

**ORDINANCE NO. 2006-045**

**AN ORDINANCE PROVIDING FOR THE PREVENTION AND CONTROL OF AVIAN INFLUENZA (AI) IN THE CITY OF NAGA:-**

Author: Hon. Salvador M. Del Castillo  
Co-Author: Hon. Lourdes V. Asence  
Hon. William G. Del Rosario

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

**SECTION 1 - TITLE** – This Ordinance shall be known as the “The Avian Influenza Prevention and Control Ordinance” of the City of Naga.

**SECTION 2. - PURPOSE.** - This Ordinance is enacted for the purpose of preventing and controlling possible entry/outbreak of Avian Influenza in the Philippines, particularly in the City of Naga..

**SECTION 3.** – The Objectives of this ordinance are as follows: -

1. To prevent the entry of Avian Influenza, thus ensuring public safety;
2. To protect the local livestock industry and other related industries; and
3. To promote and protect the health, safety, and general welfare of the residents.

**SECTION 4. - DEFINITIONS OF TERMS** – For the purposes of this Ordinance, the following terms and phrases shall means and apply as follows:

1. Avian Influenza (AI)– an infectious disease in chickens, ducks, and other birds caused by different subtypes of the influenza A virus.
2. Fowl / Poultry – includes marketable broilers, culls, day old chicks, pullets, game fowls, native chickens, ducks, hatching eggs, hobby birds, or birds of any kind.
3. Exotic Birds – any bird species or subspecies which do not naturally occur in the Philippines.
4. Poultry holding facilities – includes commercial farms, backyard units, hatcheries, processing plants, slaughterhouse, aviaries, feed mills, cockpits, and public markets.
5. Negative monitoring report – a report rendered/submitted by the City Veterinarian and City Agriculturist indicating the prevailing situation in the jurisdiction of the City of Naga and its environs, regarding the occurrence or possible outbreak of Avian Influenza.
6. Sero-surveillance – the process of collecting serum sample from fowls and poultry for examination to determine the presence of avian influenza virus.

**SECTION 5.** - Creation of the Local Avian Influenza Taskforce – The Avian Influenza Prevention and Control Taskforce shall be formed and shall be the main authority to oversee the implementation of the provisions of this Ordinance and other related activities as maybe provided by rules and regulations and guidelines promulgated by higher authority or mandated by the national laws. The Task Force shall be composed, but not limited to the following:

Chairman : City Mayor

- a. Barangay Captains
- b. Barangay Health Workers
- c. City Agriculture Office
- d. City Planning and Development Office

E. Information and Education Campaign Team who will ensure adequate awareness of the general public on matter and updates pertaining to Avian Influenza, shall be composed of the following:

- a. Division of City Schools, Department of Education
- b. City Agriculture and Fishery Council
- c. City Agriculture Office
- d. City Health Office
- e. Barangay Officials
- f. Naga City Peoples Council
- g. Naga City Press Corps
- h. Religious Organization

**SECTION 7. - CENSUS** – The city through the Census Team, shall conduct a census of all livestock and poultry holding facilities in the territorial jurisdiction of the City of Naga. The data shall include the type of poultry holding facility, poultry species, poultry population, density, facility owner/operator, location, poultry disease profile, biosecurity practices, vaccination programs, and veterinarian in charge.

**SECTION 8. - : Prohibition of Offer for Sale and / or Sale** – It shall be prohibited for any person to offer for commerce, engage in trade or have in possession any exotic species of poultry wildlife. Any person found guilty of violating these provisions shall be penalized in accordance with the provisions under Chapter IV of Republic Act No. 9147, otherwise known as the “Wildlife Resources Conservation and Protection Act”. This activity shall be enforced in coordination with the duly designated authorities from the Bureau of Local Government Supervisions, DILG and the Philippine National Police.

**SECTION 9. - Prohibition of Possession** – It shall be unlawful for any person to possess/own or keep unregistered exotic birds for whatever purpose or intent.

**SECTION 10. - Other Prohibitions** – The city shall assist in the implementation of the following additional measures to safeguard against Avian Influenza:

- a. In the event that any poultry holding facility was suspected to be contaminated with HPAI, no movement in all poultry holding facility, including major markets, processing plants and general service areas shall be allowed, and an area within three (3) kilometer zone shall be quarantined, monitored and a surveillance conducted, to prevent the possible the contamination of neighboring areas.
- b. Prohibition on placing chickens, ducks and pigs together in the same area, cages or pens; and
- c. Prohibition on chickens to roam freely within residential areas in the city.

**SECTION 10. - Coastal Monitoring of Smuggling of Fowl** – It is the responsibility of Barangay officials along the Bicol River to report the Smuggling

government unit in the implementation of the Local Avian Influenza Prevention Program.

**SECTION 16. – Funding Requirement** – The amount of Two Hundred Fifty Thousand (P250,000.00) Pesos is hereby earmarked out of the current budget of the city to defray operating expenses of the Task Force in carrying out its mandated function under this ordinance.

**SECTION 17. - Penalty** – Any violation of this Ordinance by any person, firm, poultry traders, farm owner shall be liable to prosecution and upon conviction, shall be subject to an fine of Three Thousand Pesos (P3,000.00) for the First Offense, Four Thousand Pesos (P4,000.00) for the second offense, and Five Thousand Pesos (P5,000.00) for subsequent offenses, plus an imprisonment of not less than two (2) months but not more than one (1) year, upon discretion of the Court.

When the violation is committed by a corporation, in addition to the fine herein imposed, the officers thereof shall be penalized of an imprisonment from two (2) months but not exceeding one (1) year. If the violation was committed by an alien, such alien shall be recommended for deportation proceedings, after payment of fines and serving the imprisonment imposed by the Courts.

**SECTION 18.** – This ordinance shall take effect upon its approval and after publication in a newspaper of local circulation.

ENACTED: September 25, 2006

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**WE HEREBY CERTIFY** to the correctness of the foregoing ordinance.

**(Sgd) GIL A. DE LA TORRE**  
Board Secretary IV  
& Secretary-Designate

**(Sgd) GABRIEL H. BORDADO, JR.**  
City Vice Mayor &  
Presiding Officer

**APPROVED:**

**(Sgd) JESSE M. ROBREDO**  
City Mayor