

Excerpt from the

MINUTES OF THE 31st REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BAYBAY, LEYTE HELD IN THE SESSION HALL ON AUGUST 23, 2005.

MUNICIPAL ORDINANCE NO. 010 S. 2005

AN ORDINANCE REGULATING THE ACQUISITION, OWNERSHIP AND POSSESSION OF DOGS.

INTRO: AND SPONSORED BY: HON. EDUARDO S. GUINOCOR & HON. ERNESTO A. BUTAWAN.

Section 1- Definition of Terms

Dog - the term "dog" shall apply to a specific domestic animal male or female;

Vaccination against rabies - means the inoculation of a dog with a rabies vaccine licensed for the species by the Bureau of Animal Industry (BAI), Department of Agriculture. Such vaccination must be performed by a licensed Veterinarian assisted by a trained livestock technician from the BAI, Provincial Veterinary Office and Municipal Agriculturist' office.

Owner - the term owner shall mean any person keeping, harboring or having charge of control of or permitting any dog to habitually be a remain on, or be lodged or fed within such person's house, yard or premises

Rabies Control Authority - duty authorize person or persons responsible for enforcement of this ordinance as herein provided.

Registration -means the presentation by the owner of the dog to the authorized person for purposes of recording the identity of the dog and its owner;

Has been bitten - means has been seized with the teeth so that skin of the person has been wounded or pierced, including scratches;

Enclosed Premises - means the owner's house, or fenced yard, where other people have no reason to enter except to conduct business or visit with the members of the household;

Restrained - means leashed or caged.

Section 11 - Municipal Rabies Control Committee

A Municipal Rabies Control Committee (MRCC) shall be formed and shall possess the main authority of implementing this rabies control ordinance and other rabies control-related activities as it may deem necessary.

This committee shall be composed of the following members, subject to additional membership as the need arises:

1. Mayor
2. Municipal Board Members (Chairperson of the Committee on Health and Agriculture)

- more over -

3. Municipal Agriculture/MAO
4. Municipal Health Officer
5. Municipal PNP Commander
6. School Division Superintendent
7. President, Association of Barangay Chairman
8. Two NGO Representatives
9. Municipal Veterinary Officer
10. President, Federation of Homeowners Association

Note: Other suggested members: MPDC
Clergymen
DILG representative

After the formation of the MRCC, the council shall formulate the implementing rules and guidelines for the implementation of this ordinance especially Sections 5 & 7.

Section III - Fund Allocations

The Local Government Unit shall allocate in its regular annual budget a fund which shall be used by the MRCC in the implementation of its rabies prevention and control program. The amount of such a fund shall be determined by the MRCC to cover such activities, among others, to wit:

- a) Acquisition of vaccines and other paraphernalia;
- b) Training of indigenous vaccinators;
- c) Reproduction of Information Education Campaign materials;
- d) Traveling expenses of involved personnel;
- e) Celebration of "Dog Vaccination Day";
- f) Giving of incentives or plaque for barangays with highest vaccination coverage;
- g) Others.

Section IV - Establishment of a Trust Fund

All monetary proceeds accruing (such as vaccination and registrations fees, penalties, etc.) In relation to the enforcement of this ordinance shall go to a trust fund to be established by the municipality. Such a fund, upon the attainment of a sufficient level shall be used to bank roll the implementation of the municipality's rabies control and prevention program substituting the fund allocation mentioned in Section III.

Section V - Rabies Vaccination

Every dog 3 months of age and older should be submitted by the owner for vaccination against rabies every year or as indicated on the label/literature of the vaccine, but in no case should exceed 24 months. The dogs shall be vaccinated within 30 days after they have reached 3 months of ages. The cost of rabies vaccination shall be borne by the owner of the dog at a cost agreed upon by the MRCC. It is the Municipal Agriculture's Office in coordination with the Rural Health Unit I and II which is the lead agency in the vaccination of the dogs.

Section VI - Duties of Veterinarian

It shall be the duty of each veterinarian, when vaccinating any dog to complete a

certificate of rabies vaccination (in duplicate) for each animal vaccinated. The certificate shall include the following information:

1. Owner's name, address and telephone number (if any);
2. Description of dog (color, sex, Markings, age, name, species and breed (if any);
3. Dates of vaccination and vaccine expiration (if known);
4. Rabies vaccination tag number
5. Vaccine producer
6. Vaccinator's signature
7. Veterinarian's license number/vaccinator's address.

The dog owner shall be provided with a copy of the certificate. The veterinarian/vaccinator shall retain one copy for the duration of the vaccination. A durable metal or plastic tag, serially numbered, issued by the veterinarian/vaccinator, shall be securely attached to the collar of the dog.

Note: The above provisions may not apply in a mass vaccination campaign.

Section VII - Dog Registration or Licensing

Dogs should be registered by their owner upon reaching the age of 3 months and every year thereafter at the Office of the Barangay Chairman. Unvaccinated dogs registered after reaching the ages of 3 months and dogs 3 months old and above not previously registered shall be vaccinated immediately after registration. The dog owner shall pay such registration fee as maybe determined by the Municipal Rabies Control Authority. The registration officer shall provide the owner with a certificate of registration for the dog and affix to it a distinguishing collar tag as proof of registration. No dog shall be vaccinated by the Municipal Agriculture Office or the Rural Health Unit I and II without having first registered in the barangay.

Section VIII - Elimination of Unregistered Dogs

Unregistered dogs over the age of 4 months shall be seized and humanely destroyed under the supervision of a licensed veterinarian of the Municipal Rabies Control Authority or vaccinated and registered under the provisions of Section VI.

The licensed veterinarian/trained vaccinator or the Rabies Control Authority shall give guidance on the destruction methods to be used (shooting, poisoning, carbon dioxide, anesthetic overdose) in different environments (area of habitation, marketplace, rubbish dumps open countryside, etc.)

The licensed veterinarian/trained vaccinator, the Rabies Control Authority or police officer may enter any land for the purpose of seizing or destroying a dog which is liable to be seized under this section.

Note: Elimination is based on the presence or absence of a dog tag and/or a registration or vaccination certificate.

Section IX - Reporting of Biting Incidents

The owner of a dog which has bitten any person, and the person who has been bitten shall within 24 hours of the occurrence, report the incident to the Municipal health Authority and the health care worker or the police officer receiving such information shall immediately transmit it to the Municipal Rabies Control Authority for investigation.

Section X - Liability of Owners of Biting Dogs

The owner of a dog which has bitten any person shall be responsible for all the treatment and dog examination related expenses incurred by the bite victim(s) unless the bite was inflicted by a restrained and registered dog or has occurred within the owners' enclosed premises, in which case arrangements shall be made between the owner and the bite victim.

Section XI - Penalties for Violation of Ordinance

Any owner who fails to abide by any of the provisions of this ordinance shall be subjected to a fine of not less than P1,000.00 but not more than P2,500.00.

Section XII - It shall be the responsibility of the Municipal Rabies Control Authority to enforce said ordinance as defined under Section 1.

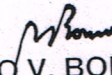
Section XIII - Repealing Clause

All provision inconsistent of this ordinance are hereby amended or repealed.

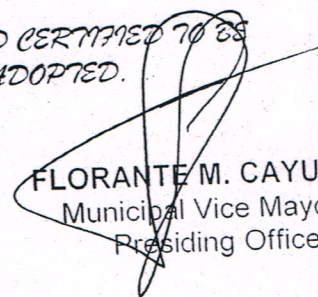
RESOLVED, FURTHER, to let certified copies of this ordinance be furnished to the offices concerned for their information and appropriate action.

ENACTED, August 23, 2005

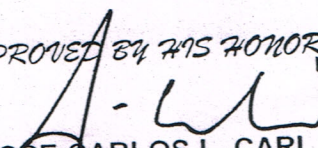
I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Bayan during its regular session held on August 23, 2005.


AMELITO V. BORNEO
Secretary to the SB

ATTESTED AND CERTIFIED TO BE
DULY ADOPTED.


FLORANTE M. CAYUNDA
Municipal Vice Mayor &
Presiding Officer

APPROVED BY HIS HONOR:


JOSE CARLOS L. CARI
Municipal Mayor