  
Office of the City Mayor

**SUBJECT: PROPOSED ORDINANCE**  
AN ORDINANCE PRESCRIBING GENERAL GUIDELINES FOR THE  
GRANT OF FRANCHISE TO CERTAIN BUSINESSES IN THE CITY OF  
BACOR

Dear Mayor Strike,

Good day.

Respectfully endorsing to your good office the attached proposed City Ordinance for regulating the grant of franchise for certain businesses in the City of Bacoor for endorsement to the Sangguniang Panlungsod.

For your information and appropriate action.

Respectfully,

**ATTY. AIMEE TORREFRANCA-NERI**  
City Administrator





**OFFICE OF THE CITY LEGAL SERVICE**

**ENDORSEMENT LETTER No. 903, S. 2023**

To: **ATTY. AIMEE TORREFRANCA-NERI**  
*City Administrator*  
*Office of the City Administrator*

Cc: **ATTY. PAUL MICHAEL SANGALANG**  
*Executive Assistant IV*  
*Office of the City Mayor*

Re: **PROPOSED ORDINANCE**  
**AN ORDINANCE PRESCRIBING GENERAL GUIDELINES FOR THE**  
**GRANT OF FRANCHISE TO CERTAIN BUSINESSES IN THE CITY OF**  
**BACOOR**

Date: 04 December 2023

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On November 27, 2023, the City Administrator's Office instructed this Office to draft an ordinance for regulating the grant of franchise for certain businesses in the City of Bacoor.

In this respect, we hereby respectfully endorse the attached proposed City Ordinance for your perusal and further instruction.

Thank you.

Respectfully,

  
**Atty. KIM NYCA R. LOFRANCO**  
City Legal Officer



**PROPOSED CITY ORDINANCE NO. XXX - 2023**  
**Series of 2023**

**AN ORDINANCE PRESCRIBING GENERAL GUIDELINES FOR THE GRANT OF  
FRANCHISE TO CERTAIN BUSINESSES IN THE CITY OF BACOR**

**WHEREAS**, the Philippine Constitution recognizes the autonomy of local government units to promote the welfare of their constituents and grant them the authority to create their own sources of revenues and to levy taxes, fees, and charges subject to such guidelines and limitations as the Congress may provide;

**WHEREAS**, under the Republic Act No. 7160 or the Local Government Code, the Sangguniang Panlungsod has the legislative authority to grant a franchise to any person, partnership, corporation, or cooperative to establish businesses or activities by enacting an ordinance authorizing the issuance of permits or licenses and levying taxes, fees, and other charges to promote the general welfare of the city constituents;

**WHEREAS**, the Local Government Code likewise empowers the Sangguniang Panlungsod to adopt measures that will protect the constituents of the city from activities inimical to their welfare and morals;

**WHEREAS**, in the case of national franchise holders (mostly in the telecommunications, utilities, and media sectors), the LGU still has the power to impose a local franchise tax even when the national legislative franchise contains the "in lieu of all taxes" clause or proviso;

**WHEREAS**, the Administrative Code of 1987 provides for the protection of Filipino enterprises against unfair trade practices, recognizes the importance of pursuing a trade policy that serves the general welfare, and utilizes all forms and arrangements of exchange based on equality and reciprocity;

**WHEREAS**, the current Bacoor Revenue Code provides the imposition of franchise tax covering any activity which the City Government of Bacoor is authorized to provide, establish, maintain, operate, or grant through franchise to private persons such as, but not limited to, communication and transportation terminals, stalled vehicles towing and impounding services, toll roads, public corral, city pounds, slaughterhouses, livestock markets, public markets, taiipapa, electric and water supply generation and distribution, public cemeteries, sewerage system, waste collector and disposal and other similar public activity;

**WHEREAS**, there are existing ordinances enacted by the Sangguniang Panlungsod of Bacoor that provide for the establishments and operations of tricycle and pedicabs, public markets, slaughterhouses, road and toll management, sewage system, and waste management;

**WHEREAS**, there is a need to prescribe guidelines for the grant of the franchise in certain businesses within its territorial jurisdiction, provided that existing rights should not be prejudiced, such as legalized gaming and gambling activities for the establishment and/or regulation of the same in order to ensure fairness and transparency in its operations, and promote public welfare in general;

**NOW, THEREFORE**, be it **ORDAINED** by the Sangguniang Panlungsod that:

**SECTION 1. SHORT TITLE.** This Ordinance shall be known as the "Grant of Franchise Ordinance of the City of Bacoor."

**SECTION 2. SCOPE AND COVERAGE.** This Ordinance shall govern the grant of franchise for the establishment, operation, maintenance, and ownership of business, which the grant of franchise is delegated to the Sangguniang Panlungsod under the Local Government Code, special laws, implementing rules and regulations, and other issuances. The grant of franchise shall cover, but not be limited to, the following businesses:

1. Cockpit
2. Traditional Bingo
3. Electronic Bingo or E-Games
4. Electronic Sabong
5. Off-Track Betting

It is hereby understood that the enumeration above is not exclusive. All business that requires a franchise for the establishment, operation, maintenance, and ownership shall be covered by this Ordinance as long as the power to grant a franchise is given to or delegated to the Sangguniang Panlungsod.

**SECTION 3. DECLARATION OF POLICY.** It is hereby declared a policy of the government to ensure within the framework for the development and promotion of wholesome recreation and amusement activities to bring about the following goals:

1. To develop the local economy through maximization of the potential and contribution of the different business establishments;
2. To effectively control and regulate gaming and gambling activities towards its establishment as a national recreation, relaxation, and source of entertainment;
3. To provide additional revenue for our tourism program;
4. To remove and prevent excessive and unreasonable business operation and profit considerations in the management of gaming and gambling activities and, instead, preserve Philippine customs and traditions and thereby enhance our national identity;
5. To nurture and protect the interests of the business sector and balance them with the interests and rights of the general public and
6. To promote the safety and protection of the public

**SECTION 4. DEFINITION OF TERMS.** For purposes of this Ordinance, the following terms are hereby defined as follows:

1. "Franchise" is a right or privilege, affected by the public interest which is conferred upon private persons or corporations under such terms and conditions as the government and its political subdivisions may impose in the interest of public welfare, security, and safety;
2. "Franchise Tax" refers to a tax imposed on businesses enjoying a franchise at a rate provided for under the Bacoor City Revenue Code;
3. "Franchise agreement" means a written contract or agreement between a franchisor and franchisee by which the former grants the

latter the right to engage in the business of offering, selling, or distributing goods or services;

4. "Grantee" means a sole proprietorship, partnership, cooperative, or corporation duly registered with, as applicable, the DTI, the Securities and Exchange Commission (SEC), or the Cooperative Development Authority (CDA);
5. "Gaming" means participation in gambling events such as but not limited to casino games and the facilitation of wagers in the operation of predicting the outcome and results of a sporting event and/or gaming event.
6. "Gambling" refers to an activity in which a person stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under the control or influence of the person, an agreement or understanding that the person or someone else will receive something of value in the event of a certain outcome.
7. "E-sabong" refers to the streaming of legal cockfights from licensed cockpits to licensed operators abroad.
8. "Online Gambling" - any type of gambling done on the internet.

**SECTION 5. CONSTRUCTION.** All words and phrases shall be construed and understood according to the common and approved usage of the language, but technical words and phrases and such other words in this Code which may have acquired a peculiar or appropriate meaning shall be construed and understood according to such technical, peculiar, or appropriating meaning. In case of conflict in interpreting the provisions of this Ordinance, the interpretation in favor of the City Government shall prevail.

**SECTION 6. NATURE AND GRANT OF FRANCHISE.** - Subject to the provisions of applicable laws, rules, and regulations, a franchise to operate and maintain certain businesses and activities cited above shall be granted to sole proprietor, partnership, corporation, or cooperative, subject to terms and conditions as may be imposed by City Government of Bacoor thru the Sangguniang Panlungsod.

**SECTION 7. OWNERSHIP, MANAGEMENT AND OPERATION.** Only Filipino citizens, or corporations 100% owned by Filipino citizens, of good moral character with no prior conviction for any crime involving moral turpitude and are not otherwise inhibited by existing laws shall be allowed to own, manage, and operate the gaming or gambling business or activity. As for other businesses, the ownership, management, and operation shall be based on the laws and the corresponding Implementing Rules and Regulations allowing the grant of the franchise.

**SECTION 8. GENERAL CONDITIONS.** To continuously enjoy the privilege under a franchise, the Grantee shall hold or conduct its business activities in accordance with the existing laws or rules regulating its particular business operation as promulgated by the national laws and agencies concerned, i.e., PAGCOR, Games and Amusement Board.

The Grantee shall strictly observe compliance with all laws and ordinances for the proper maintenance and sanitation in accordance with the Republic Act 9003 or the Ecological Solid Waste Management Act of 2000.

During operation, the Grantee shall conduct Corporate Social Responsibility programs such as providing job opportunities for local constituents, participating in greening programs, and providing other support services to the various social programs and projects of the City.

The Sangguniang Panlungsod may impose other conditions upon an applicant for a franchise

**SECTION 9. AUTHORITY OF THE OFFICE OF THE MAYOR.** The Grantee shall apply and secure the required business permit to operate from the Office of the Mayor, and the latter shall have the authority to require compliance with all existing laws, ordinances, rules, and regulations similarly imposed on all business establishments and impose conditions thereto as are expressly or impliedly necessary for the protection of the welfare and safety of all persons going or transacting in its business of operation.

**SECTION 10. ADMINISTRATIVE PROVISIONS.** Any franchise holder who intends to operate or who is already operating his business in the City of Bacoor shall apply with the Office of the City Mayor through the Business Permit and Licensing Office (BPLO) and attach the following documents/information:

1. Copy of the franchise;
2. Certificate of registration from the Securities and Exchange Commission, Department of Trade and Industry, or Cooperative Development Authority;
3. Proof of financial capacity, company profile development program and project impact assessment;
4. Proof of ownership of the land or lease contract if being leased;
5. Current year plan of operation in the City;
6. Last year's gross receipt from operation in the City, if applicable;
7. Necessary clearances from Barangay, Zoning, City Planning and Development Office, DENR, OBO);
8. Land reclassification, if applicable;
9. Health certifications of the operator and his/her personnel; and
10. Other requirements as established by law and rules and regulations related to a specific business or activity concerned.

**SECTION 11. MANDATORY PAYMENT OF TAXES AND FEES.** The Grantee shall be liable to pay all taxes and other fees prescribed by the Revised Revenue Code of the City of Bacoor to the Office of the City 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 grounds for revocation or cancellation of this franchise.

**SECTION 12. PROHIBITION ON SALE, LEASE, USUFRUCT, AND TRANSFER OF FRANCHISE.** This franchise is non-transferable. 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 Panlungsod.

**SECTION 13. PROHIBITIONS.** The Grantee, during the operation of its business or activity, shall ensure that the following prohibitions are adhered to:

1. Illegal gambling
2. Conduct of operation outside the designated premises or place of operation as granted under a franchise
3. Carrying deadly weapons except for security personnel and police or military authorities
4. Carrying illegal drugs
5. Minors shall not be allowed to enter any gaming or gambling premises

**SECTION 14. TERM OF FRANCHISE.** Unless sooner revoked or canceled, the franchise shall be in effect for the period stated in the Grant of Franchise that the City of Bacoor will issue. This period shall not exceed the maximum period stated in the laws and its Implementing Rules and Regulations allowing the grant of the franchise. The renewal shall be subject to the terms and conditions in the Grant of Franchise that the City of Bacoor will issue and the laws and its Implementing Rules and Regulations allowing the grant of the franchise.

**SECTION 15. REVOCATION.** In case of violation by the Grantee of the terms and conditions and/or noncompliance with the requirements provided herein and the pertinent laws, ordinances, rules, and regulations governing the operation of the business or activity applied for, as well as the laws, ordinances, rules or regulations that may hereinafter be promulgated, the City Government of Bacoor, thru the Sangguniang Panlungsod, have the right to withdraw or suspend the franchise including the complementing business permit.

**SECTION 16. IMPLEMENTING RULES AND REGULATIONS.** Depending on the nature of the franchise subject of the grant, the Implementing Agency, with the assistance of the Office of the City Administrator, Business Permit Licensing Department, and the Office of the City Legal Service, shall formulate the Implementing Rules and Regulations necessary for the proper execution and implementation of this Ordinance subject to the approval of the City Mayor in the appropriate Executive Order.

A Technical Working Group may be created through an Executive Order to assist the offices in drafting the details of the requirements and procedures for the grant of franchise for each covered business or activity

**SECTION 17. SEPARABILITY.** If, for any reason, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, the other parts or provisions thereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 18. REPEAL.** All other City Ordinances, Memorandums, Issuances, and Orders, contrary or Inconsistent with the provisions of this Ordinance, are hereby amended or repealed accordingly.

**SECTION 19. EFFECTIVITY.** This Ordinance shall take effect immediately upon publication in a newspaper of general circulation within the City of Bacoor, Cavite.

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_ at the City of Bacoor, Cavite.