

**EXCERPTS** from the minutes of the Regular Session of the Sangguniang Bayan of Camaligan, Camarines Sur held at its session hall on November 20, 2009

PRESENT: Nathaniel F. Capucao - Municipal Vice Mayor/Presiding Officer  
Marissa F. Trinidad - Municipal Councilor / Member  
Diano SJ. Ibardaloza, Jr. - Municipal Councilor / Member  
Eduardo C. Loriaga - Municipal Councilor / Member  
Emmanuel K. Moll - Municipal Councilor / Member  
Shiela A. Morico - Municipal Councilor / Member  
Gaudencio A. Rabina - Municipal Councilor / Member  
Benedicto B. Jacob - Municipal Councilor / Member  
Arturo P. Almendral - Municipal Councilor / Member  
James Bob M. Sambo - SKF President/Ex-Officio Member

ABSENT: Rodelio L. Punzalan - LMB President/Ex-Officio Member

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### **ORDINANCE NO. 009-009**

Series of 2009

**AN ORDINANCE** IMPOSING CONTROL AND REGULATION ON THE ACTIVITY OF PETS AND OTHER DOMESTICATED ANIMALS IN THE MUNICIPALITY OF CAMALIGAN, DEFINING THE RESPONSIBILITIES OF PET OR ANIMAL OWNERS, AND IMPOSING PENALTIES THEREFOR

**WHEREAS**, the residents of Camaligan need to be protected or safeguarded from accidents that may occur from encounters with animals, pets and livestock;

**WHEREAS**, an alarmingly high incidence of rabies cases has become a major health concern in the municipality;

**WHEREAS**, the increasing presence of stray pets and wandering animals in the streets and residential areas may pose danger to motorists and people who encounter them in these areas;

**WHEREAS**, animal, pet, poultry, and livestock owners are duty-bound in assuming full responsibility for their safekeeping and welfare; and

**WHEREAS**, Republic Act No. 8485 or the Animal Welfare Act of 1998 mandates the protection and promotion of the welfare of all animals in the Philippines.

**NOW THEREFORE**, on motion by Councilor Marissa F. Trinidad, duly seconded by all the members present, be it:-

**RESOLVED AS IT HEREBY RESOLVES**, to enact the hereunder Municipal Ordinance, to wit:-

**BE IT ORDAINED** by the Sangguniang Bayan of Camaligan, Camarines Sur that:-

#### **CHAPTER I – BASIC PROVISIONS**

**SECTION 1. Title.** This Ordinance shall be known as “The Animals, Pets and Other Domesticated Animals Management Ordinance of the Municipality of Camaligan”.

**SECTION 2. Definition of Terms.** For the purpose of this Ordinance, the following terms shall have the following meanings:

- (a) “**Animal**” means any nonhuman mammal, bird, reptile or amphibian including livestock and poultry as defined herein;

- (b) **“Animal Shelter”** means any animal control facility authorized by the Municipality of Camaligan;
- (c) **“At large”** means outside of the premises of the owner or keeper of the animal, and not under restraint by leash or chain or not otherwise controlled by a competent person;
- (d) **“Competent person”** means a person who is able to sufficiently care for, control, and restrain his/her animal, and who has the capacity to exercise sound judgment regarding the rights and safety of others;
- (e) **“Impound”** means to receive into the custody of the Animal Control Shelter, or into the custody of the Director or his or her authorized agenda or deputy;
- (f) **“Livestock”** means all cows, carabaos, sheep, goats, horses, pigs, and swine;
- (g) **“Owner”** means any person owning, harboring, possessing, being in-charge of, having an interest in, or having control or custody or possession of any animal;
- (h) **“Pet”** means any tamed or domesticated animal;
- (i) **“Poultry”** means domestic fowl normally raised for eggs or meat, and includes chickens, turkeys, ducks and geese;
- (j) **“Premises”** shall mean the residence or any privately owned lot or space not necessarily occupied by the owner;
- (k) **“Restrain”** means to keep or prevent pets and animals from roaming or moving outside and around their owner’s residence and/or premises;
- (l) **“Unconfined”** means not securely confined indoors or in a securely enclosed and locked pen or structure upon the premises of the person owning, harboring or having the care of the animal.

## **CHAPTER II – INSTITUTIONAL MECHANISM**

**SECTION 3. The Municipal Animal Control and Management Council.** There is hereby created a Municipal Animal Control and Management Council (MACMC) under the Office of the Mayor which shall implement the necessary policies for the strict control and regulation of animals, pets, poultry and livestock in the municipality.

The Council shall be comprised of the following:

- (a) Municipal Agriculture Officer or representative;
- (b) Municipal Social Welfare and Development Officer or representative;
- (c) Municipal Health Officer or representative;
- (d) Chairperson, Committee on Health of the Sangguniang Bayan;
- (e) Chairperson, Committee on Peace and Order of the Sangguniang Bayan;
- (f) President, Liga ng mga Barangay;
- (g) President, Sangguniang Kabataan Federation;
- (h) Representative from the Camaligan Police Station;
- (i) Representative from the Education Sector;
- (j) Representative from the Transport Sector;
- (k) Representative from the Business Sector;
- (l) Representative from the Pastoral Council

All members of the Council shall serve ex-officio without any compensation but shall receive travel allowances and per diem during official functions. They shall elect from among themselves the Chairperson, two (2) Vice-Chairpersons, and the Secretary.

The Council shall meet quarterly or as often as the need arises.

**SECTION 4. Functions of the Municipal Animal Control and Management Council.** The Council shall perform the following functions:

- (a) Formulate the guidelines for owning or keeping custody of animals, pets, poultry or livestock, and review and amend the same every two (2) years from its implementation or whenever necessary;
- (b) Come out with an implementing rules for the effective enforcement of this ordinance;
- (c) Prepare its course of action and plan within ninety (90) days of the effectivity of this Ordinance;
- (d) Operate the Municipal Impounding Facility;
- (e) Develop the guidelines for impounding, redeeming, and disposing of animals, pets, poultry, and livestock;
- (f) Oversee the process of registering and licensing animals, pets, poultry or livestock in the municipality;
- (g) Supervise the compulsory spaying and vaccination of animals, pets, poultry, and livestock; and
- (h) Serve as the policy-making body on animal, pets, poultry, and livestock matters and concerns in the municipality.

### **CHAPTER III – ANIMAL CONTROL AND MANAGEMENT**

#### **SECTION 5. Obligations of Owners of Animals, Pets, Poultry, and Livestock.**

It shall be the obligation of the owner, caretaker, possessor, or custodian of animals, pets, poultry, and livestock under this Ordinance to:

- (a) Keep them within the confines of his/her residence, premises or private property;
- (b) Refrain from tying, feeding or confining them in public places, and along streets, alleys or pathways;
- (c) Be responsible for any droppings, scats or excreta of all animals, pets, poultry or livestock in their ownership, possession or care;
- (d) Put the animals, pets, poultry or livestock under strict control or in leash when brought out outside their residence, premises or private compound;

**SECTION 6. Animals, Pet, Poultry, and Livestock at Large.** Any animal or pet, poultry, or livestock shall be considered at large when it is found or encountered in areas outside the premises of its owner or being able to move around freely without restraint or leash, in any of the following situations:

- (a) *On Public Grounds.* It is unlawful for the owner or person having control or custody of any animal, pet, poultry or livestock to allow such animal to be at large in any park, or to enter any public playground or school ground or in any public building. Any animal entering or trespassing upon such property may be seized and impounded.
- (b) *On Private Property.* It is unlawful for the owner or person having control or custody of any animal, pet, poultry or livestock to allow such animal to enter or trespass upon private property without the express permission of the owner or caretaker of such property. Any such animal may be seized and impounded.

**SECTION 7. Disturbance Caused by Dogs and Cats in Heat.** Public disturbance and nuisance caused by any dog or cat in heat shall be a ground for their seizure and impoundment.

Every female dog in heat shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come into contact with a male of the species. Mating cats produce loud noises that cause undue disturbance in the neighborhood particularly at night and the owner or custodian shall be liable for penalties under this Ordinance if mating pet cats are left unconfined.

**SECTION 8. Municipal Animal Impounding Facility.** There shall be established a Municipal Animal Impounding Facility (MAIF) to function as the repository of all animals, pets, poultry or livestock seized and confiscated in the Municipality of Camaligan. The MAIF shall be administered and operated by the Municipal Animal Control and Management Council.

**SECTION 9. Confiscation and Impoundment Mechanism.** All animals, pets, poultry or livestock found outside the confines of their owner's residence, premises or private property without proper authorization or in violation of the guidelines set as mandated under this Ordinance shall be seized and deposited in the Municipal Animal Impounding Facility. All animals and/or pets shall remain in the MAIF only for a maximum period of three days (3) or 72 hours from the time of confiscation.

Deputized employees or personnel of the municipality shall be the competent persons charged with the duty of seizing animals, pets, poultry or livestock wandering or running at large in public or private places are given authority to pursue such animals, pets, poultry or livestock and seize, remove, and bring the same to the MAIF.

Upon the impoundment of any animal, pet, poultry or livestock under the provisions of this Ordinance, the Municipal Animal Control and Management Council shall immediately notify the owner, if the owner is known, of the impounding of such animal, pet, poultry or livestock and of the terms upon which said animal, pet, poultry or livestock can be redeemed. The impounding authority shall retain said animal, pet, poultry or livestock for 72 hours following actual notice to the owner. The notifying of any person over the age of 18 who resides at the owner's residence shall constitute actual notice to the owner. If the owner of said animal, pet, poultry or livestock so impounded is unknown, then the Municipal Animal Control and Management Council shall exhaust all effort to locate and notify the owner of said animal, pet, poultry or livestock before subjecting it to disposal procedure laid out in Section 9 below.

**SECTION 10. Redemption and Disposal Procedure.** The following shall constitute the steps for redeeming and disposing of any animal, pet, poultry or livestock that is impounded at the Municipal Animal Impounding Facility:

- (a) Any animal, pet, poultry or livestock impounded under this Ordinance may be redeemed by its owner within 72 hours from time of impounding by paying to the Municipal Animal Control and Management Council the appropriate redemption fee. For first time impoundment within one year of the effectivity of this Ordinance, the redemption fee is One Hundred Fifty Pesos (Php 150.00); for the second impoundment within a one year period the redemption fee is Two Hundred Pesos (Php 200.00); for the third and subsequent impoundments within a one year period the redemption fee is Four Hundred Pesos (Php 400.00). In addition to the redemption fee, the redeemer shall pay, as a boarding charge for the caring and keeping of such animal, pet, poultry or livestock, the sum of Fifty Pesos (Php 50.00) per day for each day, including the first and last days, the dog is retained at the MAIF. If an impounded animal, pet, poultry or livestock is not redeemed by its owner within the 72-hour period, it shall be put in auction for the next 48 hours and any person may redeem it by complying with the above provision. In case such animal, pet, poultry or livestock is not redeemed for 48 hours after it was auctioned, it may be humanely destroyed or otherwise disposed of at the discretion of the Municipal Animal Control and Management Council subject to existing laws and Section 6 of Republic Act No. 8485 or The Animal Welfare Act of 1998.
- (b) The owner of any animal other than a dog, poultry or livestock impounded under the provisions of this Ordinance may redeem it within 48 hours from the time of impounding by paying to the Municipal Animal Control and Management Council a redemption fee of Php 135.00. In addition to the redemption fee, the redeemer

shall pay, as a boarding charge for the caring and keeping of such animal, the sum of Php 35.00 per day for each day, including the first and last days the animal is retained by the impounding authority. If such animal is not redeemed by the owner within 72 hours, it shall be put in auction for the next 48 hours and any person may redeem it by complying with the above provision. In case such animal is not redeemed within 48 hours after it was auctioned, it may be humanely destroyed or otherwise disposed of at the discretion of the Municipal Animal Control and Management Council subject to existing laws and Section 6 of Republic Act No. 8485.

**SECTION 11. Conditions of Release.** The Municipal Animal Control and Management Council is authorized to refuse to release to its owner any animal, pet, poultry or livestock which has been impounded more than once in a 12-month period unless satisfied that the owner has taken steps that the violation will not occur again. The agency may impose reasonable conditions which must be satisfied by the owner before release of the animal, pet, poultry or livestock including conditions assuring that the animal, pet, poultry or livestock will be confined after being released.

**SECTION 12. Injured or Diseased Animals.** Any animal suffering from serious injury or disease may be humanely destroyed by the Municipal Animal Control and Management Council; Provided, that the MACMC shall give prior notice to the owner, if the owner is known, and make a reasonable effort to locate and notify the owner, if the owner is unknown.

**SECTION 13. Duties upon Injury or Death to an Animal, Pet, Poultry or Livestock.** If a vehicular accident results in injury or death to an animal, pet, poultry or livestock, the driver shall immediately stop the vehicle at or as near to the scene of the accident as possible, and shall provide to the investigating officer, owner or other competent person having custody of the animal, the name and address of the operator of the vehicle, if he is not its owner, and the registration number of the vehicle involved in the accident. If the owner or other competent person is not the person at the scene of the accident, the driver shall take reasonable steps to notify the owner or custodian of said animal and shall supply the information herein above required. If the animal, pet, poultry or livestock is injured to the extent that it requires immediate medical attention and there is no owner or custodian present to look after it, the driver or operator of said vehicle shall immediately report the incident to the Camaligan Police Station or nearest Barangay Hall.

**SECTION 14. Registration and Licensing of Animals, Pet, Poultry and Livestock.** For the purpose of this Ordinance, all individual animal, pet, poultry or livestock in the municipality shall be duly registered with the Municipal Animal Control and Management Council through the Municipal Agriculture Office. The license fee for the ownership, keeping or having control of animals, pets, poultry or livestock in the municipality shall be Fifty Pesos (Php 50.00) for every household, regardless of the number of heads and species.

#### CHAPTER IV – PENAL PROVISIONS

**SECTION 15. Unlawful Acts.** The following are considered unlawful acts under this Ordinance:

- (a) *Intentionally inflicting harm on animals.* It shall be unlawful for any person to subject to torture, intentionally inflict injuries or illegally kill an animal or pet
- (b) *Dogs Chasing Vehicles on Public Roads.* It is unlawful for the owner or any person having control of any dog to allow such dog to chase, run after, or jump at vehicles lawfully using the public road, street, avenues, alleys, and ways. Any such dog may be seized and impounded.

- (c) *Dogs Jumping and/or Threatening Pedestrians.* It is unlawful for the owner or any person having control of any dog to allow such dog to frequently or habitually snarl at, growl at, jump upon, or threaten persons upon the public sidewalks, roads, streets, alleys, or public places. Any such dog may be seized and impounded.
- (d) *Animals or Pets Injuring Humans, Domestic Animals, or Livestock.* It is unlawful for the owner or any person having control or custody of any animal or pet to allow such animal or pet to cause injury to a human, domestic animal, or livestock which is acting in a lawful manner. Any such animal or may be seized and impounded.
- (e) *Animals, Pets, Poultry or Livestock Damaging Private and Public Property.* It is unlawful for the owner or any person having control or custody of any animal to allow such animal, pet, poultry or livestock to damage or destroy any property or thing of value upon the private property of another, or upon any public property. Any such animal, pet, poultry or livestock may be seized and impounded.
- (f) *Confinement of an Animal, Pet, Poultry or Livestock in a Motor Vehicle.* It is unlawful for an owner or any person to confine any animal, pet, poultry or livestock in a motor vehicle in such a manner that places them in a life- or health-threatening situation by exposure to a prolonged period of extreme heat or cold, without proper ventilation or other protection from such heat or cold. In order to protect the health and safety of such animal, pet, poultry or livestock, an animal control officer or law enforcement officer who has probable cause to believe that this Section is being violated shall have the authority to enter such motor vehicle by any reasonable means under the circumstances, after making a reasonable effort to locate the owner.
- (g) *Sale or Transfer of Animals, Pets, Poultry or Livestock.* It is unlawful to sell, barter or otherwise transfer for the purpose of changing ownership of any animal, pet, poultry or livestock in the municipality without prior notification of and authorization from the Municipal Animal Control and Management Council.
- (h) *Hindering an Officer.* It shall be unlawful for any person to interfere with, hinder, delay, or impede any officer who is enforcing the provisions of this Ordinance as herein provided.
- (i) *Interference with Impounding.* It is unlawful for any person to willfully prevent or hinder the impounding of any animal, pet, poultry or livestock or to by force or otherwise remove any animal, pet, poultry or livestock from the animal shelter without authority of the person in charge of the animal shelter, or without payment of all lawful charges against such animal, pet, poultry or livestock or to willfully resist or obstruct any officer in the performance of any official duty.

**SECTION 16. Penalties.** Any violations of the provisions of this Ordinance shall merit the penalty of a fine, imprisonment or both as stipulated below:

- (a) Any person found guilty of subjecting to torture, intentionally inflicting injuries or illegally killing an animal, pet, poultry or livestock shall be fined not less than Five Hundred Pesos (Php 500.00) per act, imprisoned for three to six months, or both at the discretion of the Court.
- (b) Any person who refuses to have his/her animal, pet, poultry or livestock registered and licensed shall be liable to be meted a fine of One Hundred Fifty Pesos (Php150.00)
- (c) Any person who violates or refuses to comply with all other provisions not specified in the preceding paragraph under this section, shall be subjected to a fine of Two Hundred Pesos (Php 200.00) for the first offense, Four Hundred Pesos (Php 400.00) for the second offense, and Five Hundred Pesos (Php 500.00) for the

third and succeeding offenses or imprisonment for a period not exceeding five (5) days, or both such fine and imprisonment subject to the recommendation of the Municipal Animal Control and Management Council and shall be at the discretion of the court.

#### **CHAPTER V – MISCELLANEOUS PROVISIONS**

**SECTION 17. Separability Clause.** If for any reason, any section or provision of this Ordinance is declared unconstitutional or illegal, the other provisions hereof shall remain in full force and effect.

**SECTION 18. Repealing and Amendatory Clause.** All ordinances, executive issuances, rules and regulations or any parts thereof, which are inconsistent or in conflict with the provisions of this Ordinance are hereby repealed and/or modified accordingly.

**SECTION 19. Effectivity.** This Ordinance shall take effect immediately upon approval.

**ENACTED:** November 20, 2009

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***WE HEREBY CERTIFY*** to the correctness and truthfulness of the foregoing.

**JOY MARIE I. SAN BUENAVENTURA**  
*Sangguniang Bayan Secretary*

**MARISSA F. TRINIDAD**  
*Municipal Councilor*

**DIANO S.J. IBARDALOZA, JR.**  
*Municipal Councilor*

**EDUARDO C. LORIAGA**  
*Municipal Councilor*

**EMMANUEL K. MOLL**  
*Municipal Councilor*

**SHIELA AGUID-MORICO**  
*Municipal Councilor*

**GAUDENCIO A. RABINA**  
*Municipal Councilor*

**BENEDICTO B. JACOB**  
*Municipal Councilor*

**ARTURO P. ALMENDRAL**  
*Municipal Councilor*

**RODELIO L. PUNZALAN**  
*ABC President*

**JAMES BOB M. SAMBO**  
*SKF President*

Attested by:

**NATHANIEL F. CAPUCAO**  
*Municipal Vice-Mayor and Presiding Officer*

Approved:

**ROLANDO C. EDUARDO**  
*Municipal Mayor*