



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 97-092

AN ORDINANCE REGULATING THE OWNERSHIP, CARE AND UPKEEP OF ANIMALS IN THE CITY OF NAGA: -

Author: Hon. Jose Tuason

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

SECTION 1. - TITLE. - This enactment shall be known and referred to as the "Naga City Ordinance for Animal Care".

SECTION 2. – COVERAGE. - This Ordinance shall apply to animals raised or domesticated as pets, as draft animals, as sources of food, or as commodities for sale and profit.

SECTION 3. – RATIONALE. - This Ordinance is enacted pursuant to the declared policy of the state to safeguard life, promote health, public safety and public welfare.

SECTION 4. - DEFINITION OF TERM. - As used in this ordinance, the following words and phrases shall mean and be construed as indicated:

- a. **IMPOUNDING CENTER** - shall refer to an enclosure where stray animals may be confined or restrained.
- b. **NAGA CITY POUND OFFICE** -shall refer to a section which shall be created under the office of the City Abattoir Superintendent. It shall have its main impounding center at the Naga City Abattoir Compound, Bgy. Del Rosario, City of Naga, where stray animals shall be confined or restrained, called Naga City Animal Pound.
- c. **BARANGAY IMPOUNDING CENTER** - shall refer to the impounding center which may be established, managed and maintained in any of the twenty seven (27) barangays of the city in coordination with the Naga City Animal Pound.
- d. **STRAY ANIMALS** - shall refer to dogs, cats, goats, pigs, fowls, cows, carabaos, horses and other animals which may wander, specifically aimlessly from their places of confinement or origin. They are usually unrestrained, or not under the complete control of the owner or the one in-charge or in possession thereof. As a result, they roam the streets including public and private places not securely fenced.
- e. **STREETS AND PUBLIC PLACES** - shall include but are not limited to roads, road right of ways, alleys, highways, bridges, vacant or open public or private spaces, government compounds and grounds, and other similar structures.

- f. LARGE CATTLE - shall refer to cows, carabaos, buffaloes, sheeps, goats, horses and other animals domesticated or reared as sources of food, as draft animals, or as commodities for profit or sale.
- g. LICENSE TAGS - a marker tied or attached to an animal indicating its legitimate registration with the City Treasurer's Office.
- h. PET -refers to an animal that is tamed or domesticated and kept as a companion or treated with kindness.
- i. RABIES - is an infectious viral disease of the central nervous system in mammals which can be transmitted to man through the bite of an infected dog or other animals and is characterized by choking, convulsions or inability to swallow liquids, among other symptoms.
- j. RABIES VACCINE - inactivated vaccine preparation under different brand names and licenses for sale duly approved by the Food and Drugs Administration and the Department of Health.
- k. COMMERCIAL PIGRAISING - one which is used to house three or more pigs either for breeding and/or fattening purposes or for trade.
- l. DOMESTIC PIGRAISING - an enclosure confining at most two pigs reared for household consumption.
- m. DWELLING - shall mean any building or structure which is wholly or partly used or intended to be used for living or sleeping by human occupants, provided that temporary housing as hereinafter defined shall not be regarded as dwelling.
- n. TEMPORARY HOUSING - shall mean any tent, trailer or other structures used for human shelter which is designed as such and not permanently attached to the ground or another structure, or to any utilities system on the same premises for more than thirty days.
- o. URBAN BARANGAYS - shall refer to the barangays within or surrounding the commercial and business areas.
- p. RURAL BARANGAYS - are the remote barangays of the City of Naga such as Panicuason, Carolina, Pacol, San Isidro, Cararayan and Del Rosario.

SECTION 5. - ESTABLISHMENT AND CREATION OF THE NAGA CITY ANIMAL POUND. - There is hereby established under the office of Naga City Abattoir Superintendent an Animal Pound to be known as the "Naga City Pound" hereinafter to be referred to as the "City Pound" and whose functions are:

- a) To plan, implement and oversee an integrated program for the registration of pets or companion animals, vaccination of the same impounding of stray animals.
- b) To coordinate and/or collaborate with all concerned sectors, public or private, in furtherance and implementation of this ordinance.
- c) To establish, develop and maintain a fully equipped main impounding center at the Naga City Abattoir Compound and strategic impounding centers in all barangays within the city in coordination with the respective Sangguniang Barangay.

- d) To delegate operational authority to the Punong Barangay as may be necessary subject to the rules and regulation of the City Pound promulgated in furtherance of this ordinance.
- e) To provide incentives, rewards, recognition and awards to barangays involved in or supporting the objectives and implementation of this ordinance.
- f) To exercise such other acts as are incident to or appropriate and necessary in connection with the establishment of the City Pound, and
- g) To promulgate such rules and regulations in the implementation of this ordinance.

SECTION 6. - VENUE. - The City Pound shall have its main impounding center at the Naga City Abattoir Compound in Barangay Del Rosario, City of Naga. Barangay Impounding Center shall be provided and established in each of the 27 barangays in City of Naga in places as may be designated by the concerned Sangguniang Barangay within their area of jurisdiction.

SECTION 7. - PERSONNEL AND FUNCTIONS. - The Naga City Animal Pound shall be manned by the following personnel who will be appointed by the City Mayor:

- a) **CITY POUND SUPERVISOR** - He must be a licensed Veterinarian. He shall direct the operation of the Pound in the registration of pets or companion animals; maintain sanitation of confining pens and pound premises; accept and receive impounded animals and process their release and maintain records in the office in coordination with the City Treasurer's Office; conduct regular vaccination against rabies and other animal diseases and educational campaign on relevant pet management and such other functions which may be required by his office. He/She entitled to Salary Grade 11, P109, 452.00 per annum.
- b. **VETERINARY ASSISTANT** - He must be a veterinary medicine graduate. He shall supervise the catching and impounding of stray animals, assist the City Pound Supervisor in the performance of his functions, conduct periodic rounds on all Barangay Impounding Centers and conduct vaccination on impounded animals thereat if necessary and such other functions which may be assigned to him, by the City Pound Supervisor. He/She will receive the Salary Grade 8, or P90, 480.00 per annum.
- c. **ANIMAL CATCHERS** - Animal catchers shall be appointed at the ratio of two per pound vehicle for every eight (8) hours of service. They shall perform the actual catching of stray animals. He/She will occupy Salary Grade 4, or equivalent to P67, 752.00 per annum.
- d. **DRIVERS** - There shall be one (1) driver per every pound vehicle for every eight (8) hours of service. He/She will occupy Salary Grade 3, or equivalent to P62, 736.00 per annum.
- e. **CARETAKERS** - There shall be two (2) caretakers who shall be responsible for the maintenance, sanitation and security of the pens and the entire pound. He/She is entitled to receive Salary Grade 1, or P52, 800.00 per annum.
- f. **CLERK** - One (1) clerk to perform usual office clerical functions with Salary Grade 3 or P62, 736.00 per annum.

SECTION 8. - REGISTRATION, IMMUNIZATION AND LICENSING OF DOGS AND CATS. All dogs and cats over three (3) months old raised within the City of Naga shall be registered at the City Pound which shall keep a registry book of all licensed dogs and cats describing the breed, color and sex and shall also enter on the register book the names and addresses of the owners or keepers and the Number of License Tag. The License tag shall be provided by the City Pound but a leather or metal collar to which the metal tag shall be attached and shall be provided by the owner of the pets.

8.1. **LICENSE CERTIFICATES.** - A license certificate with dog tag shall be issued to every dog or cat registered. However, no dog or cat shall be registered and issued License Certificate unless it has already been vaccinated against rabies by the City Veterinarian or City Pound Supervisor or any government or private veterinary practitioner. If vaccination was made by the latter, an official certification to this effect shall be required for the issuance of the license certificate and dog tag. Dog tag issued to registered dog or cat shall always be attached to its collar and be renewed annually.

8.2. **FEES.** - For the registration of licensing of dogs and cats, the owner thereof shall pay the following at the City Treasurer's Office:

a. License fee	P 15.00
b. Vaccination Fee (if vaccination was performed by the City Veterinarian or City Pound Supervisor)	100.00
c. License Tag (Dog Tag)	10.00

8.3. **TIME OF PAYMENT.** - The fees indicated above shall be paid to the City Treasurer's Office upon registration or renewal of the License Certificate on its anniversary date.

8.4. **RENEWAL OF LICENSE CERTIFICATE:** License certificate issued to registered dogs or cats shall be renewed on or before the first twenty (20) days before the anniversary of its registration and shall be issued only after said dogs and cats have been vaccinated against rabies. The same fees indicated above shall be paid by the owners for the renewal of the License Certificate and renewed dog tag.

SECTION 9. - REGISTRATION OF LARGE CATTLE. - Every person who owns large cattle which has reached six months old is required to register his ownership thereof with the City Treasurer's Office for which a certificate of ownership shall be issued to the owner upon payment of the registration fee in the amount of Fifty Pesos (P50.00) per head. A branding iron duly registered to owner shall likewise be marked at the left hindquarter and the city branding iron shall be marked at the right quarter of the animal.

9.1. If the large cattle is sold or its ownership is transferred to another person, the sale or transfer shall likewise be registered with the City Treasurer for which a Certificate for Transfer shall be issued to the purchaser upon payment of a Transfer Certificate Fee in the amount of One Hundred Pesos (P100.00).

9.2. **TIME OF PAYMENT:** The fee indicated above shall be paid to the City Treasurer upon registration or transfer of ownership of large cattle.

9.3. All pertinent data on large cattle presented to the City Treasurer shall be recorded in a book showing the name and residence of the owner and the class, color, sex, brand and other identifying marks of the large cattle. The data shall

also be stated in the Certificate of Ownership issued to the owner thereof. If the large cattle transferred to another person, the respected names and residences of the vendors or transferor and the vendee or the transferee shall likewise be indicated in the Transfer Certificate of ownership.

- 9.4. All other matters relating to the registration of large cattle shall be governed by the pertinent provisions of the Revenue Code of Naga City not inconsistent with this Ordinance and of the Revised Administrative Code and other applicable laws, rules and regulations.

SECTION 10. - IMPOUNDING OF STRAY ANIMALS. - All stray animals such as dogs, cats, pigs, sheeps, goats or other four- legged animals, fowls and large cattles as defined in this ordinance shall be impounded and brought to the City Pound or to the Barangay Impounding Center as the case may be, provided however, that stray large cattle as defined under this ordinance shall be impounded only at the Naga City Animal Pound Center at the Naga City Abattoir Compound.

SECTION 10.1. - IMPOUNDING FEES. - The following fees per day shall apply:

a. For each horse, cattle or carabao	P200.00
b. For each pig, goat. Sheep or other four-legged animal	75.00
c. For each dog or cat	50.00
d. For each fowl	5.00

In addition, the owner of the animal shall pay the amount of Ten Pesos (P10.00) per day for animal classified under a, b and c and Five Pesos (P5.00) per fowl per day until such day that he redeems the impounded animals. The impounding fees shall be paid to the City Treasurer or to the Barangay Treasurer as the case may be.

SECTION 10.2. - ADMINISTRATIVE PROVISIONS. -

- a. It shall be the duty of the City Pound Supervisor to direct and supervise the daily round for catching stray animals which shall be kept in the Barangay Impounding Center.
- b. Upon receipt of any animal into the pound, the City Pound Supervisor shall, for ten consecutive days, advertise through official notice in the City Hall Bulletin board and in the barangay hall bulletin board of the barangay where the stray animal was picked up, stating the following:
 - b.1. Color, breed and other description of the impounded animal.
 - b.2. The date and time where the respective impounded animal were caught.
 - b.3. A notice that unless redeemed the animals will be sold at a public auction at the City Animal Pound at the Eleventh Day or on any specified date between 9:00AM and 4:00 PM. A similar pound notice shall also be posted at the barangay hall of the concerned barangay which has impounded stray animals, in which case public auction shall be made not at the City Animal Pound but at the concerned barangay hall.
- c. **SALE, APPLICATION OF AMOUNT RECEIVED.** - If nobody claims ownership of the impounded animals after the expiration of the 10 days from it's impounding, the City Pound Supervisor shall accordingly inform the City Treasurer who, in turn, shall advertise the sale of the impounded animal at public auction. The advertisement shall be made through the posting of a

notice at the city hall for ten (10) consecutive days. Upon completion of the sale, the City Pound Supervisor shall render the City Treasurer a bill of the actual expenses and authorized fees thereof, to be credited to the proper account. The balance received from the sale of the animal, after deducting the amount of the bill rendered if any, shall be refunded to the proven owner of such animal, provided such amount is claimed within one month after the date of the sale. If not claimed, said amount shall thereafter be applied for use of the city.

If the animal is impounded at the Barangay Impounding Center, the Barangay Treasurer shall make the required advertisement of sale; conduct the public auction and issue official receipt therefor. Proceeds of the sale less the cost of vaccination and other incremental expenses during the period of impoundment made by the City Barangay Pound Personnel if any shall accrue to the general fund of the barangay.

- d. REDEMPTIONS. - At anytime during or before the auction sale, the owner of an animal impounded may redeem the same by paying to the City Treasurer or to the Barangay Treasurer as the case may be, the authorized fees for impounding, sustenance and care prescribed by this ordinance together with the cost of vaccination and license.
- e. MONTHLY STATEMENTS. - The City Pound Supervisor shall on the last day of each month, furnish the City Treasurer with a statement showing all animals impounded at the City Pound during the month, kind of animals and disposition of the same, copies of which shall be furnished the City Auditor, the City Agriculturist, the Sangguniang Panlungsod and the City Mayor.
- f. No officer or other persons in-charge of the City Pound or employed in or concerned with the care of, or sale of animals impounded therein shall purchase or show interest being interested directly or indirectly in the purchase of any animal taken-up, impounded or to be sold animal under the provision of this ordinance. The same prohibition applies to the Barangay officials in the case the animals were impounded at the Barangay Impounding Center.
- g. DISPOSAL OF UNSOLD/UNCLAIMED IMPOUNDED ANIMALS: All impounded animals not claimed nor unsold at the designated auction shall be disposed of as follows:
 - g.1. Healthy dogs and cats shall be donated to research institution or colleges and universities or shall be killed humanely;
 - g.2. Other impounded animal of the bovine family shall be slaughtered for public consumption and to be distributed to charitable institutions in accordance with existing laws and ordinances;
 - g.3. All diseased animals shall be condemned after proper examination by the City Veterinarian.
- h. All impounded animals, specifically dogs and cats from 3 months old and above found unregistered and unlicensed shall be vaccinated against rabies, prior to the issuance of license and sale at public auction. The claimant or the winning bidder shall pay the license fee, vaccination fee, the license tag fee as prescribed in this ordinance. In furtherance of this provision, it shall be the duty

of the Punong Barangay to accordingly inform the City Pound Supervisor every time they impound animal at the Barangay Impounding Center.

SECTION 11. - ESTABLISHMENT, MAINTENANCE OF STABLES (CUADRA), PIGPENS (TANGKAL) AND POULTRY HOUSES and operation of stables, pigpens and poultry houses within the territorial jurisdiction of the City of Naga:

- a. It is hereby prohibited for any person or persons to construct stables, whether domestic or commercial within the commercial business district or within the distance of 10 meters from any neighbor or residential dwelling;
- b. Any stable operator or owner must always keep the stables clean and sanitary by burying or disposing all waste materials to avoid breeding places for flies and vermin.
- c. It is also prohibited for any person or persons to construct or put up a poultry house or domestic pigpen or to rear or care for any pig or livestock in urban barangays in the City of Naga within the distance of 10 meters from any neighbor or residential dwelling or along a callejon or street of the same distance where people pass by. However, if the pigpen is for breeding purposes or for commercial value, the distance should not be less than 20 meters.
- d. Pigpens and poultry houses constructed outside the limit specified in the foregoing section must always be kept clean and sanitary by burying or disposing all waste matter to rid of the obnoxious odor and avoid breeding places for flies and vermin.
- e. All other matters relevant to the maintenance and operation of stables, pigpens and poultry houses provided for under City Ordinance No. 92-048 otherwise known as "The Revised Health and Sanitary Code of Naga City" not otherwise inconsistent with this ordinance shall remain in full force and effect.

SECTION 13. - PENALTY CLAUSE. - Any person who shall violate any of the provisions of this ordinance shall be penalized with a fine of not less than Two Thousand Pesos (P2,000.00) or imprisonment of not less than Thirty (30) days, not more than six months or both fines and imprisonment at the discretion of the court. The fine shall be imposed in accordance with the provision of ADMINISTRATIVE FINES AND PENALTIES ORDINANCE or City Ordinance No. 95-093.

SECTION 14. - SEPARABILITY CLAUSE. - Should any portion of this ordinance be declared unconstitutional or illegal by any court of competent jurisdiction, the portion not so declared shall remain in full force and effect.

SECTION 15. - REPEALING CLAUSE. - All ordinances, executive orders and administrative regulations or part or parts thereof which are inconsistent with this ordinance are hereby repealed or modified accordingly.

SECTION 16. – EFFECTIVITY. - This ordinance shall take effect upon its approval.

ENACTED: November 19, 1997.

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

LOURDES V. ASENCE, M.D.
City Vice Mayor & Presiding Officer

J. ANTONIO A. AMPARADO
City Secretary

APPROVED:

JESSE M. ROBREDO
City Mayor