

SECTION 4. Rights, Privileges and Authority. - Subject to the provision of applicable national law, rules and regulations, the Sangguniang Panlungsod shall grant rights, privileges and authority to operate EGames in favor only of an applicant who meets the following requirements:

- (a) If a natural person, the applicant is at least 21 years of age, and a Filipino citizen. If a juridical person, the applicant is organized and existing under Philippine laws, with proof thereof, and preferably with principal office in this city; and
- (b) The applicant possesses the requisite valid and subsisting authority from the Philippine Amusement and Gaming Corporation (PAGCOR).

Provided, that no more than three (3) franchises/operator shall be granted a permit to establish or operate within the city's jurisdiction.

SECTION 5. Permit or License. - No person shall commence EGames operation without first obtaining a Mayor's Permit which may be issued only after showing that the Sangguniang Panlungsod had issued the requisite authority and the applicant has complied with the regulatory measures herein provided.

SECTION 6. Regulatory Mechanisms. - Similar to the regulations imposed for the operations of bingo games in this city, any right, privilege or authority to operate EGames shall be conditioned on the grantee's faithful, continued and strict compliance with the following regulations, to wit:

- (a) On Location and Distance -

No EGames venue shall be established or allowed to operate within Three Hundred (300) meters from any place of worship or learning, except if the site is within a shopping center or enclosed structure hidden from the view of people outside thereof.

- (b) On Age Limit -

No person below 21 years of age and no students shall be allowed to place a bet or play EGames or to enter the premises where such game is held. Notice shall be posted in the entrance and/or exit door and in at least two other conspicuous places in the venue. In case of doubt on age, the operator or owner shall require of such person necessary identification document that will ascertain his true age to qualify him to place a bet or play such game of chance or enter the premises where the same is being held.

(c) On Date and/or Time of Operation -

Playing of EGAMES shall start no earlier than 11:00 o'clock in the morning of any given day; except on special occasions and as may be permitted by the City Mayor. Provided, that no EGAMES shall be held during Holy Thursday and Good Friday.

(d) On Advertisement -

No advertisement or streamer concerning herein game of chance shall be placed or hang up in front of or within one hundred (100) meters radius of any place of worship or institute of learning in the city, except in or about the premises of the EGAMES venue.

SECTION 7. Enforcement and Inspection. To ensure compliance with applicable laws and the regulatory measures herein provided, the Office of the City Mayor or through its authorized agent/representative is hereby empowered to enforce applicable laws, rules and regulations and/or to conduct inspection of any of the premises where the game of chance subject hereof is held on such date and time as it may deem necessary or as may be directed by the City Mayor. Its report shall be submitted to the City Mayor's Office and the Sangguniang Panlungsod for their appropriate action.

SECTION 8. Penalty. In addition to or aside from the penalty under applicable national laws, rules and regulations, violation by the grantee or franchisee of any of the above regulations as well as any of the provisions hereof shall be punished as follows:

1. For the first offense - administrative fine of Php5,000.00;
2. For the second offense - suspension of operation for a period of thirty (30) days; and
3. For the third offense - cancellation or revocation of the authority granted to the franchisee or grantee.

Provided, that the penalty above prescribed shall be imposed after observance of due process in a summary hearing that the City Legal Officer shall conduct for and in behalf of the City Mayor. Provided further, that decision shall be rendered within five (5) days from the date the case is submitted for resolution. Provided finally, that the entire proceedings shall not last beyond thirty (30) days from commencement thereof. Decision rendered and signed by the City Mayor upon recommendation of the City Legal Officer pursuant thereto, shall be immediately final and executory.

ORDINANCE NO. 2010-048
Series 2 0 1 0

Page- f o u r -

SECTION 9. Repealing Clause. - The provisions of existing ordinances, orders and regulations which are in conflict hereof, are hereby amended, modified, repealed and/or superceded.

SECTION 10. Separability Clause. - The provisions of this ordinance are hereby declared to be separable and, if any clause, sentence provision or section of this ordinance or application thereof to any person or circumstances should for any reason be held invalid by a competent court, such invalidity shall not affect the other provisions or application of the Ordinance.

SECTION 11. -- Effectivity. -- This Ordinance shall take upon its approval, and after publication in a newspaper of local circulation.

Enacted: October 5, 2010.

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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

GIL A. DE LA TORRE
Secretary to the
Sangguniang Panlungsod

NELSON S. LEGACION
Acting City Vice Mayor &
Presiding Officer

APPROVED:

GABRIEL H. BORDADO, JR.
Acting City Mayor