



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 95-095

AN ORDINANCE REGULATING THE OPERATION OF LOTTO AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF: -

Author: Joint & Collective

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

SECTION 1. - CONDITIONS FOR ISSUANCE OF PERMITS. - No business license or mayor's permit shall be issued for the establishment, maintenance, operation, and maintenance of lotto betting stations or terminals unless the following conditions are complied with:

- a) The Philippine Charity Sweepstakes Office (PCSO) commits to allot a reasonable percentage of the gross receipts from the operation lotto betting stations or terminals in the City of Naga to economically and socially beneficial projects within the territorial jurisdiction, through the city government;
- b) The owner or operator of loot betting station or terminal is the holder of a valid and subsisting authority from the Philippine Charity Sweepstakes Office (PCSO);
- c) The location of the proposed lotto betting station or terminal is situated in no less than three hundred (300) meters away from any institution of learning or place of religious worship, unless the same is established, maintained or operated within an enclosed building or structure hidden from the view of people outside of said building or structure;
- d) The Sanggunian of the Barangay where the lotto betting station or terminal is proposed to be established, after due consultation with its constituents, certifies by resolution that it does not interpose any objection to the maintenance and operation of such station or terminal; or
- e) All taxes, fees and charges due to the City Government are fully paid;

SECTION 2. - PROHIBITIONS. -

- a) The owner or operator of any lotto betting station or terminal shall into employ any person who is below eighteen (18) years of age, even if such person be the child or relative of said owner or operator; provided, that in the hiring of employees preference shall always be given to qualified differently-abled persons.
- b) It shall be unlawful for any person to solicit, place or accept bets outside of an lotto betting station or terminal. Solicitation and/or acceptance of bets from more than two (2) persons outside of any lotto betting station or terminal even if for placement of the same thereat constitute a violation of this provision.

- c) No form below eighteen (18) years of age shall be allowed to place bets, even if such person is merely acting as an agent; provided, that it shall be incumbent upon the owner or operator of any lotto betting station or terminal to ensure by appropriate measures that this provision is strictly observed.
- d) No form of advertisement or activity promoting lotto shall be allowed in or about the premises or any institution of learning or place of religious worship.
- e) Location of lotto betting station or terminal shall not be transferred to other venues, even if within the same building or structure, without the prior written authority of the City Government and the Philippine Charity Sweepstakes Office (PCSO).
- f) No more than five (5) lotto betting stations or terminals shall be allowed to operate at any one time. Business license or mayor's Permits issued in violation of this provision shall be void, and all taxes; fees and charges already paid by reason thereof shall be forfeited in favor of the City Government.

SECTION 3. - PENALTIES. -

- a) Business licenses or mayor's permits issued under this ordinance may be cancelled or revoked at any time before the expiration thereof for failure to comply with any of the conditions for their grant of issuance, or for violation by the owner, operator, or agent of the lotto betting station or terminal of any of the prohibited acts hereinabove enumerated.
- b) The owners or operator of any lotto betting station or terminal found guilty of violating Section 2, paragraphs (a), (c) and/or (d) hereof, shall suffer the penalty of imprisonment of not less than ten (10) months but not more than one (1) year and a fine of Four Thousand (P4, 000.00) Pesos; provided, that the president, principal and/or administrator of the institution of learning or place of worship where any form of advertisement or activity promoting lotto is posted, held and/or conducted, and the persons who actually post, hold and/or allow such advertisement or activity to be posted, held and/or conducted, shall suffer the same penalties.
- c) Any person found guilty of violating Section 2, paragraph (b) hereof, shall suffer the penalty of imprisonment of one (1) year and a fine of Five Thousand (P5, 000.00) Pesos; Provided, that the owner or operator who induces, or consents to, the solicitation and acceptance of bets outside of the lotto betting station or terminal shall suffer the same penalties

SECTION 4. - EFFECTIVITY. - This ordinance shall take effect upon the approval and publication thereof as provided by law.

ENACTED: December 27, 1995.

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

J. ANTONIO A. AMPARADO
City Secretary

LOURDES V. ASENCE, M.D.
City Vice Mayor & Presiding Officer

APPROVED:

JESSE M. ROBREDO
City Mayor