



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

ORDINANCE NO. 02-053

AN ORDINANCE FOR THE CREATION OF THE CITY POUND SECTION UNDER THE OFFICE OF THE CITY AGRICULTURIST, DEFINING ITS DUTIES AND FUNCTIONS, PROVIDING PENALTIES FOR ANY VIOLATIONS THEREOF.

- Sponsored by :
- Vice-Mayor Jo Jason T. Alcaraz*
 - Hon. Francis Ian T. Bagatsing*
 - Hon. Aldrin L. San Pedro*
 - Hon. Mamerto T. Sevilla, Jr.*
 - Hon. Rufino B. Joaquin*
 - Hon. Nicanor L. Echavez, M.D.*
 - Hon. Atty. Patricio L. Boncayao, Jr.*
 - Hon. Victor L. Ulanday*
 - Hon. Allan Rey A. Camilon*
 - Hon. Atty. Raul R. Corro*
 - Hon. Melchor R. Teves*
 - Hon. Atty. Icasiano M. Dela Rea*
 - Hon. Elmer S. Espeleta*
 - Hon. Rene Carl S. Cayetano*
 - Hon. Mario E. Bulay, Jr.*
 - Hon. Artemio A. Simundac*

WHEREAS, Article II Section 15 of the 1987 Constitution state that "The State shall protect and promote the right to health of the people and instill health consciousness among them";

WHEREAS, Section 454 (2) (c) of RA 7160 otherwise known as the Local Government Code of 1991 states that, "x x x the Sangguniang Panlungsod may create such other office as may be necessary to carry out the purposes of the city government";

WHEREAS, Section 458 (4) (viii) of the same Code, empowers the Sangguniang Panlungsod to enact ordinances that shall regulate activities x x x within the City in order to promote the general welfare and for the said purpose shall:

(viii) Provide for the impounding of the stray animals, regulate the keeping of animals in home;

WHEREAS, Book I General Provisions of RA 7160 states that "Transfer of responsibility for the provisions of basic services and facilities" as one of the Decentralization Program";

WHEREAS, the Basic Services and Facilities from the Department of Agriculture which has been devolved to LGUs is Agricultural Extension and On-Site Research;

Francis Ian T. Bagatsing *Jo Jason T. Alcaraz* *Mamerto T. Sevilla, Jr.* *Rufino B. Joaquin* *Nicanor L. Echavez, M.D.* *Patricio L. Boncayao, Jr.* *Victor L. Ulanday* *Allan Rey A. Camilon* *Raul R. Corro* *Melchor R. Teves* *Icasiano M. Dela Rea* *Elmer S. Espeleta* *Rene Carl S. Cayetano* *Mario E. Bulay, Jr.* *Artemio A. Simundac*

[Handwritten signature]



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 2
Ordinance No. 02-053

[Handwritten signature]

WHEREAS, RA 8485 otherwise known as the "Animal Welfare Act of 1998" was enacted on February 11, 1998 with the purpose of protecting and promoting the welfare of all animals in the Philippines by supervising and regulating the establishment and operations of all facilities utilized for breeding, maintaining, keeping, treating or training of all animals either as objects of trade or as households pets x x x;

WHEREAS, Section 3 of the same Code likewise provides that, "The Director of the Bureau of Animal Industry shall supervise and regulate the establishment, operation and maintenance of pet shops, kennels, x x x and any other form or structure for the confinement of animals where they are bred, treated, maintained, x x x";

WHEREAS, the Bureau of Animal Industry is an agency under the Department of Agriculture and all duties and functions of its Director shall be devolved to the City Agriculturist;

WHEREAS, on November 22, 1993, the Municipal Council of Muntinlupa enacted Ordinance No.34 series of 1993, entitled "An Ordinance Requiring all dog owners/keepers to have their dogs registered/vaccinated with the MRCC";

WHEREAS, there has been an alarming number of dog bites incidents within the City of Muntinlupa;

WHEREAS, based on the records from the Research Institute for Tropical Medicine (RITM) the average number of dog bite victims from the City of Muntinlupa is about 2,000 to 2,500 per year;

WHEREAS, for three consecutive years, the City of Muntinlupa ranked third with the highest number of dog bite victims who availed treatment from the Research Institute for Tropical Medicine, next only to the provinces of Laguna and Cavite which ranked first and second respectively;

WHEREAS, the City Government of Muntinlupa has been receiving numerous complaints about the dog and cat litter in public places within the City of Muntinlupa;

WHEREAS, because stray dogs and cats often feed on trash and garbage they have higher risk of becoming rabies carriers;

WHEREAS, to help maintain the general cleanliness of the City of Muntinlupa it is therefore necessary to instill discipline among the city residents on responsible pet ownership.

NOW, THEREFORE BE IT ORDAINED AS IT IS HEREBY ORDAINED by the Sangguniang Panlungsod of Muntinlupa in session duly assembled, that

[Handwritten signature]

REPUBLICA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA



Sangguniang Panglungsod

Page 3
Ordinance No. 02-053

SECTION 1. There is hereby created a City Pound Section under the Office of the City Agriculturist.

SECTION 2. For purposes of this Ordinance, the following definitions shall prevail:

- a. **Dog-** domesticated animal with scientific name *Canis Familiaris*;
- b. **Cat-** domesticated animal with scientific name *Felis Catus*;
- c. **City Pound-** an enclosed place where stray animals are placed or lodged;
- d. **Owner-** refers to the owner or keeper, or the one who allows dogs to habitually stay in his dwelling;

SECTION 3. Establishment and Maintenance - A city pound shall be created and maintained under the supervision of the City Agriculturist, as may be designated by the City Mayor.

SECTION 4. Pound keeper and Assistants. - The City Agriculturist may appoint a pound keeper and as many assistants as may be necessary among the existing employees of the City Government to conduct and maintain said pound.

SECTION 5. Duties and Functions - It shall be the duty of the pound keeper to take and impound all dogs and cats found at large within the City of Muntinlupa. It shall also be the duty of the pound keeper to keep a complete record of every animal impounded showing the date of receipt (impounding), kind/breed, description, owner's name (if known), method and date of disposal, and the amount collected for each animal in case of redemption or sale. The pound keeper shall also be in charge in the feeding of all impounded animals in the City Pound and in maintaining the cleanliness of the area.

SECTION 6. Procedure - The City Pound and the Public Order and Safety Office shall cause to take upon and impound all dogs and cats which are found at large in the streets or public places. Every dog and cat so impounded shall be held at the City Pound for a maximum of forty-eight (48) hours unless redeemed by its owner/keeper.

SECTION 7. Fines - There shall be a charge of three hundred pesos (300) each impounded dog and cat and an additional fee of twenty-five (25) pesos each day for sustenance during its stay in the pound. If the dog has not been vaccinated, the owner shall pay an additional fine for violation of Ordinance 93-34. The owner and the highest bidder shall shoulder the expenses for vaccination and registration, as required by the said ordinance, before the impounded animal shall be released.

SECTION 8. Redemption - Any animal impounded may be redeemed by the owner or keeper thereof upon payment of the impounding fee and other corresponding fees. Payment shall be made at the Treasury Office with an Official Receipt which the owner/keeper shall present to the Pound Keeper before the animal shall be released.



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 4
Ordinance No. 02-053

SECTION 9. Paragraph (a) -. Sale, procedure for: In case of sale, the animal shall become the property of the highest bidder. All such bids shall be submitted to the pound keeper and shall be forwarded by him, together with a statement of all fees due on said animal, to the city treasurer where such payment shall be made.

Paragraph (b). Execution. *The killing of animal is hereby declared unlawful except in the following instances:*

- A. When the dog is afflicted with an incurable, communicable disease as determined by a duly licensed veterinary.
- B. When the killing is deemed necessary to put an end to the misery suffered by the animal as determined and ratified by a duly licensed veterinary.
- C. When it is done to prevent an imminent danger to the life or limb of a human being.
- D. When done for the purpose of animal population control.
- E. Any other ground analogous to the foregoing, as determined and certified by a licensed veterinarian.

Paragraph C. *For this purpose, humane procedures shall mean the use of the most scientific methods available, as may be determined and approved by a duly licensed veterinarian.*

SECTION 10. Obstruction of pound keeper and assistant, Article 151 of the Revised Penal Code, Resistance and obedience to a person in authority or the agents of such person. Any person who shall resist and/or obstruct the pound keeper and or any of his assistants in the exercise of his duties shall pay a fine of not exceeding five hundred pesos (Php500).

SECTION 11. The personnel and budgetary requirements for this office shall be taken from the Executive budget.

SECTION 12. Repealing Clause. If for any reason/s part or provision of this Ordinance shall be held unconstitutional or invalid, other part or provision hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 13. Effectivity Clause - This Ordinance shall take effect after it has been published in any newspaper of general circulation or posted in three conspicuous place within the City.

APPROVED, by the City Council of Muntinlupa on 4th day of July 2002 in its 38th Regular Session.

San



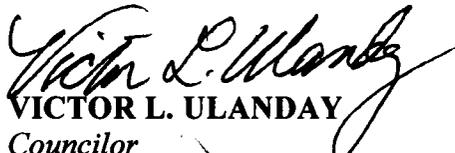
REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

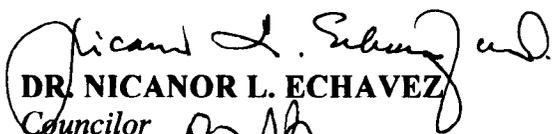
Sangguniang Panglungsod

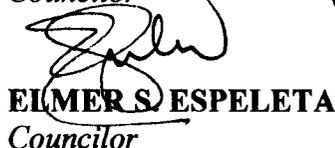
Page 5
Ordinance No. 02-053

CONCURRED:


ALDRIN L. SAN PEDRO
Councilor


VICTOR L. ULANDAY
Councilor


DR. NICANOR L. ECHAVEZ
Councilor

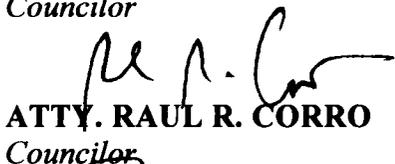

ELMER S. ESPELETA
Councilor

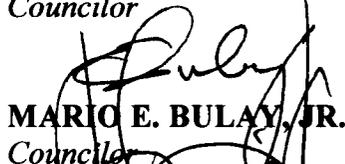

ATTY. PATRICIO L. BONCAYAO, JR.
Councilor

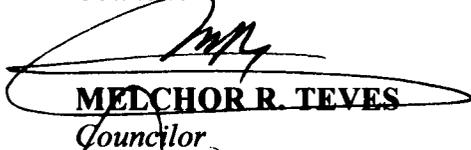

FRANCISIAN T. BAGATSING
Councilor


ALLAN REY A. CAMILON
Councilor

RENE CARL S. CAYETANO
Councilor

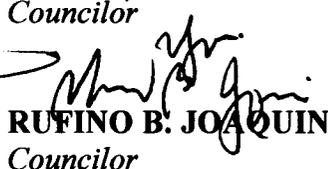

ATTY. RAUL R. CORRO
Councilor

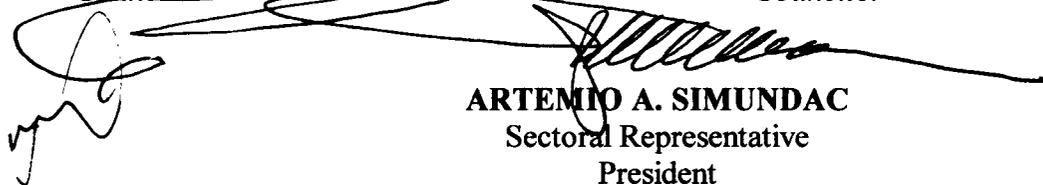

MARIO E. BULAY, JR.
Councilor


MELCHOR R. TEVES
Councilor

MAMERTO T. SEVILLA, JR.
Councilor


ATTY. ICASIANO M. DELA REA
Councilor

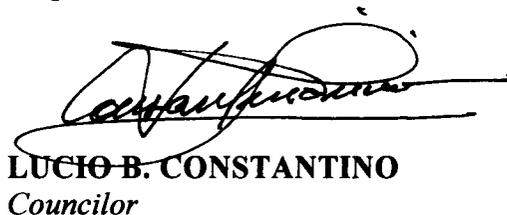

RUFINO B. JOAQUIN
Councilor

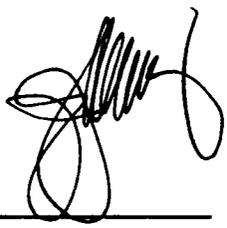

ARTEMIO A. SIMUNDAC
Sectoral Representative
President

Association of Barangay Captains

ABSENT:


BAL MIEFES
Councilor


LUCIO B. CONSTANTINO
Councilor





REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 6
Ordinance No. 02-053

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

ATTY. ISIDORO L. SORIANO, JR.
Secretary
SANGGUNIANG PANLUNGSOD

ATTESTED:

ATTY. JO JASON Y. ALCARAZ HOPE
City Vice Mayor

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor
Date: _____

Hope/Nory