




Republic of the Philippines
Tangapan ng Sangguniang Panlungsod
2/F City Hall Bldg., J. Miranda Ave., Con. Peq., Naga City
☎ 472-79-19 • 473-20-51



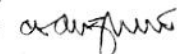
ORDINANCE NO. 2017 – 073
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AN ORDINANCE REGULATING THE OPERATION OF COMMERICAL AND BACKYARD POULTRY, PIGGERY AND OTHER LIVESTOCK FARMS IN NAGA CITY, PROVIDING PENALTIES FOR VIOLATIONS, AND FOR OTHER PURPOSES:-

Author: Hon. City Councilor Mila S.D. Raquid Arroyo 

Co-Authors:

Hon. City Councilor Julian C. Lavadia Jr.

Hon. City Councilor Cecilia V. De Asis 

EXPLANATORY NOTE

Recent events concerning the apparently uncontrolled proliferation of house flies have raised deep concern and even protests and objections from the communities near and around poultry and piggery farms due mainly to the obnoxious odor and health endangerment posed by food contamination. Complaints against improperly managed and untreated poultry/piggery farm waste have been brought to the attention of authorities in such an alarming rate that government action thereon becomes an urgent imperative.

In view, therefore, of the fact that the Local Government of Naga City recognizes the significant contribution of the chicken and hog industry to agricultural production and economic growth, there is an urgent need to regulate the operations of poultry and hog raisers in order to prevent pollution in the environment, protect public health, and ensure the sustainability of this industry. The formulation and institution of corrective measures particularly along the line of containment and proper management and disposal of poultry and piggery manure and other farm waste are envisioned to provide the solution called for by the situation through the enactment of this Ordinance.


ORDINANCE NO. 2016 – 053
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AN ORDINANCE REGULATING THE OPERATION OF COMMERCIAL AND BACKYARD POULTRY, PIGGERY AND OTHER LIVESTOCK FARMS IN NAGA CITY, PROVIDING PENALTIES FOR VIOLATIONS, AND FOR OTHER PURPOSES:-

Author: Hon. City Councilor Mila S.D. Raquid Arroyo

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Be it enacted by the Sangguniang Panlungsod of Naga in session assembled:

ARTICLE I



PRELIMINARIES

 **SECTION 1. Short Title.** This Ordinance shall be known as the “**ORDINANCE REGULATING THE OPERATION OF COMMERICAL AND BACKYARD POULTRY AND LIVESTOCK FARMS IN NAGA CITY**”

SECTION 2. Coverage. This ordinance shall govern commercial and backyard poultry, piggery, and other livestock farms in the City of Naga.

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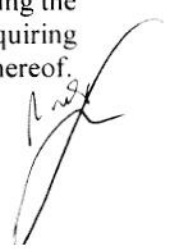
SECTION 3. Legal Basis. The enactment of this Ordinance is based on the spirit, intents and objectives of PD 856 or the Sanitation Code of the Philippines, RA 9003 or the Ecological Solid Waste Management Act; RA 8749 or the Clean Air Act; RA 9275 or the Clean Water Act, RA 6969 or the Act to Control Toxic Substances and Hazardous and Nuclear Waste, and RA 7160 or the Local Government Code of 1991, particularly Section 16 thereof, and their respective Implementing Rules and Regulations.

SECTION 4. Purpose – This Ordinance is enacted to promote public health and welfare and protect the integrity of the environment as a measure of ensuring the sustainable operation of livestock farms in order to generate continued employment and spur economic development.

SECTION 5. Definition of Terms. Words and phrases used in this Ordinance shall be understood in the sense indicated hereunder:

- a. *House Fly* - scientific name, *Musca Domestica*, is a winged pest found in and around animal farms and human habitation, lays its eggs in decaying or decomposing organic materials, has a life span of about 21 days, and is a health hazard due to contamination of food. A female housefly lays about 500 eggs within its lifespan;
- b. *House Fly Eggs* - white grain of rice in appearance and develop into maggots within 24 hours from the time the eggs are laid;
- c. *House Fly Maggot* - the hatched house fly egg that develops into a housefly in about 5 days from the time the egg is laid, and feeds on dead animals or decaying organic materials;
- d. *House Fly Breeding Areas* - manure, decomposing dead animals, and other decaying organic materials;
- e. Infestation – uncontrolled growth and proliferation of pests.
- f. *Brooding area* - the area that house the chicks and where they are grown;
- g. *Backyard Farm* - a small-scale poultry-, hog- or livestock-raising facility consisting of at least one hundred (100) but not more than three hundred (300) heads of chicken and/or at least ten (10) but not more than fifty (50) heads of hog or other four-legged animals or livestock, provided, that the number of the latter's sucklings are excluded in the count.
- h. *Biodegradable Waste* - any material that can be reduced into finer particles (degraded or decomposed) by micro-biological organisms or enzymes.
- i. *Biodegradation*- a process in which a material is decomposed by microbiological organisms or enzymes.
- j. *Biogas Digester*- a septic tank wherein animal wastes are deposited to produce methane gas.
- k. *Commercial Farm* - a poultry-, hog- or other livestock-raising facility consisting of more than three hundred (300) heads of chickens and/or more than fifty (50) heads of hogs or livestock excluding their sucklings.
- l. *Citation Ticket* - A notice of violation issued by the inspection/enforcement officer specifying the pertinent act committed in violation of any of the provisions of this Ordinance, ordering the farm owner/operator to immediately cease and desist from committing the same, and requiring the institution of immediate compliance measure necessary to prevent the commission thereof.

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- m. *Compliance Order* – An order issued by the inspection/enforcement officer specifying the noted deficiency in the requirements set forth under the pertinent provisions of this Ordinance and specifying the period to comply thereto.
- n. *Conventional Poultry House* - a chicken coop which is open-air type, elevated from the ground, with bamboo slats for the flooring and walling.
- o. *Environmental Sanitation Control* - the maintenance of cleanliness of the immediate premises and proper building construction and maintenance so as to prevent access of pests into human dwellings.
- p. *Existing Poultry and Piggery Facility* - a poultry or piggery house that is occupied or has been occupied as commercial farm as of the date of the effectivity of this Ordinance.
- q. *Health Hazards* – the risk or danger to one's health or life.
- r. *Insects* – flies, mosquitoes, cockroaches, bedbugs, fleas, lice, ticks, ants and other insects that may pose health hazard;
- s. *Integrated Pest Control*- controlling pests through the use of different methods and procedures which implemented to complement each other. These procedures may include the use of pesticides, environmental sanitation measures, natural as well as mechanical and biological control methods.
- t. *Livestock*- domestic animals raised in a farm, especially those intended for human consumption;
- u. *Environmental Compliance Certificate* – a document issued by the Department of Environment and Natural Resources (DENR) certifying that based on the representation of the project proponent, as reviewed and validated by the appropriate agency, the proposed project or undertaking will not cause significant negative environmental impact and the proponent has complied with all the requirements pertinent to the issuance thereof;
- v. *Local Government Unit* – the local political subdivision which refers to the province, city, municipality or barangay.
- w. *Manure*- refuse from stables and barnyards, consisting of animal excreta with or without litter.
- x. *Manure Storing*- stockpiling or disposition of manure.
- y. *Noxious*- anything offensive to the human senses and/or tends to cause injury.
- z. *Nuisance* – anything that injures health, endangers life, offends the senses or produces discomfort to the community.
- aa. *Objectionable Odor* – any odor present in the atmosphere which, by itself or in combination with other odors, may be harmful or injurious to human health or welfare, and unreasonably interferes with the comfortable use and enjoyment of life and property, or which creates a nuisance.
- bb. *Pest* - any destructive or unwanted insect or other small animals (flies, rats, mice, etc.) that causes annoyance, discomfort, nuisance or transmission of disease to humans or damage to structures;

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cc. *Pesticides* - any substance or product or mixture intended to control, prevent, destroy, repel or mitigate, directly or indirectly the proliferation of pests;

dd. *Piggery farms* - refers to any parcel of land, building or other structure used for keeping, raising or breeding swine/pigs/hogs.

ee. *Polluted Water* - water whose physical, chemical or bacteriological properties have been altered due to the presence of industrial waste or other substances in water that are possibly objectionable or harmful to human lives and absence of domestic sewage;

ff. *Pollution Control Officer (PCO)*- an accredited officer by the DENR engaged in environmental protections and environmental compliance, which the main goal is to provide and establish targets and programs that will help the company or organization protect, preserve, or conserve natural resources, reduce the generation of company waste or the proper treatment thereof and establish proper mitigation or control measures on the environmental aspect and impact of the activity on air, land, water, flora, fauna and human living.

gg. *Poultry* - any fowl raised in a confined intensive growing environment;

hh. *Registered farm* - a commercial or backyard farm operating with valid business permit required and issued by the City Government of Naga;

ii. *Tunnel Ventilated Building or Climate Controlled System*- an enclosed concrete structure resting on the ground where temperature and humidity inside the building are controlled by automated climate control system.

jj. *Unregistered Farms*- a commercial or backyard farm operating without a valid business permit required and issued by the City Government of Naga;

ARTICLE II

PROHIBITION AND FARM REGISTRATION

SECTION 6. Prohibition in Commercial Farms. No new commercial farm shall be permitted within twenty five (25) years from the effectivity of this ordinance.

SECTION 7. Registered Farms. Commercial and backyard farms with valid business permit at the time of the approval of this Ordinance shall be allowed to continue operation within the period of the validity of such business permit, provided, however, that no expansion of commercial farms shall be undertaken within twenty five (25) years from the effectivity of this ordinance. Activities undertaken in violation of this proviso shall result in the cancellation of the business permit and the closure of the farm.

SECTION 8. Unregistered Farm. No unregistered commercial or backyard farm shall be allowed to continue to operate unless the requirements provided under the following section and other requirements for the issuance of the requisite business permit have been duly complied with.

Unregistered farms shall be immediately closed and the owners and operators thereof shall cease and desist from operating the same until the necessary permits for their operation shall have been issued by the City Government of Naga.

SECTION 9. Farm Registration Requirements. In addition to the existing requirements for the issuance of Business Permit, the following requirements shall be submitted/complied with for the registration of commercial farms:

- a. Copy of the Environmental Compliance Certificate (ECC) issued by the Department of Environment and Natural Resources for farms with at least five thousand (5000) chicken heads and/or one hundred (100) heads of hogs, or as may be required by the DENR, whichever is lower;
- b. Certification from Environmental Management Bureau (EMB) certifying that a Registered Pollution Officer is assigned in the farm for farms with at least five thousand (5000) chicken heads and/or one hundred (100) heads of hogs, or as may be required by the DENR, whichever is lower;
- c. Certification from City Environment and Natural Resources Office (CENRO) that the farm has the following structures for waste management and pollution control measures within the premises of the farm:
 - i. Septic tank for waste water compliant with the specification recommended by the CENRO;
 - ii. Mortality pit for dead flocks/hogs compliant with the specification recommended by the CENRO and the City health Office;
 - iii. Fully screened warehouse for dried dung;
 - iv. Separate enclosed and screened warehouse for wet manure;
 - v. Biogas digester for piggeries.
- d. Copy of the contract with pest control supplier showing that the poultry, piggery and other livestock farm owner/operator had contracted with to either supply pest control medicines or conduct routine pest control activities in the farm. The pest control medicines should meet the following criteria: (1) Green label which means low toxicity and safe for both human and animals; (2) contains an attractant effect; (3) provides knockdown effect on insects or kills them onsite; and (4) has residual effect for longer effectiveness.

SECTION 10. Requirements for Registration of Backyard Farms. For registration and issuance of business permit for backyard farms, the requirements provided under Section 9 (c) of this Ordinance shall be complied with; provided, however, that no such backyard farm shall be located in any area classified as residential.

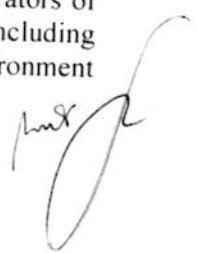
SECTION 11. Renewal of Business Permit. Commercial or backyard farms operating under a valid business permit at the time of the effectivity of this Ordinance shall not be allowed to continue their operation after the lapse of the period of validity of such business permits unless the same is renewed by the City Government of Naga. Renewal of business permits for the operation of commercial or backyard farms shall be granted only upon compliance with the requirements provided under this Ordinance.

SECTION 12. Other forms of poultry- and/or livestock-raising. The provisions of this Ordinance shall not apply to poultry- and/or livestock-raising not falling under the definition of commercial or backyard farm, provided, however, that such activity shall be regulated under the Sanitation Code of the Philippines as enforced by the City Health Officer and under such laws, ordinances, rules and regulations applicable to them.

ARTICLE III

WASTE MANAGEMENT AND POLLUTION CONTROL

SECTION 13. Priority on Proper Waste Management. Owners and/or operators of commercial and backyard farms shall give priority to proper waste management, including wastewater treatment and pest and pollution control, to prevent adverse effect on the environment and avoid pest infestation.



SECTION 14. Disposal of Dead Poultry, Hogs and other Livestock. It is prohibited to dispose dead poultry, hogs and other livestock in open pits, on ground or in bodies of water.

They shall be disposed in accordance with the procedure promulgated by the City Veterinary Office in coordination with the City Health Office and the City Environment and Natural Resources Office.

SECTION 15. Mortality Pit. Dead poultry, hogs and other livestock shall be disposed only in mortality pits in accordance with the design and specification approved by the City Veterinary Office, City Health Office and City Environment and Natural Resources Office. The size of the mortality pit shall depend on the loading capacity and average mortality rate in the particular commercial or backyard farm.

As soon as the mortality pit is filled-up, a new one must be constructed immediately unless a used mortality pit can be excavated subject to the approval of the City Veterinary Office, City Health Office and City Environment and Natural Resources Office

SECTION 16. Catastrophic Loss. Within the first office hour following the demise of above normal number of poultry, hogs or other livestock, which exceeds the regular capacity of the existing mortality pit, the owner and/or operator shall immediately notify the City Veterinary Office, City Health Office and City Environment and Natural Resources Office and comply with the directives given by these offices in connection with its proper disposal.

SECTION 17. Prohibition on the Sale or Give-away of Dead Poultry, Hogs and Other Livestock. No dead poultry, hogs and other livestock shall be sold or given away, regardless of the request of the taker.

SECTION 18. Manure Collection and Storage. Unless a different facility for manure collection is approved by the City Health Office, poultry farms using conventional facilities are required to collect the manure on a weekly basis and those using tunnel-ventilated and climate-controlled system shall collect manure immediately after the cleanup harvest.


Collected manure is required to be stored in a fully enclosed and screened warehouse.

SECTION 19. Biodegradation of Biodegradable Waste. The manure from commercial and backyard farms should be decomposed using microbiological organisms or enzymes through the application of an inoculant, agricultural lime or other similar substances.

The City Agriculture Office in conjunction with the City Veterinary Office shall provide the guidelines in the proper application of microbiological organisms or enzymes. No owner or operator shall undertake or cause the decomposition of manure by solar drying.

SECTION 20. Waste Conversion. Owners or operators of poultry and piggery farms are highly encouraged to convert chicken or hog manure into organic fertilizer. The City Agriculture Office shall devise a program for the establishment of the necessary processing facility within ninety (90) days from the effectivity of this Ordinance. Until such time that the facility for this purpose shall have been established, no chicken or hog manure shall be utilized as fertilizer without clearance from the City Health Office and the City Agriculture Office.

SECTION 21. Disposition, Disposal and Transportation of Wet and Untreated Manure. Owners or operators of commercial and backyard farms are required to keep wet and untreated manure in an enclosed and fully-screened facility.



It is prohibited to bury, scatter or dispose of manure in any place or area not authorized by the City Health Office.

The sale or transport of wet and untreated manure is likewise prohibited. Only decomposed and treated manure may be allowed to be sold, given away or transported. For the purpose of this provision, no manure shall be sold, given away, or transported without the clearance issued by the Naga City Health Office and the City ENRO.

SECTION 22. Sanitary Condition of Manure Warehouse. Owners or operators of commercial or backyard farms shall ensure the sanitary condition of their manure warehouse at all times.

SECTION 23. Drainage System. Owners or operators of commercial and backyard farms should construct appropriate drainage to prevent the seepage of water into the manure warehouse.

SECTION 24. Wastewater Treatment. Owners or operators of commercial and backyard farms shall use a three-chamber septic tank in the draining of their wastewater.

SECTION 25. Waste Disposal Officer. Commercial farms with at least five thousand (5000) chicken heads and/or one hundred (100) hogs are required to have at least one Waste Disposal Officer on a full-time basis to manage the collection, treatment and disposal of manure. A Waste Disposal Officer must have the technical knowledge and skill on biodegradation or the operation of biogas digester for piggery farms. The owner or operator of a commercial farm which does not have a waste disposal officer at the time of the effectivity of this ordinance shall employ the services of such officer within fifteen (15) calendar days therefrom.

ARTICLE IV

NUTRIENT MANAGEMENT PLAN

SECTION 26. Nutrient Management Plan. Within sixty (60) days upon the effectivity of this ordinance, the owners or operators of commercial and backyard farms shall submit a Nutrient Management Plan to be approved by the City Agriculture Office to ensure the one hundred percent disposal of manure.

SECTION 27. Responsibility of the Nutrient User. It shall be the responsibility of the user of the nutrient the proper off-site disposal thereof.

SECTION 28. Revision of the Nutrient Management Plan. The Nutrient Management Plan shall be revised every five (5) years. The revised plan shall be approved by the City Agriculture Office.

ARTICLE V

INTEGRATED PEST POLLUTION CONTROL

SECTION 29. Integrated Pest Pollution Control. Owners or operators of commercial or backyard farms are required to implement an integrated pest pollution control program and ensure the minimization of pest infestation, especially the proliferation of houseflies.

SECTION 30. Inspection. The City Health Office and the City Environment and Natural Resources Office personnel shall conduct joint inspections on bi-monthly basis and shall not be barred entry inside the farm upon presentation of LGU-Naga City employee identification card and written statement of purpose. Any act committed or caused to be committed by the owner or operator of any commercial or backyard farm that prevents or tends to bar or prevent the entry of

the City Health Officer and City Environment and Natural Resources Officer or their duly authorized representative into the farm premises for the purpose of inspection shall be a ground for the revocation of the business permit issued therefor.

Within fifteen (15) days from the effectivity of this ordinance, the City Health Officer and City Environment and Natural Resources Officer shall send a schedule of inspection to the various commercial and backyard farms.

Within thirty (30) days from the effectivity of this ordinance, the City Health Office and City Environment and Natural Resources Office personnel shall conduct a joint inspections to determine compliance with the following requirements as are applicable to commercial or backyard farm:

1. For Conventional and Tunnel Ventilated Poultry Farms

- a. Except for conventional poultry farms, poultry buildings must be completely sealed. Doors, windows, cooling pads and fan areas should be fully screened;
- b. Doors and windows of warehouse used for storage of feeds are fully screened;
- c. Three-chamber septic tank for waste water;
- d. Mortality pit for dead flocks;
- e. Fogging equipment;
- f. Compressor Sprayers for application of pest control medicines (one per building);
- g. Fully screened warehouse for storage of manure ;
- h. Fully enclosed and screened warehouse for wet manure;
- i. Pest control medicines by checking the actual stock and Sales Invoice or Official Receipt from suppliers or contract with pest control supplier showing that farm owner contacted a pest control company to either supply pest control medicines or will conduct routine pest control activities in the farm. Pest control medicines should include: (1) Green label which means low toxicity; (2) attractant; (3) knockdown effect; and (4) residual effect
- j. Use of chick paper by checking the actual stock. of check paper and Sales Invoice or Official Receipt from suppliers;
- k. Environmental Compliance Certificate (ECC)
- l. Accreditation documents of a Pollution Control Officer

2. For Piggery and Other Livestock Farms

- a. Entire buildings are completely screened
- b. Doors and windows of the warehouse used for storage of feeds are fully screened
- c. Three-chamber septic tank for waste water;
- d. Biogas Digester for conversion of waste to LPG
- e. Mortality pit for dead hogs
- f. Compressor Sprayers for application of pest control medicines (one per building)
- g. Environmental Compliance Certificate (ECC)
- h. Accreditation documents of a Pollution Control Officer

In case of deficiency, the joint inspection team shall issue a Compliance Order giving the owner/operator fifteen (15) days from receipt thereof within which to complete the requirements. Should the owner or operator fail to do so, the joint inspection team shall immediately notify the City Mayor of its findings and the latter may issue a Cease and Desist Order (CDO). If a CDO is issued, the same shall be lifted only after completion of the identified deficiency. If the owner or operator continues to operate despite the CDO, the joint inspection team shall immediately notify the City Mayor of its findings and the latter shall order the cancellation of its business permit and the closure of the farm.

SECTION 31. Regulatory Measures. The owners or operators of commercial or backyard farms shall implement the following regulatory measures:

- a. Fully Sealed Structures for Tunnel Ventilated/Climate-Controlled System Poultry and Piggery Farms. The buildings of tunnel ventilated or climate-controlled system shall be completely sealed while the doors, cooling pads and fan areas should be fully screened. Similarly, the doors and windows of the feeds warehouse should be fully screened.
- b. Chick Paper. Only environment-friendly and biodegradable chick paper shall be used. On a quarterly basis, the owner or operator shall submit proof of purchase of chick papers which shall be determined by the City Health Office if they meet the required criteria.
- c. Enzyme Application. Owners or operators of commercial and backyard poultry farms using tunnel ventilated or climate-controlled system are required to use Bio Plus Activator or similar substances.
- d. Pest Control Medicine Application. Owners or operators of commercial and backyard poultry or piggery farms are required to apply safe pest control medicines, which should meet the following criteria:
 - i. green label which means low toxicity and safe to both humans and animals
 - ii. provides attractant effect, (3) contains knockdown effect, and
 - iii. has residual effect.
- e. Pest Control Medicine Application. Pest control medicines shall be applied thoroughly and regularly:
 - i. Inside the poultry and piggery buildings
 - ii. Outside premises of the poultry and piggery facilities
 - iii. Adjacent vegetation and surrounding buildings;
 - iv. Hauler trucks that transport flocks from farm to dressing plant or other places of destination;
- f. Fogging. Owners or operators of commercial or backyard farms are required to conduct fogging immediately after cleanup harvest.

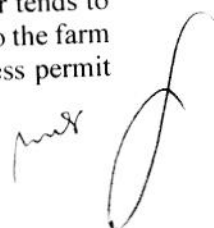

SECTION 32. Pest Control Suppliers. The owners or operators of commercial farms are required to secure the services of a pest control supplier either to provide pest control medicine or conduct routine pest control activities, or both, during the entire grow out period. On a quarterly basis, they shall submit proof to the City Health Office that such services have been availed within the immediately preceding quarter.

ARTICLE VI

NOXIOUS, NUISANCE, AND OBJECTIONABLE ODOR

SECTION 33. Responsibility of Owner or Operator. It shall be the responsibility of the owner or operator of commercial and backyard farms to minimize the emission of noxious, nuisance or objectionable odor in the surrounding environment.

SECTION 34. Inspection. The City Health Office and the City ENRO shall conduct inspections on a quarterly basis and shall not be barred entry inside the commercial and backyard farms upon proper identification and statement of purpose. Any act committed or caused to be committed by the owner or operator of any commercial or backyard farm that prevents or tends to bar or prevent the entry of the City Health Officer or his duly authorized representative into the farm premises for the purpose of inspection shall be a ground for the revocation of the business permit issued therefor.



Within fifteen (15) days from the effectivity of this ordinance, the City Health Officer and the City ENRO jointly shall send a schedule of inspection to commercial and backyard farms operating within Naga City. Within thirty (30) days thereafter the said offices shall submit the report of their findings to the City Mayor, copy furnished the Sangguniang Panlungsod.

ARTICLE VII

POLLUTION CONTROL OFFICE

SECTION 35. Pollution Control Officer. The owner or operator of a commercial farm with at least five thousand (5000) chicken heads and/or at least one hundred (100) heads of hogs is required to employ the services of a Pollution Control Officer duly accredited by the Environment Management Bureau.

The owner or operator of a commercial farm which does not have a Pollution Control Officer at the time of the effectivity of this ordinance shall employ the services of such officer within fifteen (15) calendar days therefrom.

SECTION 36. Duties of a Pollution Control Officer. The Pollution Control Officer shall perform his duties and responsibilities as provided under Department of Environment and Natural Resources Administrative Order No. 2014-02, otherwise known as the Revised Guidelines for Pollution Control Officer Accreditation, and shall furnish the City Environment and Natural Resources Office a copy of his report to the DENR pursuant to DENR A.O. No. 2014-02.

ARTICLE VIII

REGISTRATION AND INSPECTION FEES

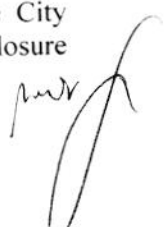

SECTION 37. Registration Fee. To defray the cost of inspection for purposes of ascertaining compliance with the requirements imposed under this Ordinance for the registration of commercial or backyard farms, a one-time registration fee in the amount of ten thousand pesos (P10,000.00) for commercial farm, and five thousand pesos (P5,000.00) for backyard farm with capacity of three hundred (300) heads of chicken or fifty (50) heads of hogs shall be paid by the owner or operator thereof.

SECTION 38. Inspection Fee. To defray the cost of inspection necessary for purposes of the issuance of clearances required under this Ordinance, the amount of Five Hundred (P500.00) pesos inspection fee shall be paid by the owner or operator of commercial or backyard farm separate from the clearance fees already imposed under existing ordinances.

ARTICLE IX

ENFORCEMENT

SECTION 39. Conditional Nature of Permits. The licenses and permits issued by the City Government of Naga for the operation of commercial or backyard farm are conditioned on the compliance by the owner or operator thereof with all the duties and obligations imposed upon them under this Ordinance. The failure of the owner or operator of the farm to strictly comply with any of the duties and obligations imposed upon him or her on the requirements for the operation of such farm shall result in the automatic revocation of the permits or licenses issued by the City Government and upon such finding of violation, the City Mayor shall effect the immediate closure of the facility.



SECTION 40. Penalties.

- a. **Operation of unregistered farm.** The penalty of imprisonment from ten (10) months to one (1) year shall be imposed upon the owner and the manager of an unregistered farm, or, in case of corporations, the officers and members of the board of directors thereof, operating without valid business permit issued by the City Government of Naga;
- b. **Specific violation.** The following penalties shall be imposed upon the owners/operators/managers of commercial or backyard farms for failure to comply with any of the duties and obligations, or failure to comply with any of the other requirements for the operation of commercial or backyard farms, imposed upon them under this Ordinance:
- c.
- First Violation – Fine of P5,000.00, or Imprisonment from Two (2) to three (3) Months, or Both;
 - Second Violation – Fine of P5,000.00 and Imprisonment from Three (3) to Six (6) Months;
 - Third Violation – Fine of P5,000.00 and Imprisonment of Seven (7) months to One (1) Year.

The imposition of the penalties provided herein shall be without prejudice to the duty of the farm owner or operator to rectify and compensate for any damage that may have been caused by such failure or violation.

ARTICLE X

SEPARABILITY AND EFFECTIVITY CLAUSES

SECTION 41. Separability. If any section or provision of this Ordinance be declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 42. Repealing. All Ordinances, local issuances or rules and regulations inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 43. Effectivity. This ordinance shall effect fifteen (15) days after its publication in a newspaper of general circulation in the City of Naga.

ENACTED: October 10, 2017

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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

NELSON S. LEGACION
City Vice Mayor
& Presiding Officer

APPROVED:

GIL A. DE LA TORRE
Secretary to the
Sangguniang Panlungsod

JOHN G. BONGAT
City Mayor

10/23/17