ORDINANCE NO. 15-107

AN ORDINANCE GRANTING TOTAL GAMEZONE XTREME, INC., AUTHORITY TO OPERATE GAMES AND AMUSEMENT ON LINE GAMING LOCATED AT 2ND LEVEL, STARSMALL ALABANG, BARANGAY ALABANG, MUNTINLUPA CITY.

Sponsored by:
Hon. Coun. Luvi P. Constantino
Hon. Coun. Atty. Raul R. Corro
Hon. Coun. Bal Nieves
Hon. Coun. Stephanie G. Teves
Hon. Coun. Louisito A. Arciaga
Hon. Coun. Margarita Amyhyst Labios, Md
Hon. Coun. Ringo A. Teves
Hon. Coun. Alexander Diaz
Hon. Coun. Neptali S. Santiago
Hon. Coun. Elmer S. Espeleta
Hon. Coun. Rafael T. Sevilla
Hon. Coun. Vergel C. Ulanday
Hon. Coun. Robert A. Abas
Hon. Coun. Robert P. Baes

WHEREAS, TOTAL GAMEZONE XTREME, INC., is a Corporation duly organized and existing under and by virtue of the Laws of the Philippines with principal office at 6th Floor SGC Building II, 172 C. Raymundo Avenue, Barangay Maybunga, Pasig City applied for franchise to operate Games and Amusement Online Gaming located at the 2nd Level, Starmall Alabang, Barangay Alabang, Muntinlupa City;

WHEREAS, TOTAL GAMEZONE XTREME, INC., is appointed sales agent of the Philippine Amusement and Gaming Corporation (PAGCOR) and is authorized to operate Games and Amusement Online Gaming located at the 2nd Level, Starmall Alabang, Barangay Alabang, Muntinlupa City;

WHEREAS, there is now a proliferation of legalized gambling activities in the country such as Bingo, On-Line Bingo, Jai-alai, Horse Racing, Lotto and Electronic Gaming;

WHEREAS, Section 458, Paragraph 4 of Republic Act No. 7160, otherwise known as the New Local Government Code of 1991, empowers the Sangguniang Panlungsod to "regulate activities relative to the use of land, building, structures within the city in order to promote the general welfare, xxx";

WHEREAS, under Section 458(a)(3) of the same Code, states that, "the Sangguniang Panlungsod has the authority to grant franchise by enacting ordinances authorizing the issuance of permits and licenses and levying taxes fees and other charges";
WHEREAS, in the public hearing held dated February 12, 2014 at the session hall of the Sangguniang Panlungsod TOTAL GAMEZONE XTREME, INC., express the intention to comply with the requirements of the law as well as the mandate of the City Government of Muntinlupa in regulating the operations of similar establishments;

WHEREAS, Ordinance No. 99-040, Section 2 expressly provides that, “no business permit shall be granted to operators of xxx and other legalized gambling activities without prior approval of the City Council in a resolution duly passed and without conducting a Public Hearing for the purpose”;

NOW, THEREFORE BE IT ORDAINE, AS IT IS HEREBY ORDAINED, by the 7th Sangguniang Panlungsod in session assembled that:

SECTION 1. Title – This ordinance shall be known as “an ordinance granting TOTAL GAMEZONE XTREME, INC., authority to operate Games and Amusement Online Gaming located at the 2nd Level Starmall Alabang, Barangay Alabang, Muntinlupa City.

SECTION 2. Duration – This ordinance is understood to be for one (1) venue only as stated in the title of this ordinance.

SECTION 3. The authority to operate Games and Amusement Online Gaming shall be in accordance with the Rules and Regulations as promulgated by the Philippine Amusement and Gaming Corporation (PAGCOR).

SECTION 4. Upon approval of this ordinance, TOTAL GAMEZONE XTREME, INC., shall remit to the City Treasurer the amount prescribed under existing franchise tax of the City which is payable yearly/annually at the rate of fifty percent (50%) of one percent (1%) of the gross annual receipts pursuant to Section 137 of Republic Act No. 7

SECTION 5. The grant of authority to operate Games and Amusement Online Gaming herein above mentioned shall be for a period of five (5) years from the date of approval of this ordinance.

SECTION 6. Separability Clause - Should any provision/s, section/s, or part of this ordinance be adjudged or declared illegal or unconstitutional by any Court of competent jurisdiction, such judgment shall not affect or impair the remaining provisions, sections, or part which shall continue to be in full force and effect.

SECTION 7. Repealing Clause – All ordinances or any provision of ordinances which are inconsistent with this ordinance are hereby repealed.

SECTION 8. This ordinance shall take effect upon its approval.
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ENACTED, by the 7th Sangguniang Panlungsod of Muntinlupa this 16th day of February, on its 70th Regular Session.

DISTRICT I:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ATTY. PATRICIO L. BONCAYAO, JR.
Member

COUN. BAL NIEVES
Member

COUN. STEPHANIE G. TEVES
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. MARGARITA AMYTHYST PAIDU-LABIOS, MD
Member

COUN. RINGO A. TEVES
Member

COUN. ALEXANDER B. DIAZ
Member

COUN. MA. DHESIREE G. AREVALO
Member

COUN. ENGR. NEPTALI S. SANTAGO
Member

COUN. RAFAEL I. SEVILLA
Member

COUN. ROBERT A. ABAS
Member

DISTRICT II:

COUN. LUVI P. CONSTANTINO
Member

COUN. ELMER S. ESPELETA
Member

COUN. VERGEL C. LANDAY
Member

COUN. ROBERT P. BAES
Member
ABSENT:

COUN. CELSO C. DIOKO
Sectoral Representative
President
Association of Barangay Captains

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA O. LAZARTE
Secretary

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: ____________________

Norie/7th SP