



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

ORDINANCE NO. 03-122

AN ORDINANCE PROHIBITING PET OWNERS FROM INTENTIONALLY BRINGING OUT THEIR PETS TO URINATE AND DEFECATE ON STREETS AND SIDEWALKS.

Sponsored by:

Hon. Dr. Nicenor L. Echavez
Hon. Rufino B. Joaquin
Hon. Elmer S. Espeleta
Hon. Allan Rey A. Camilon
Hon. Atty. Patricio L. Boncayao, Jr.
Hon. Melchor R. Teves
Hon. Aldrin L. San Pedro
Hon. Atty. Raul R. Corro
Hon. Atty. Icasiano M. Dela Rea
Hon. Mario E. Bulay, Jr.
Hon. Mamerto T. Sevilla, Jr.
Hon. Santiago V. Carlos, Jr.
Hon. Artemio A. Simundac
Hon. Christian Glenn D. Lorica

WHEREAS, section 15, article II of the 1987 Philippine Constitution provides that, "The State shall protect and promote the right to health of the people and instill health consciousness among them";

WHEREAS, section 8.51, Chapter 9 of PD 856, otherwise known as the Sanitation Code of the Philippines states that: "There shall be no noxious matter or any harmful substance that shall be disposed of unto streets, roads, alleys, bodies of water, or in any path ways or places not approved by the local health officer";

WHEREAS, section 458 (a)(4)(viii) of RA 7160, otherwise known as the Local Government Code of 1991, empowers the Sangguniang Panlungsod to regulate activities relative to the use of land, buildings and structures within the City in order to promote the general welfare and for said purpose shall:

(viii) Regulate the keeping of animals in homes or as part of a business, xxx;

WHEREAS, section 458 (a)(5)(v) of the same Code, authorizes the Sangguniang Panlungsod to regulate the use of streets, avenues, alleys, sidewalks, bridges, parks and other public places;

WHEREAS, it is a common practice of pet owners to intentionally bring out their pets to urinate and defecate on streets and sidewalks;

WHEREAS, the unsafe practice of intentionally bringing out pets by the owners may pose danger to the health and life of other people;

REPUBLICA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA



Sangguniang Panglungsod

Page 2
Ordinance 03-122

WHEREAS, scattered feces in front of every residence in the streets and sidewalks of subdivisions, villages and barangays are one of the source of conflicts or misunderstandings among neighbors in the community;

WHEREAS, there is a need to prohibit pet owners from intentionally bringing out their pets to urinate and defecate on streets and sidewalks in order to prevent the spread of harmful, disease-causing bacteria and obnoxious foul odor in the air, and to eliminate scattered feces as part of the Clean and Green Program of the City of Muntinlupa;

NOW, THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the members of the Sangguniang Panlungsod duly assembled the following:

Section 1. Prohibition. Pet owners are hereby strictly prohibited from intentionally bringing out their pets to urinate and defecate on streets and sidewalks.

Section 2. Exception. In case of unavoidable circumstances where pets urinate and/or defecate on streets and sidewalks beyond the owner's control and without intention on the part of the latter to bring out his/her pets for such purpose, the penalties provided for in this Ordinance shall not be imposed. However, the owner shall be responsible for the cleaning and/or removal of feces immediately afterwards.

Section 3. Definition of Terms. As used in this Ordinance, the following terms are hereby defined as follows:

- a. Pets- any animal kept, fed within a person's house yard or premise
- b. Owner- any person keeping, harboring, having charged or control of pets.
- c. Defecate- to discharge feces or waste
- d. Urinate- to discharge urine
- e. Street- Any thoroughfare of public space which has been dedicated or deeded to the public for public use. The word street includes not only the roadway, which is used for carriages and vehicular traffic generally, but also the portion used for pedestrian travel.
- f. Sidewalk- A part of the street which the authorities have set apart for the use of pedestrians.

Section 4. Penalties. Any person found violating this Ordinance shall be penalized as follows:

First Offense:

A fine of five hundred pesos (500 Php).

Second Offense:

A fine of one thousand pesos (1,000 Php) and one (1) day community service.



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 3
Ordinance No. 03-122

**Third and Succeeding
Offense:**

A fine of two thousand pesos (2,000 Php) and five
(5) days community service.

The penalties provided under this section shall include the cleaning and/or
removal of animal feces on streets and/or sidewalks regardless of the number of
times this Ordinance will be violated.

Section 5. Implementing Agency. The City Veterinarian Office shall be the
implementing agency of this Ordinance.

Section 6. Support Services. Other government offices and agencies of the City
of Muntinlupa are mandated to support this Ordinance.

Section 7. Repealing Clause. Any other ordinances, resolutions or parts thereof,
which are inconsistent herewith, are hereby repealed or modified accordingly.

Section 8. Seperability Clause. If for any reason or reasons, any section or
provision of this Ordinance shall be held unconstitutional or invalid, no other section or
provision thereof shall be affected thereby.

Section 9. Effectivity. This Ordinance shall take effect immediately upon
approval.

APPROVED, by the *Sagguniang Panlungsod of Muntinlupa* this 4th day of
December 2003, on its 97th Regular Session.

CONCURRED:

ALDRIN L. SAN PEDRO
Councilor

ELMER S. ESPELETA
Councilor

DR. NICANOR L. ECHAVEZ
Councilor

MARIO E. BULAY, JR.
Councilor

ATTY. PATRICIO L. BONCAYAO, JR.
Councilor

MAMERTO T. SEVILLA, JR.
Councilor

ALLAN REY A. CAMILON
Councilor

RUFINO B. JOAQUIN
Councilor



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 4

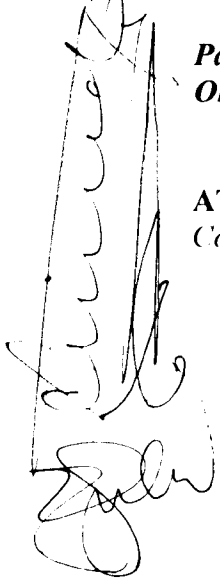
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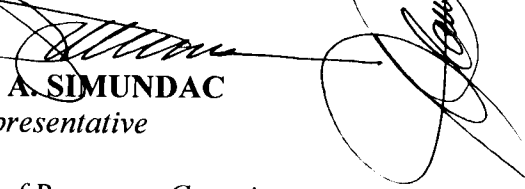

ATTY. RAUL R. CORRO
Councilor


SANTIAGO V. CARLOS, JR.
Councilor


MELCHOR R. TEVES
Councilor


ATTY. ICASIANO M. DELA REA
Councilor


CHRISTIAN GLENN D. LORICA
Sectoral Representative
President
Federation of Sangguniang Kabataan

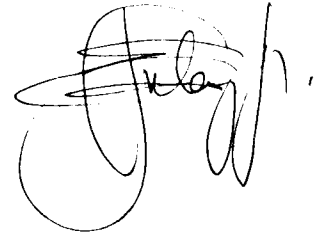

ARTEMIO A. SIMUNDAC
Sectoral Representative
President
Association of Barangay Captains

ABSTAIN:


RENE CARL S. CAYETANO
Councilor

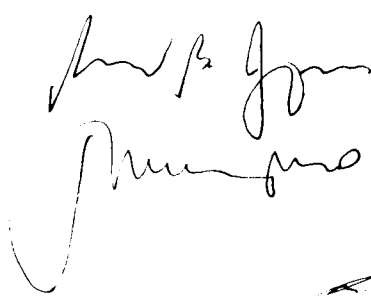
ABSENT:


BAL NIEFES
Councilor


FRANCISIAN T. BAGATSING
Councilor


LUCIO B. CONSTANTINO
Councilor

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


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



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 5
Ordinance No. 03-122

ATTESTED:

ATTY. JO JASON T. ALCARAZ
City Vice Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI

City Mayor
Date: 12/17/03

palitz