



Republic of the Philippines
Province of Agusan del Sur
MUNICIPALITY OF TRENTO

OFFICE OF THE SANGGUNIANG BAYAN

THIRTEENTH SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 35TH REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN OF TRENTO HELD AT THE SB SESSION HALL, TRENTO, AGUSAN DEL SUR ON AUGUST 15, 2017

PRESENT:

Hon. John Arbee A. Agcopra	Sangguniang Bayan Member (Temporary Presiding Officer)
Hon. Edcil Marie D. Pagayon	Sangguniang Bayan Member
Hon. George G. Diel	Sangguniang Bayan Member
Hon. Permita B. Lamberto	Sangguniang Bayan Member
Hon. Rose P. Mabunga	Sangguniang Bayan Member
Hon. Edgar C. Abiao	Ex-Officio Member (ABC President)

ABSENT: NONE

ON OFFICIAL BUSINESS:

Hon. Felimon S. Marte

Municipal Vice Mayor

"MUNICIPAL ORDINANCE NO. 034 Series of 2017

AN ORDINANCE PROHIBITING ALL KINDS OF ANIMALS TO STRAY IN PUBLIC AND PRIVATE STREETS, PLAZAS, PARKS, PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES

Author: Hon. George G. Diel

WHEREAS, to prevent the wide-spread of rabies and to instill discipline among animal owner, particularly those with dogs and cats;

WHEREAS, this ordinance seeks to address incidents of animal bites and stray animals in public places in the interest of public safety and health and to promote responsible pet ownership;

WHEREAS, on motion Hon. George G. Diel and duly seconded by Hon. Edcil Marie D. Pagayon, be it

ORDAINED, by the Sangguniang Bayan of Trento, Agusan del Sur in session assembled that:

SECTION 1. REGISTRATION AND OWNERSHIP –

- (a) Local residents, corporate entities or particular member/s of the family residing in Trento, Agusan del Sur who are pet-owner, cuddler, custodian, keepers, and possessors of animals categorically related and/or scientifically classified to belong in the family of dogs (kennels) and cats (feline) within the territorial jurisdiction of the Municipality of Trento, Agusan del Sur, shall register the said domesticated pets in the Municipal Agriculture Office to commence on the First Regular Working day of January on the Year 2018, and until or before the 31st day of January of each and every year.
- (b) Upon registration of animal possessions, the series process of vaccination immediately follows. A pet tag shall be assigned to every domesticated pet that bears its respective serial number to serve as its corresponding identification tab for reference of their health and record of vaccination.
- (c) A fee of One Hundred Pesos (P100.00) shall be collected from the animal-keeper/owner for every pet tag issued; and in case of lost, the same amount shall be paid for the replacement thereof. The owner or possessor of the registered animal shall ensure that the pet tag is worn by their respective pets at all times.
- (d) It shall be unlawful for any person or institution to keep an unregistered, unvaccinated and unsecured dog within their territorial domain. All dogs owned three (3) months old and above shall be registered and vaccinated. Dog registration and vaccination shall be undertaken by the office of the Municipal Agriculturist in each manner that it will be feasible, convenient and safe to all concerned. After vaccination, owners will be provided with certificates if vaccination which will serve as proof of compliance. Owners should present their dog for registration and vaccination every two years.
- (e) The owner of possessor of a dog and/or cat who shall fail to register his dog and/or cat within the period prescribe in Section 1 hereof shall be penalized by a fine of Five Hundred Pesos (500.00) payable within five (5) calendar days from notice hereof; failure to comply therewith shall subject the dog/or cat to impounding and disposition in accordance with sections 3 and 4, likewise the corresponding penalty in accordance with Section 8 hereof.

SECTION 2. LEASHING AND PROPER KEEPING OF ANIMALS

- (a) Dogs, cats and other domesticated animals shall be kept and nurtured within the premises of the residence or establishment. In addition thereto, owners of potentially vicious dogs or wild cats shall signify the presence of such animal through visible printed words written and prominently displayed immediately outside the said premises.
- (b) Potentially vicious dogs or cats can be brought for a walk outside the premises of the residence or establishment, provided; that a protective muzzle shall cover its mouth and the said animal shall be held securely on a leash to be accompanied by the owner, keeper or possessor. The leash shall not exceed two (2) meters in length.
- (c) All dogs must be properly kept on leash within the premises of the owner. Dogs that are brought outside the owner's premises shall at all times be leashed and muzzled appropriately; otherwise the dog will be considered a stray animal.
- (d) Any person or institution who owns or desire to own a dog must be able to provide proper care and keeping to the animal. Any dog owner who can no longer provide appropriate care and management of the dog, that is to comply for its food, safety and shelter including its registration and vaccination, is encourage to donate, sell or dispose to another person who is capable and willing to comply the responsibilities of a dog owner.
- (e) An animal that attacks and/or bites a person within the territorial jurisdiction of the barangay shall constitute conclusive presumption that the said animal is dangerous or vicious, and the same shall be summarily removed from the barangay and disposed in an appropriate manner by the Punong Barangay, barangay official or employee designated for the purpose and the Barangay is hereby rendered free and harmless from any liability thereof.

SECTION 3. IMPOUNDING ADOPTION AND DISPOSAL OF STRAY ANIMALS

- (a) Dogs or animals found outside the premises of the owner are considered stray dogs/animal. Stray dogs are immediately secured for impounding at the dog pound.
- (b) An impounding fee of P20.00 per day per animal shall be collected from the owner/s claiming the pet.
- (c) Unregistered animal/s confined within three (3) days in the impounding area can be adopted by any person provided that he will pay for the registration and impounding fee of the animal and provided further, he can provide proper and appropriate care and management to the animal.
- (d) Impounded stray animal/s which are not claimed after three (3) days are considered abandoned by its owners and are subsequently be disposed by whichever legally and morally acceptable manner.

SECTION 4. BARANGAY DOG POUND AND MUNICIPAL ANIMAL SHELTER.

- (a) The barangay shall construct a safe and clean dog pound taken from the barangay fund. The maintenance of the dog pound shall be taken from the barangay's 50% share on all fees and fines collected within their jurisdiction.
- (b) Animals found astray in the respective barangay areas shall be caught and impounded to be brought to the Animal shelter, through the Animal Control Officer designated to head the office.
- (c) An *Animal Control Officer* shall be designated, and may be an employee of, or a constructor to, a municipality, and is charged with the responsibility of responding to call for service ranging from stray animals to investigations of cruelty to animals and dog fighting, and bringing them to a compound or animal shelter, where the animals are held for a certain time before being returned to their owners, put up for adoption, released back into the wild, or euthanized. The animal control department under the Office of the Municipal Agriculturist is responsible for investigating incidents of human contact with both wild and domestic animals, such as bites. The office may work with local health department, police department, or respective barangay offices.
The role of the Animal Control Officer focuses more on educating the public on proper animal care, and rescuing animals from dangerous or abusive situations. They also pick up dead or injured wildlife and stray animals for disposal or treatment. The position can either be held through the Office of the Municipal Agriculturist, or contracted to the local animal welfare advocate group.
- (d) The Punong Barangay, barangay official, employee or representative concerned shall not be held liable or responsible for whatever may happen to the animal/s caught outside the premises of a residence or establishment within the territorial jurisdiction of this Barangay; provide, that the penalties imposed under this Ordinance shall be without prejudice to the institution of any criminal and/or damage to property.

SECTION 5. AGENCIES/OFFICES TO ENFORCE AND IMPLEMENT THIS ORDINANCE.

The following agencies/office are tasked and enjoined to provide assistance and utilize all its available resources as are necessary for the implementation and enforcement of this ordinance.

Lead Agency: DEPARTMENT OF AGRICULTURE

Coordinating Agencies and offices:

- 1. Philippine National Police
- 2. Rural Health Unit/DOH
- 3. Barangay Officials



SECTION 6. BARANGAY SHARE ON PROCEEDS OF FEES AND FINES. - The Barangay is entitled to fifty percent (50%) share on all fees and fines collected within their jurisdiction.

SECTION 7. LIABILITY OF DOG-OWNER/S OR OF PERSON/S IN POSSESSION OF POTENTIALLY VICIOUS ANIMALS.

- (a) Dog-owners or any person or entity in possession of dog/s shall be civilly liable for any injury or damage that the dog may cause to another person, after having been lost or escaped from leash, shelter or property yard.
- (b) Dog-owner/s shall not be held liable to any case whatsoever where the injury was caused by person/s in violation of domicile and/or illegal trespass to dwelling.
- (c) If there a dogs and/or animals which are proven to be nuisance or constitutes a danger to the community, the owner or possessor thereof shall be requested in writing by the Animal Control Officer through the Punong Barangay or any barangay official concerned to undertake appropriate remedial measures to prevent any harm or injury to any person or property or in the alternative, to remove such animal from the barangay area to the Municipal Animal Shelter, within ten (10) calendar days from receipt of said notice. Should the owner or possessor fail to comply therewith, such animal shall be subject to immediate impounding and disposition exclusive of the maximum imposable fine in accordance with Section 8 of this Ordinance.
- (d) The owner or the possessor of duly registered dogs or animal shall be responsible for the cleanliness and sanitation prescribed to proper handling of respective pets, and shall remove faces and other forms of waste matters emanating from their pets that tend to litter the streets corners of the barangay. Failure of the owner or possessor to remove such defecated waste matters shall constitute the corresponding penalty prescribed in Section 8 this ordinance.
- (e) *Commercial Breeding and Animal Training.* Breeding of kennels (dogs) and felines (cats) for commercial purposes shall not be allowed within the territorial jurisdiction of the Barangay;
- (f) or establishment. Failure to comply therewith shall subject the animals herein mentioned to impounding and disposition exclusive of the maximum imposable fine and penalty to the owner or possessor in accordance with Section 8 hereof. Breeding of kennels and felines shall be considered commercial in nature if any audible or printed advertisement in connection therewith is undertaken.

SECTION 8. PENALTIES. - Any person or entity found guilty of violating any of the provision of this Ordinance shall be penalized with:

- (a) Fine of not less than P500.00 but not more than P1,000.00 on the first offense;
- (b) Fine of not less than P1,000.00 but not more than P1,500.00 on the second offense;
- (c) Fine of not less than P1,500.00 but not more than P2,000.00 on the third offense.

SECTION 9. SEPARABILITY CLAUSE. - If any provision of this Ordinance is declared unconstitutional or the application thereof to any person or circumstance is withheld, other provision or parts thereof not declared as such shall remain valid and enforceable.


SECTION 10. REPEALING CLAUSE. - Ordinances, Resolutions, and other issuances inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 11. EFFECTIVELY. - This Ordinance shall take effect immediately in compliance with the provisions of Section 59 of RA 7160, otherwise known as the Local Government Code of 1991.


SO ORDAINED / ENACTED.

ADOPTED this 15th day of August, 2017.

ATTESTED BY:


JOHN ARBEE A. AGCOPRA
SB Member
Temporary Presiding Officer

CERTIFIED CORRECT:


KENNETH CARL B. ROMO
Administrative Aide IV
Temporary Secretary to the Sanggunian

APPROVED:


WILLIAM E. GALVEZ, CE
Municipal Mayor

Date signed: 9-13-2017