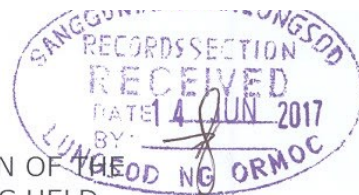


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON JUNE 08, 2017

PRESENT:

Vincent L. Rama,	(OIC-City Vice Mayor & Temporary Presiding Officer),
	SP Member, Asst. Majority Floor Leader
Rolando M. Villasencio,	SP Member, Majority Floor Leader
Mario M. Rodriguez	SP Member, Presiding Officer "Pro-Tempore"
Tomas R. Serafica,	SP Member
Benjamin S. Pongos, Jr.,	SP Member
Gregorio G. Yrastorza III	SP Member
Nolito M. Quilang	SP Member
John Eulalio Nepomuceno O. Aparis II,	SP Member
	Minority Floor Leader
Lea Doris C. Villar	SP Member, Asst. Minority Floor Leader
Mariano Y. Corro,	Ex-Officio SP Member
	Chapter President, Liga ng mga Barangay ng Ormoc

ON OFFICIAL BUSINESS:

Leo Carmelo L. Locsin, Jr.	(OIC – City Mayor),
	Vice Mayor & Presiding Officer

ON LEAVE:

Eusebio Gerardo S. Penserga,	SP Member
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PREFATORY STATEMENT

WHEREAS, rabies is an acute, infectious, viral and nearly always fatal disease of humans and mammals that attacks the central nervous system that can be transmitted to people through the saliva of an infected animal and is characterized by fear of water, inability to swallow, confusion, convulsions and loss of consciousness;

WHEREAS, rabies remains a problem in many parts of the world especially in Asia and Africa with 20,000 deaths worldwide in 2010. In the Philippines we had 257 deaths in the same period. In LGU-Ormoc we had one (1) death and 7,348 dog bites in the past five (5) years;

WHEREAS, the LGU of Ormoc aims to put up measures to prevent the spread of the deadly virus in order to protect the health of the people;

WHEREAS, in order to minimize the risk to humans, public health measures that include vaccination of pets, animal control programs and provision of rabies vaccine to those at risk as well as to those who have been bitten by stray dogs will be implemented;

WHEREAS, Section 2 of Republic Act 9482 or the Anti-Rabies Act of 2007 declares that it is the policy of the State to protect and promote the right to health of the people. Towards this end, a system for the control, prevention of the spread, and eventual eradication of human and animal rabies shall be provided, and the need for responsible pet ownership be established;

WHEREAS, Section 7 of R.A. 9482 states that LGUs, in their respective localities, shall enact additional local ordinances that will support the National Rabies Prevention and Control Program that should include the regulation of treatment locally known as "tandok";

WHEREAS, R.A. 9482 shall be adopted and implemented by the City Government in support of the program of the national government;

WHEREAS, in 1996, the LGU of Ormoc manifested this support through the enactment of an Anti-Rabies Ordinance denominated as City Ordinance No. 57 series of 1996, which provides guidelines for the prevention and control of rabies in the city and aims to control numbers of stray dogs and formulate various measures in reducing the public's risk and deaths resulting to rabies;

WHEREAS, since the time when Ormoc City passed its Anti-Rabies Ordinance in 1996, the implementation of the same, including the policy mechanism and structure for its implementation leaves much to be desired;

WHEREAS, to address the issue on the said Anti-Rabies Ordinance implementation and to enhance the same to make it more relevant, there is a need to amend and strengthen it through an amendatory ordinance for said purpose;

NOW THEREFORE, FOREGOING PREMISES CONSIDERED, on motion of SP Member Mario M. Rodriguez, Chairman, Committee on Health & Sanitation, severally seconded by SP Members Mariano Y. Corro, John Eulalio Nepomuceno O. Aparis II, Nolito M. Quilang, Gregorio G. Yrastorza III, Tomas R. Serafica, Benjamin S. Pongos, Jr. and Rolando M. Villasencio; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to enact:

ORDINANCE NO. 034

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF ORDINANCE NO. 57 SERIES OF 1996, OTHERWISE KNOWN AS "ANTI-RABIES ORDINANCE" AND INCORPORATING THEREIN CERTAIN NEW PROVISIONS.

SECTION 1. Section 2 of Ordinance No. 57 Series of 1996, otherwise known as "The Anti-Rabies Ordinance", hereinafter referred to as the "amended Ordinance", shall have additional subsections to read as follows:

- "J. BANTAY RABIS SA BARANGAY (or so called BRB) – this is a committee organized at the barangay level responsible in the implementation of the local/barangay anti-rabies ordinance and monitoring of the compliance of its constituent.
- K. TANDOK – a local term that refers to the treatment of persons with dog bites, wounds or scratches with the use of traditional remedies like herbs or empiric medication.
- L. EUTHANIZED OR EUTHANASIA – the act or practice of killing or permitting death of an animal in a relatively painless way; known also as 'mercy killing'."

SECTION 2. Section 3 of the amended Ordinance shall have additional members of the Anti-Rabies Committee to read as follows:

"Members

XXX

8. Liga ng mga Barangay President
9. DepEd Ormoc Division Representative
10. DILG City Director or Representative
11. NGO (Veterinary Clinic/Hospitals Association of Ormoc)"

SECTION 3. There shall be inserted on the Ordinance No. 57 a section which shall be the new Section 4 and shall read as follows:

"SECTION 4. RESPONSIBILITIES OF DOG OWNERS, THE LOCAL GOVERNMENT UNIT OF RESPECTIVE BARANGAYS AND CONCERNED NATIONAL GOVERNMENT AGENCIES. The following shall be the responsibilities of the following concerned parties:

A. RESPONSIBILITIES OF DOG OWNERS:

1. Submit their dogs for mandatory registration.
2. Have their dog regularly vaccinated against rabies and maintain a registration card which shall contain all vaccinations conducted on their dog for accurate record purposes.
3. Maintain control over their dog and not allow it to roam the streets or any public place without a leash.
4. Be a responsible owner by providing the dog with proper grooming, adequate food and clean shelter.
5. Place the dog that had bitten a person in a secure area or cage, given ample food and drinking water and must be under observation by a government or private veterinarian within two (2) weeks. In case the dog died for unknown reason, surrender the dog immediately to the City Veterinary Office for further laboratory confirmation.
6. Assist the dog bite victim immediately and shoulder the medical expenses incurred and other incidental expenses relative to the victim's injuries.
7. Assist the injured motorist/ motorcycle rider when the cause of the road accident is due to his/her astray dog and shoulder the medical expenses incurred and other incidental expenses relative to the victim's injuries.
8. Be liable or responsible to clean the feces of their stray dog in clean public places and to keep or clean the mess done by their dog on garbage that were kept on garbage collection areas.

B. RESPONSIBILITIES OF BARANGAY LGU:

1. The Chairman/Chairwoman of all concerned barangays of Ormoc should be responsible in coming up with their local anti-rabies ordinances, adopting the applicable provisions of the City Anti-rabies Ordinance and National Law.
2. The Chairman/Chairwoman must be responsible in organizing a barangay committee to be called "Bantay Rabies sa Barangay" (BRB). Composition of which is the Chairman/Chairwoman as the Chair; Chairman of Committee on Health as the Vice-chair; members composed of Barangay Kagawads, Brgy. Tanods, Brgy. Health Worker, Representative from DepEd (if there is a school) and Representative from any people's organization in the barangay.
3. The barangay anti-rabies committee must strictly implement the provisions of their local ordinance and should coordinate with the office of City Veterinarian for any technical assistance deemed necessary in the continued implementation of Rabies Prevention, Control and Eradication Program.

4. Ensure that all dogs in their barangay are properly immunized and registered.
5. Make a monthly report on the registered and unregistered dogs in their respective barangays and submit it to the Office of the City Veterinarian.
6. Ensure that all dogs are leashed or confined within the premises of the owner's fenced surroundings.
7. Ensure the enforcement of Section 6 of Republic Act No. 8485 or "The Animal Welfare Act of 1998".
8. Enact additional ordinances that will support the Rabies Prevention, Control and Eradication Program that should include the regulation of treatment locally known as "tandok".
9. Prohibit the trade of dogs for meat.
10. Allocate funds to augment the implementation of the program.
11. To coordinate with the Office of the City Veterinarian in the strict implementation of dog catching and impounding activities and field control to eliminate stray dogs.

C. RESPONSIBILITIES OF CONCERNED GOVERNMENT AGENCIES:

All concerned Government agencies as mentioned and enumerated in Section 6 of the R.A. 9482 (Anti-rabies Act of 2007) are thereby reminded to implement the same."

The succeeding Sections of said Ordinance affected by the insertion of a section subject herein and those of other succeeding amendments herein shall be renumbered accordingly.

SECTION 4. The new Section 6 of the Ordinance No. 57 is further amended to read as follows:

"Section 6. *Duties of the Veterinarian*— It shall be the duty of the person vaccinating any dog to issue a certificate of rabies vaccination (in triplicate) for each dog vaccinated, one copy of which shall be given to the dog - owner, the barangay concerned, and the other copy to be retained by him. The certificate shall include the following information:

1. Owner's name, address and telephone no. (if any);
2. Description of dog (color, sex, markings, age, and breed);
3. Date of vaccination and schedule of revaccination;
4. Rabies vaccination tag number;
5. Vaccine manufacturer;
6. Vaccinator's signature;
7. Veterinarian's license number / vaccinator's address.

The dog owner shall be provided with a copy of the certificate. The veterinarian/vaccinator shall retain one copy for the duration of the vaccination."

SECTION 5. The new Section 10 of the Ordinance No.57 is further amended to read as follows:

"SEC. 10. Public Pound/City Pound. –

"x x x

"C. City Pound Notice – The Office of the Veterinarian upon receipt of the dog impounded, shall cause the advertisement of a pound notice at the City Hall and at the Barangay Hall of the barangay where the dog was caught, for three (3) consecutive days stating the following:

1. Color, breed and other description of the impounded dog;
2. The date, time and place the dog was caught;

3. A Notice that unless redeemed, the dog shall be offered for adoption to an interested individual. If no adoption is made after the lapse of one (1) day, dogs shall be donated to a research institution or shall be humanely disposed of by the Office of the City Veterinarian between 9:00 A.M. to 4:00 P.M. but not earlier than three (3) days from the date of its impounding.

D. Fees –

1. Impounding Fee – Dog owners who shall redeem their impounded dog shall be charged an impounding fee of P500.00 plus additional daily charge of P50.00.

- E. Disposal of Impounded Dogs – All healthy impounded dogs, unless redeemed, shall be offered for adoption to an interested individual. If no adoption is made after the lapse of one (1) day, dogs shall be donated to a research institution or shall be humanely disposed of. All unvaccinated dogs two (2) months old and above shall be vaccinated against Rabies prior to its release from the dog pound.

F. Stray Dogs Control –”

“x x x

- “3. Stray dogs shall be impounded for at least three (3) days to give owners enough time to reclaim them and to determine if the said dog has bitten an individual.
4. Apprehended vicious stray dogs may be disposed of immediately at the discretion of the Office of the City Veterinarian.
5. Dogs suspected to be suffering from either of the two types of Rabies shall be disposed of immediately.
6. Owners of stray dogs shall be subjected to penal provisions of this ordinance.
7. The dog catchers team shall not be held liable if the dog dies or is injured during the process of catching and transporting them.”

SECTION 6. The new Section 10 of the Ordinance No. 57 is further amended to read as follows:

SECTION 11. PENALTIES FOR VIOLATION OF ORDINANCE.

Any person who violates any provision of this Ordinance shall suffer an imprisonment of not less than one (1) month but not more than six (6) months depending on the discretion of the court.

However, violator may opt to pay the following administrative fine for violations of any of the following provisions:

1. Dog owners who fail to have their dog registered and immunized against rabies shall pay a fine of Two Thousand Pesos (P 2,000.00).
2. Dog owners who fail to have their dog vaccinated against rabies shall be liable to pay for the vaccination of both the dog and the individuals bitten by their dog.
3. Dog owners who refuse to have their dog put under observation after said dog has bitten an individual shall pay a fine of Five Thousand Pesos (P 5,000.00).
4. Dog owners who fail to put a leash on their dogs when they are brought outside the house shall pay a fine of Five Hundred Pesos (P 500.00) for each incident.

5. An impounded dog shall be released to its owner upon payment of a fine of Five Hundred Pesos (P 500.00).
6. Any person found guilty of trading dog for meat shall be fined Five Thousand Pesos (P 5,000.00) per dog.
7. Any person found guilty of using electrocution as a method of euthanasia shall be fined Five Thousand Pesos (P 5,000.00) per act.
8. If the violation is committed by an alien, he or she shall be immediately recommended for deportation after service of sentence without any further proceedings."

SECTION 7. If, for any reason, any provision of this Ordinance is declared to be unconstitutional or invalid, the other sections or provisions hereof which are not affected shall continue to be in full force and effect.

SECTION 8. All existing ordinances and parts thereof which are inconsistent with the provisions of this Ordinance are hereby deemed repealed, amended or modified accordingly.

SECTION 9. This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of local or general circulation and posting in at least two (2) conspicuous places in the City.

ENACTED, June 08, 2017.

RESOLVED, FURTHER, to furnish copies of this Ordinance one each to the City Mayor; the City Administrator; the City Legal Officer; the City Treasurer's Office; the City Veterinary Office; the City Prosecutors' Office; the Municipal Trial Court; the Regional Trial Courts-Branch 12 and Branch 35; the City Director - Philippine National Police (PNP), Ormoc City; the Office of the Liga ng mga Barangay; the Barangay Affairs Office; the Veterinary Clinics/Hospitals Association of Ormoc; the DepEd, Ormoc Division Office; the OIC-City Director, DILG; the Bureau of Animal Industry (BAI), DA-RFO8, Tacloban City; and others concerned in Ormoc City;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

MARIA ANTONIETA G. CO HAT
(OIC - SP Secretary)
Supervising Administrative Officer

ATTESTED:

VINCENT L. RAMA
(OIC-City Vice Mayor & Temporary Presiding Officer)
SP Member
Asst. Majority Floor Leader

APPROVED:

RICHARD I. GOMEZ
City Mayor

13 JUN 2017

(Date)