



Republic of the Philippines
PROVINCE OF LEYTE
City of Baybay
-0000000-

Office of the Sangguniang Panlungsod

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5TH SANGGUNIANG PANLUNGSOD

CITY ORDINANCE NO. 09, SERIES 2020

“AN ORDINANCE REGULATING THE KEEPING OF PETS OR ANIMALS IN HOMES, DIRECTING PET OWNERS TO COLLECT AND PROPERLY DISPOSE THE WASTE OF SUCH PETS OR ANIMALS, PROVIDING PENALTIES THEREOF, AND FOR SUCH OTHER PURPOSES”

**Authored by:
Hon. Jose Rommel A. Peñaranda**

WHEREAS, Section 16 of the Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that “Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom x x x and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, x x x promote health and safety, enhance the right of the people to a balanced ecology x x x preserve the comfort and convenience of their inhabitants.”;

WHEREAS, Section 458 Paragraph (a)(4)(viii) of the same Code expressly empowers the Sangguniang Panlungsod to provide for the impounding of stray animals; regulate the keeping of animals in homes or as part of a business, and the slaughter, sale or disposition of the same; and adopt measures to prevent and penalize cruelty to animals;

WHEREAS, in a study by the World Health Organization entitled “Animal Waste, Water Quality, and Human Health” published in 2012, it was found out that the excreta of mammals frequently contaminate water that is used for bathing and recreation, that is treated and distributed for human consumption, and that is used to irrigate crops.”;

WHEREAS, the United States of America’s Environmental Protection Agency (EPA) declares that “pet waste provides a nitrogen source for algae blooms, which deplete the water of oxygen and can make people and animals sick. Pet waste left on the street is washed down into waterways like rivers, bays, and beaches. This can make people sick from salmonella, E. coli, and other infections”;

WHEREAS, the City is committed to protect the health and well-being of its citizens, while at the same time ensuring that responsible pet ownership and humane treatment of animals be practiced by the people;

WHEREAS, the Local Government Code directs Local Government Unit to take the necessary measures to eradicate, prevent or cure all forms of animal diseases;

WHEREFORE, on motion of Atty. Jose Rommel A. Peñaranda and duly seconded by Honorable Mark Michael O. Unlu-cay;

BE IT ORDAINED, by the 5th Sangguniang Panlungsod, City of Baybay, in its 8th Regular Session assembled on February 20, 2020, as hereby is adopted, to wit:

Section 1. TITLE. – This Ordinance shall be known as the Responsible Pet Ownership Ordinance

Section 2. SCOPE AND APPLICATION - All owners of pets or domesticated animals residing in Baybay City, and those who carry, transport, convey, and stop with their pets within the territorial jurisdiction of Baybay City.

Section 3. DEFINITION OF TERMS - For the purpose of this Ordinance, the following terms are hereby defined as follows:

- a. Pet - any animal which is domesticated or considered tamed, restrained, confined, or under the control of its owner or the one in possession thereof; whether or not registered/licensed by the City.
- b. Owner - any person keeping, harboring, having custody or control of any domesticated animal, or permitting the same to habitually remain on, or be lodged or fed within his/her yard or premises.
- c. Enclosed Premises - shall mean the house, fenced yard or property of the pet's owner.
- d. Streets, Sidewalks, Public Places - national, and city parks, plazas or other places open to the public.
- e. Stray pets or animals – refers to pets or animals wandering or roaming around without the presence or control of its owners.

Section 4. Pet owners shall be responsible in taking care of their pets and properly disposing of its waste, and shall abide by the laws or ordinances related to animal care.

Section 5. Pet owners whose pets are found to be urinating or defecating, and have been proven to do so, on another person's property, on streets, sidewalks, and other public places, shall properly collect and dispose the excreta left behind. Failure of the pet owners to collect and dispose the waste of their pets shall be penalized in accordance with Section 9 hereof.

Section 6. All owners of pet dogs are required to have mandatory animal registration and licensing of their pet dogs raised or kept within the territorial jurisdiction of Baybay City before the City Agriculture Office (CAO). Pet dog owners are required to submit annually their pet dogs for registration and licensing within the first twenty (20) days of January while newly born or acquired pet dogs shall be registered within fifteen (15) days from birth or acquisition. The pet dog shall be subjected to anti-rabies vaccination upon registration or within six (6) months therefrom after determination by the CAO of its need for vaccination. A fee of fifty pesos (P 50.00) shall be collected by the City for registration and vaccination.

Section 7. STRAY PETS OR ANIMALS. All pets are required to be kept in homes or enclosed premises of the pet owners. It is hereby declared unlawful for any pet owners to allow his pets or animals wandering or roaming around the City without the presence or control of any person thereby causing destruction to plants and property of another, or posing danger to health and safety of the people. Stray pets or animals shall be seized and deposited at the designated impounding area of the City. Impounded pets or animals may be redeemed only upon payment of the corresponding impounding fees. Impoundment of stray pets or animals shall not exceed three (3) days at any instance. After the lapse of the three-day period, the stray pets or animals shall be proceeded upon in accordance with Section 8 and 9 hereof.

Section 8. Impounded pets or animals shall be disposed of or slaughtered humanely in accordance with any existing laws if not claimed within three (3) days. Healthy pets or animals may be donated to research institutions or sold at public auction while those found to have diseases shall be condemned immediately.

Section 9. PENALTY CLAUSE - Any violation of this Ordinance shall be imposed with the following fines and penalties:

A. For failure to collect and dispose the excreta of pet animals:

- a. First Offense - FIVE HUNDRED PESOS (Php 500.00)
- b. Second Offense - SEVEN HUNDRED PESOS (Php 700.00)
- c. Third Offense - ONE THOUSAND PESOS (Php 1,000.00)
- d. Fourth Offense - CONFISCATION

B. For stray animals impounded (redemption period)

- a. First day - FIVE HUNDRED PESOS (Php 500.00)
- b. Second day - SEVEN HUNDRED PESOS (Php 700.00)
- c. Third day - ONE THOUSAND PESOS (Php 1,000.00)

Section 10. In case of violation of this Ordinance by a partnership, corporation, association or any judicial entity, the partner, president, director, manager, trustee, administrator, or officer who consents to or knowingly tolerates such violation shall be held liable.

Section 11. The City Agriculture Office (CAO) is hereby tasked to implement this Ordinance. It shall promulgate the necessary rules and regulations for the implementation of the provisions of this Ordinance. This unit shall be properly trained to handle pets or animals confiscated or seized.

Section 12. DEPUTATION. The Barangay Chairperson of every Barangay is hereby deputized to apprehend violators of Section 7 hereof. The Barangay may take into custody stray animals in their respective Barangays and forward the same to the CAO for proper inventory and disposition in accordance with this Ordinance.

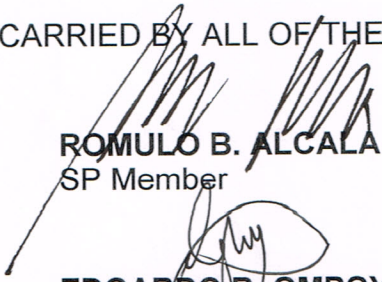
Section 13. SEPARABILITY CLAUSE. - The provisions of this Ordinance are hereby declared separable and if any provision shall be held invalid, or unconstitutional, the remainder of the provisions of this ordinance is not affected shall and remain valid, in full force and effect.

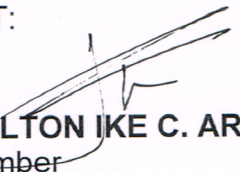
Section 14. REPEALING CLAUSE. - This ordinance repeals Municipal Ordinance No. 4 series of 2000, otherwise known as an ordinance prohibiting or interdicting astray animals. Pertinent provisions of all other laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Ordinance are hereby likewise repealed or modified accordingly.

Section 15. Effectivity Clause. - This Ordinance shall take effect 15 days upon its publication or after due compliance with all the requirements provided under R.A. 7160, otherwise known as the Local Government Code of 1991.


Enacted: February 20, 2020.
Baybay City, Leyte, Philippines.

CARRIED BY ALL OF THE MEMBERS PRESENT:


ROMULO B. ALCALA
SP Member

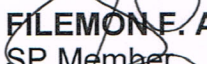

DR. FULTON IKE C. ARRADAZA
SP Member


EDGARDO R. OMPOY
SP Member


RODULFO S. PALMA, JR.
SP Member

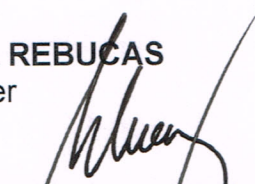

VICENTE VICTOR G. VELOSO
SP Member

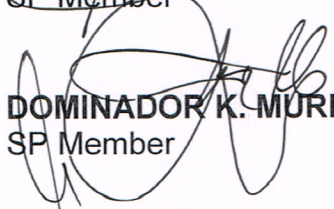

ARTURO ELISA O. ASTORGA
SP Member

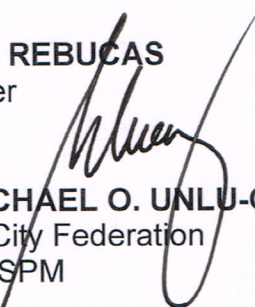

FILEMON E. AVILA
SP Member


ATTY. JOSE ROMMEL A. PENARANDA
SP Member


DOMINADOR K. MURILLO, D.M.
SP Member

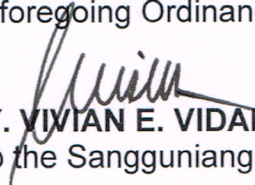

JORGE V. REBUCAS
SP Member


PHILIP L. SIU
President, LIGA Ng Mga Barangay
Ex-Officio SPM

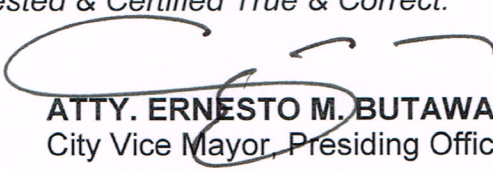

MARK MICHAEL O. UNLU-CAY
SK Chair, City Federation
Ex-Officio SPM

RESOLVED FURTHER, that certified copies of this ORDINANCE be furnished to the City Mayor Honorable Jose Carlos L. Cari, City Administrator Deogracias E. Pernitez; City Legal Officer, Atty. Avito C. Cahig, Jr.; City Budget Officer, Raul Mabini; City Accountant Evelinda A. Oppus; City Treasurer's office, CLGOO Estela I. Creer, and to all other offices/agencies/entities concerned for their information, guidance and appropriate action.

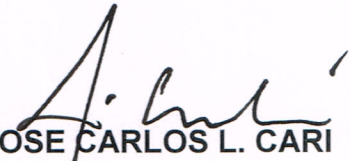
I HEREBY CERTIFY to the correctness of the foregoing Ordinance.


ATTY. VIVIAN E. VIDALLON
Secretary to the Sangguniang Panlungsod

Attested & Certified True & Correct:


ATTY. ERNESTO M. BUTAWAN
City Vice Mayor, Presiding Officer

Approved by His Honor:


HON. JOSE CARLOS L. CARI
City Mayor

Date Approved: 3/19/20