



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 92-032

AN ORDINANCE REGULATING THE NAGA CITY LIVESTOCK INDUSTRY, AND ESTABLISHING THE NAGA CITY LIVESTOCK AUCTION MARKET, PROMULGATING RULES AND REGULATIONS FOR THE OPERATION, MANAGEMENT AND MAINTENANCE; PRESCRIBING FEES AND RATES OF ITS OFFERED SERVICES; AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF:-

Author: Hon. Agapito Tria

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

ARTICLE I – TITLE AND SCOPE

SECTION 1. - TITLE. - This ordinance shall be known as the “Naga City Livestock Ordinance”.

SECTION 2. - SCOPE. - The provisions of this ordinance shall control, enforce, direct and supervise the Naga City Livestock Industry in general, and the operation, management and maintenance of the Naga City Livestock Auction Market in particular, in accordance with the provisions of Presidential Decree No. 7 which prescribes measures for the establishment of livestock auction markets.

ARTICLE II – DEFINITION OF TERMS

SECTION 3. - WORDS AND PHRASES DEFINED. -

Words and phrases as used in this ordinance shall mean the following:

- a) Livestock auction market shall refer to a place or establishment serving as a public market for farmers and dealers, equipped with weighing scale, pens, corrals, tie rails, loading ramps, enclosures and other attendant facilities with which livestock are received, weighed and identified for sale.
- b) Livestock shall refer to live cattle, carabao, hog, horse, goat, sheep and the like usually sold for fattening, stock replacement, work purposes, breeding and slaughter.
- c) Farmer shall refer to one who directly sells fattened livestock to buyers and dealers, or buys it at the market for fattening, stock replacement, breeding or work purposes.
- d) Dealers shall generally refer to one who buys livestock for the purpose of reselling it for profit. Shipper or viajero “shall refer to a dealer who usually procures Livestock for shipment and resale to distant places. Handler shall refer to a person engaged in livestock trading as an employee/intermediary/agent of either the farmer or the dealer.

ARTICLE III – THE NAGA CITY LIVESTOCK AUCTION MARKET

SECTION 4. - ESTABLISHMENT. - There shall be established a Livestock Auction Market, hereafter referred to as the Market in this ordinance, within the compound of the new Naga City Slaughterhouse at Del Rosario, Naga City which shall be opened, managed and maintained by the City Government in cooperation with supporting government line agencies.

SECTION 5. - PURPOSE. - The Market shall be the backbone of the Naga City Livestock industry, and shall serve as the center of Livestock trading activities in the City, centralizing them to rationalize Livestock supply, promote fair trading by raising the farmers' margin to profit through improved marketing opportunities, and raise the quality of livestock being offered for sale in support of the livestock development program of the national government.

SECTION 6. - FUNCTIONS. - The Market shall perform the following functions:

- a) To provide farmers and dealers an accessible centralized location where they can efficiently and conveniently transact business;
- b) To serve as the core of an organized Livestock marketing system reaching through the barangay level which will ensure higher profitability for farmers and enhanced quality for dealers;
- c) To house farmers' livestock under satisfactory conditions that meet standard government requirements;
- d) To establish a uniform grading system that will serve as the basis of fair and orderly trading between farmers and dealers;
- e) To rationalize Livestock supply in the city and the province through an efficient distribution system from production points to the markets;
- f) To issue required clearance on Livestock intended for slaughter at the Naga City Slaughterhouse;
- g) To regularly disseminate updated reports on prevailing Livestock prices and market trends and data relevant to the Livestock industry in particular and the public in general; and
- h) To conduct basic orientation, management training and skills development programs for farmers, dealers, handlers and other parties involved in the local livestock industry.

SECTION 7. – MANAGEMENT. – The Market shall be operated, managed and maintained by personnel of the Department of Agriculture-Bureau of Animal Industry technical staff. A Market Manager appointed by the City Mayor shall assume responsibility for over-all market operations and exercise supervision over a competent staff which shall also be appointed for the purpose, subject however to the Civil Service Law. Management shall hereinafter be the City Mayor or his duly authorized personnel in the market exercising managerial functions and prerogatives.

SECTION 8. – DUTIES AND RESPONSIBILITIES. – The Management shall be responsible for fostering, preserving and ensuring a competitive Market. It shall operate the market in a just and responsible manner without fear or favor toward any party or individual. It shall maintain the yard, corrals, pens, weighing scale and other structures, facilities and equipment clean, orderly and in good condition.

The Market Manager shall hear and settle complaints and act on them and on reported violations that will weaken the Market in an expeditious manner.

His staff shall maintain an accurate and orderly record of transactions to ensure efficient operations and shall at all times uphold the highest standard of public service by exercising care, promptness and courtesy towards its clientele.

ARTICLE IV – RULES AND REGULATIONS GOVERNING MARKET OF OPERATIONS

SECTION 9. – MARKET DAYS. – Tuesday and Saturday every week shall be established as official market days during which business transactions between farmers and dealers shall be vigorously promoted and enjoined. This however does not limit transactions with respect to small animals like hog, sheep and goat on any other day of the week between parties who desire to avail of market services and facilities.

SECTION 10. – HAULING. – Livestock to be offered for sale during market days shall be brought to the market either through personally secured conveyances or by availing of transport facilities offered by the Market which shall be covered by a responding service charge as prescribed under Art. V, Section 20 of this ordinance.

SECTION 11. – INSPECTION. – Every livestock entering the market premises shall be subjected to an inspection by an Animal Health Officer (AHO) detailed by the Bureau of Animal Industry for possible disease infections. Only livestock declared to be fit by the AHO should be admitted within the premises for auction.

SECTION 12. – WEIGHING. – Every healthy livestock so declared by the AHO shall be properly weighed, graded and identified using prescribed forms before admission within the market yard, with the owner to be provided with a copy of its records before yarding.

SECTION 13. – BRANDING AND REGISTRATION. – Unbranded and unregistered livestock shall first be herded to an area designated for branding, after which a certificate of ownership shall be issued to the owner upon payment of corresponding fee and service charge.

SECTION 14. – SELLING. – Trading of livestock between farmers and dealers shall be conducted in a selling area within the market designated for the purpose. Once an agreement is reached, a transfer certificate of ownership shall be issued to the dealer upon payment of the corresponding fee as prescribed under Art. V. Sec. 20 of this ordinance to formalize the sale.

SECTION 15. – SERVICE CHARGES. – Service charges shall be imposed upon any farmers or dealers who avail of market service and brings livestock for auction in the market, which shall be properly assessed and collected prior to the loading out of livestock based on the rates prescribed under Art. V, Sec. 20 of this ordinance.

SECTION 16. – RELEASE FOR LIVESTOCK. – Livestock admitted within the market the market premises shall only be released either to the farmer in case they are not sold or to the dealer in case the sale is consummated after the presentation of all necessary documents to the duly authorized personnel who shall supervise the release of livestock for loading.

SECTION 17. – MONITORING TEAMS. – Two monitoring teams of market personnel shall be stationed in barangays Del Rosario and Mabulo, respectively, to monitor, control and regulate the flow of livestock in and out of the City in coordination with the local Philippine National Police (PNP) command. They shall be authorized to impound and/or confiscate livestock found to be lacking papers of documents for shipment required by this ordinance or by

the other existing applicable laws of the land. The Management shall assume responsibility and accountability over their operation.

ARTICLE V – REGISTRATION, LICENSING AND FEES

SECTION 18. – REGISTRATION. – All farmers and other individuals except dealers and handlers engaged in livestock trading shall register with the market for proper identification, for which they shall be issued an official identification card before admission within the market premises.

SECTION 19. – LICENSING. – All declares and handlers shall be required to secure a license from the Director of the Bureau of Animal Industry before they will be allowed to engage in trading activities within the market premises. Any person desiring of such License shall apply with the Chief of Marketing Division, Bal. For its issuance after complying with official requirements,

SECTION 20. - FEES. – The following shall be collected from farmers, dealers and handlers involved in the local livestock industry.

A. For services extended by the Market;

a. Entrance Fee	P 2.00
b. Yardage Fee. This shall be based on a per kilo live weight of the animal sold at the Market. Cattle, Carabao, and Horse	0.03 per kilo
Hog, Goat and Sheep	0.02 per kilo
c. Commission. This shall be equivalent to one (1) percent of the gross sales of livestock sold by a farmer.	
d. Ownership Certificate Fee	10.00 per kilo
e. Transfer of ownership Certificate Fee	10.00 per head
f. Hauling Fee. This shall be computed based on live weight and distance. Carabao/ Cattle	0.05 per kilogram per kilometer
Hog	0.03 per kilogram per kilometer

B. A shipper's fee shall be imposed upon shippers or "viajero" on a per head basis. Pursuant to Executive Order No. 626, using the following rates;

Small animals (hog, goat, sheep, etc.)	P2.00 per head
Large animals (cattle, carabao, horse)	5.00 per head

ARTICLE VI – BARANGAY MARKETING NETWORKS

SECTION 21. – BARANGAY COORDINATING CENTER. – A Barangay Coordinating Center hereinafter referred to, as the Center in this ordinance shall be established in each barangays of Naga City to serve as the Market's Coordinating area at the barangay level.

SECTION 22. – FUNCTIONS. – The Center shall facilitate, monitor and control the movement of livestock within the barangay by determining who are the farmers residing, operating and managing a livestock business within its jurisdictions, and when they are ready to

sell. It shall arrange with the market a convenient hauling schedule when called for and initiate the gathering of livestock to be hauled in a single site within the barangay so designated. It shall also issue clearances which cover livestock trading for purposes other than slaughter.

SECTION 23. – COMPOSITION. – Each Center shall be headed by the Barangay Captain as Chairman, with council members and officers, and presidents of cooperatives and livestock associations based in the barangay if they're any, as members.

SECTION 24. – BENEFITS. – The Management shall work out a viable and reasonable remuneration scheme based on the volume of livestock originating from each barangay for active Center members to encourage participation and involvement in livestock marketing.

SECTION 25. – Upon establishment of the Market, no trading activity between farmers, dealers and handlers at any location within the City of Naga involving livestock intended for slaughter shall be allowed, except within the designated Market selling area.

SECTION 26. – No farmer, dealer or handler shall be allowed to set up a private stockyard in any location within the City proper for the temporary quartering of livestock intended for trading of slaughter, or any other related purposes. City proper shall refer to residential, commercial or industrial zones in Naga as provided and classified under Ordinance No.603, Series of 1978, otherwise known as the "Comprehensive Zoning Ordinance for the City of Naga".

SECTION 27. – The livestock from the commercial or backyard farms within the City of Naga intended for shipment to other places outside its territorial jurisdiction shall be shipped without a permit from a city veterinarian detailed at the Market. The city veterinarian or his duly authorized representative shall conduct an ocular inspection and examination of said livestock before issuance of a shipping permit.

SECTION 28. – No transfer of ownership for large animals shall be issued except for those transacted within the Market selling area and those covered by a clearance issued by the respective barangay center.

SECTION 29. – No livestock shall be admitted within the Naga City Slaughterhouse for slaughter without prior clearance from the Management.

SECTION 30. – No livestock shall be released by the Market without the corresponding fees and obligation settled by the owner, as stipulated under Art. V, Sec. 20 of this ordinance.

SECTION 31. – No unregistered farmer or individual or unlicensed dealer or handler shall be admitted within the Market premises.

SECTION 32. – No dead or sick livestock shall be admitted within the Market premise from auction. In such cases, the Animal Health Officer shall assume responsibility for their proper disposal.

SECTION 33. – No eateries or similar establishment shall be allowed to operate within the parameter fence of the Market.

ARTICLES VIII – P E N A L T Y

SECTION 34. – PENALTY. – Any farmer, dealer or handler or any other individual engaged in livestock trading who violates any provision of this ordinance shall be levied a fine of not more than P500.00 for first offense; P500.00 up to not more than P1, 000.00 for second offense; and P1000.00 up to not more than P2, 000.00 and cancellation of license in case of

farmers or other individuals on the third and final offense, as deemed appropriate by the Management.

ARTICLE IX – FINAL PROVISIONS

SECTION 35. – TRANSITORY PROVISION. – Upon establishment of the Market, there shall be grace periods of one (1) year on shipper's fee, six (6) months of commission, and two (2) months on entrance and yardage fees to promote Market services, beginning from the first day of its operation.

SECTION 36. – IMPLEMENTING GUIDELINES. – The City Mayor shall make all other necessary guidelines for the proper and effective implementation of this ordinance in an executive order which shall be issued for the purpose.

SECTION 37. – REPEALING CLAUSE. – All ordinances, rules, order and regulations or parts thereof contrary to or inconsistent with any of the provisions of this ordinance are hereby amended, modified and/or repealed accordingly.

SECTION 38. – SEPARABILITY CLAUSE. – If any provision of this ordinance or the application thereof to any person, barangay or circumstances is held invalid, the remainder of this ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

SECTION 39. – EFFECTIVITY. – This ordinance shall be in full force and effect thirty (30) days immediately after his approval.

ENACTED: September 2, 1992.

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

J. ANTONIO A. AMPARADO
City Secretary

RODOLFO Z. FORTUNO
City Councilor & Acting City Vice-Mayor
& Acting Presiding Officer

APPROVED:

LOURDES V. ASENCE
City Vice Mayor & Acting City Mayor