



Republic of the Philippines
PROVINCE OF PANGASINAN
MUNICIPALITY OF BAYAMBANG
OFFICE OF THE SANGGUNIANG BAYAN

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MUNICIPAL ORDINANCE NO. 20
SERIES OF 2020

ORDINANCE PROHIBITING ALL KINDS OF ANIMALS TO STRAY IN PUBLIC PLACES IN THE MUNICIPALITY OF BAYAMBANG AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES;

BE IT ENACTED, by the Sangguniang Bayan of Bayambang in session assembled that:

Section 1. Short Title. This Ordinance shall be known as “The Anti-Stray Animal Ordinance of the Municipality of Bayambang.”

Section 2. Purpose and Scope. This ordinance was enacted to deter the proliferation of stray animals in public places thus enabling the public to attain a more sanitary, safe and cleaner environment within the jurisdictional domain of the Municipality of Bayambang.

Section 3. Definition of Terms. As used in this Ordinance the following terms shall be understood to mean as:

- 1) **Animals** – refers to all domesticated pet animals belonging to or relating to quadruped e.g. dogs, cats, hogs, goats, sheep, rabbits, horses, cows, etc.;
- 2) **Animal owner** – means every person in possession of or harboring any animal;
- 3) **Stray Animal** – any domesticated animal such as dogs, cattle, poultry, rabbits, horses, goats, carabaos, cows, cats, and the like without being accompanied by an owner or tamer at loose or elsewhere wandering in public places within the municipality;
- 4) **Domesticated** – to accustom to remain much at home, to tame, to reduce from a wild life;
- 5) **Fine** – to set a fine on by judgment of a court or to punish by fine under a “no contest rule” by the impounding authorities without going to court for purposes of litigating the offense alleged/charged by the authorities concerned;
- 6) **Animal Pound** – refers to a fixed enclosure complete with personnel and facilities for the temporary keeping of stray animals found within the municipality, to be hereinafter referred to as the “Municipal Pound or Barangay Pound.”
- 7) **Endangered animal** – refers to an animal that is facing extremely high risk of extinction in the wild in the immediate future;
- 8) **Exotic animal** – means an animal which does not naturally occur in the country;
- 9) **Impound** – means to seize and hold in legal custody;
- 10) **Impounded** – taken into custody in a public animal control facility within the municipality;
- 11) **Impounding authorities** – those local government officers designated to enforce and implement the Ordinance and their authorized representatives;
- 12) **Leash** – a cord strap, or chain which shall be securely fastened to the collar or harness of a dog or other animal and shall be of sufficient strength to keep such dog or other animals under control;
- 13) **No contest rule** – means the unquestionable and the voluntary admission of violating the ordinance by the stray animal owners when confronted and or booked by the impounding authorities;
- 14) **Pet** - a fondling, a favorite animal and animal fondled and indulged;
- 15) **Property** – refers to any material object within the commerce of man whether real or personal property;
- 16) **Public Places** - refer to public plazas, parks, roads, highways, streets, and alleys, government buildings and institutions, and private uninhabited places



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- 17) **Rabies** – refers to a highly fatal disease caused by a Lyssa virus, transmitted mainly through the bite of an infected animal and is characterized by increased salivation, hydrophobia and aerophobia, other neurological manifestations and eventual muscle paralysis and death.
- 18) **Slaughter** – means to kill the animal for a certain purpose
- 19) **Wildlife** – means wildlife naturally occurring or has naturally established population in the country;

Section 4. Prohibited Acts. It should be unlawful for owners of quadruped or four legged animals whether domesticated or not to allow it astray and roam around or loitering in public or private places.

Section 5. Designating of a Municipal Animal Pound or Barangay Pounds. For purposes of this Ordinance, the Municipal Mayor shall designate a place as the Municipal Pound or as many pound areas preferably one each in every Barangay of this Municipality where impounded animals will be kept or deposited pending their disposition. The pound shall be situated at the definite site with an environment not harmful to animal health and safety.

Section 6. Authority to Seize and Impound. Authority is hereby granted to the following local government personnel to seize and cause the impoundment of any stray animal right at the instance of its sighting:

- 1) The Municipal Agriculturist or any officer or staff under his office;
- 2) Public Order and Safety Office (POSO);
- 3) Barangay officials or tanod;
- 4) Philippine National Police (PNP) Personnel.

Section 7. Resisting and Interfering with the authorized personnel. It shall be unlawful for any person to resist or otherwise interfere with the authorized personnel in the performance of their duties.

Section 8. Owners of animals that caused injury or damage to other persons or property:

- 1) In case of damage to property, the indemnity shall be paid by the owner/possessor of animals based on the extent of the actual damage caused on the said property in accordance with the assessment of the Office of the Agriculture;
- 2) In cases of injury sustained by certain individuals, the following shall govern:
 - a. In cases where the ownership of the animals has been duly established, the injured victim shall immediately be entitled to receive financial compensation from owner/possessor of animals for their medication.
 - b. When the injury sustained by the victim require medical attendance or confinement for a certain number of days, the owner of the animal shall also be required to pay for the loss of income of the victim during the period when he/she cannot work;
 - c. The injured victim must submit a medical certificate from any licensed physician in support of their claim and/or pay slip or certification from the employer in case of payment of income loss.
- 3) If the owner of the animal willfully refuse, without justifiable cause, to pay the expenses necessary for the medication of the victim or pay for the damage caused to personal property, the Office the Agriculture or the victim himself shall institute appropriate charges in court to enforce his claim.
- 4) Filing and/or payment of claims, pursuant to this measure, is without prejudice or shall not constitute a bar in filing similar claims under existing laws.



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Section 9. Leashing and Proper Keeping of Animals:

- 1) Dogs, cats and other domesticated animals shall be kept and nurtured within the premises of the residence or establishment. In addition thereto, owners of potentially vicious dogs or wild cats shall signify the presence of such animal through visible printed words written and prominently displayed immediately outside the said premises;
- 2) Potentially vicious dogs or cats can be brought for a walk outside the premises of the residence or establishment, provided; that a protective muzzle shall cover its mouth and the said animal shall be held securely on a leash to be accompanied by the owner, keeper or possessor. The leash shall not exceed two (2) meters in length;
- 3) All dogs must be properly kept on leash within the premises of the owner. Dogs that are brought outside the owner's premises shall at all times be leashed and muzzled appropriately; otherwise the dog will be considered a stray animal;
- 4) Any person or institution who owns or desire to own a dog must be able to provide proper care and keeping to the animal. Any dog owner who can no longer provide appropriate care and management of the dog, that is to comply for its food, safety and shelter including its vaccination, is encourage to donate, sell or dispose to another person who is capable and willing to comply the responsibilities of a dog owner;
- 5) An animal that attacks and/or bites a person within the territorial jurisdiction of the barangay shall constitute conclusive presumption that the said animal is dangerous or vicious, and the same shall be summarily removed from the barangay and disposed in an appropriate manner by the Punong Barangay, barangay official or employee designated for the purpose and the Barangay is hereby rendered free and harmless from any liability thereof;
- 6) Animals found in grazing areas shall not be impounded provided they are being tended or tied/restrained.

Section 10. Impoundment. (a) All stray animals shall be seized and impounded at the Municipal Pound or at the Barangay Pound until such time that the same are properly released to its lawful claimant. (b) Impoundment and release of any such animal/s shall be pursuant to the following guidelines:

- a. Impoundment period shall not exceed five (5) days including Saturdays and Sundays, except when impoundment for more than the prescribed period is necessarily called for by medical reasons, in which case the animal owner of such impounded animal shall be duly advised.
- b. All animals impounded pursuant to the preceding paragraph shall be fully entitled to proper custody, care, shelter and sustenance.
- c. Animals which have died within the impoundment period shall be disposed of according to proper veterinary and health procedures. The Municipal Pound or Barangay Pound shall not take any responsibility whatsoever for any animal death, except when such death can be proven to have been due to neglect or deliberate cruelty on the part of the staff concerned.
- d. No wildlife, exotic or endangered animals seized while wandering in public places shall be subject to impoundment but, right upon capture, be forthwith committed for proper care and custody to the Department of Environment and Natural Resources (DENR), except: that when upon capture such wildlife is found to have been exhibiting symptoms of communicable diseases, then same shall be euthanized pursuant to the pertinent provisions of Administrative Order No. 21, Series of 1999, otherwise known



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- e. No bomb-sniffing, drug-sniffing or any police dogs shall for any reason be subject to impoundment.
- f. Any animal owner may opt to voluntarily commit an animal for temporary custody at the Municipal Pound or Barangay Pound for a period not to exceed ten (10) days, subject to payment of the prescribed fees. Custodial days shall be from Mondays through Fridays, from 9:00 am to 12:00 noon, excluding Saturdays, Sundays and other legal holidays.

Section 11. Notice of Impoundment.

- a. Within twelve (12) hours starting from the time an animal was committed for impoundment at the Municipal Pound or Barangay Pound, the personnel-in-charge shall locate and identify its animal owner, after which notice of impoundment shall forthwith be issued and served to such person.
- b. When no animal owner shall have been located and identified with the impounded animal the same shall ipso facto be deemed abandoned, thus be properly disposed in accordance with the pertinent provisions of Section 12 of this Ordinance.
- c. The personnel-in-charge of the Municipal Pound or Barangay Pound shall, from time to time, make a list of all impounded animals thereat, complete with corresponding identifiable description to include kind, breed, color, and other unique markings, if any there be, and post such list at designated public posting boards within the municipality.

POUND NOTICE

Impounded at the Municipal or Barangay Pound the following described animal/s:

Which, unless redeemed before the date herein indicated shall be given up for adoption in case of dogs and cats, or by auction by the municipal government in case of livestock, or for extermination, all to be taken up by the Office of Agriculture located at _____ at (time) on (date)

Section 12. Redemption.

- a. An animal owner may, at any-time within the regular working hours after due receipt of the notice of impoundment issued pursuant to Section 10 (a) of this Ordinance but not to exceed 5 days after impoundment, redeem an impounded animal right upon payment of the necessary fees and incidental charges.
- b. Whenever an animal owner, after due notice, deliberately refuses or neglects to redeem an impounded animal within the allowable period herein prescribed, she/he shall be made to pay the following fees for impounding of stray animals including the cost of feeds or foods to wit:

a.	Native dogs (big or small)	₱ 100.00/per day
b.	Upgraded dogs (big or small)	200.00/per day
c.	Pure breed dogs (big or small)	300.00/per day
d.	Carabao, Horses and Cows	400.00/per day
e.	Other animals	200.00/per day



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- c. All animals at the Municipal or Barangay Pound shall be released to their respective claimants only upon showing of proof that they are owners of such stray animal(s) upon payment of an impounding fee.

For Large Cattle	Five Hundred Pesos (P500.00) and additional of One Hundred Pesos (P100.00) per day of impoundment.
For Pigs, Goats, Sheep, Dogs, and Cats	Three Hundred Pesos (P300.00) and additional of Fifty Pesos (P50.00) per day of impoundment.

Section 13. Collection of Fines and Fees. All collections of fines, impounding fees and proceeds in an auction sale shall be paid to the Municipal Treasurer or his/her authorized representative and the amount thereon shall form part and accrue to the government fund of the municipality Bayambang. The accrual of collected amount shall be shared 50% to the municipality coffers and 50% to the barangay funds.

Section 14. Impounded Large Cattle, Pigs, Goats and Sheep. Not claimed within five (5) working days after the date of impounding shall be sold at public auction under the following procedures:

1. (a) There shall be created a Committee on Public Auction of Impounded Large Cattle, Pigs, Goats and Sheep composed of the following:

Chairman: Municipal Agriculturist
Members: Municipal Treasurer or his/her authorized representative
Municipal Accountant
General Services Office

- (b) For the Barangay, their Committee on Public Auction of Impounded Large Cattle, Pigs, Goats and Sheep composed of the following:

Chairman: Punong Barangay
Members: Brgy. Kagawad, Chairman, Committee on Agriculture
Barangay Secretary

2. (a) The committee shall post notice for public auction of impounded large cattle, pigs, goats and sheep for three (3) days conspicuous places including the main door of the Municipal Hall and the public markets.
- (b) The Committee shall determine the minimum selling price of the impounded animals. The animal shall be sold to the highest bidder.
- (c) The Committee on Public Auction of Impounded Large Cattle, Pigs, Goats and Sheep shall make a report of the proceedings in writing to the Municipal Mayor within seven (7) days after the auction sale.
3. The proceeds of the auction sale shall accrue to the General Fund of the Municipality of Bayambang.
4. In case the impounded animal is not disposed of within five (5) working days from the notice of public auction, the same shall be considered sold to the municipal government for the amount equivalent to the impounding fees.



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Section 15. Prospective Buyers of Dogs or Cats for Pet Purposes – will be screened on their capabilities for the care and management of the animal. The buyer should be a Bayambang resident. The buyer shall pay an adoption fee of Five Hundred Pesos (P500.00) and sign an adoption contract at the Municipal Agriculture Office. The Municipal Agriculturist or its authorized representative will conduct a periodic check on the dog for at least once every semester.

It is hereby prescribed that adoption days for impounded animals shall be Mondays to Fridays except during holidays, starting from 9:00 A.M. till 12:00 noon at the Municipal Agriculture Office in the presence of the representative of the Municipal Treasurer.

Section 16. Disposition of Dogs and Cats. Any dog or cat held in custody not redeemed by its owner within five (5) working days, shall be deemed abandoned and may be disposed of the Municipal Agriculture Office through adoption or euthanasia, provided, however, that if said animal is dangerous to retain or is suffering excessively from contagious and highly communicable disease either to humans or animals, in which case, it may be forthwith humanely destroyed.

Section 17. Quarantine. Any animal falling into one or more of the following categories shall be isolated or quarantined at the place and under the conditions prescribed by the Municipal Health Office and pertinent national laws and regulations:

- a) Known rabid animals;
- b) Suspected rabid animals;
- c) Animals which have bitten or otherwise exposed a human being to rabies or suspected rabies intimate contact with the same.

Section 18. Disposition of Unclaimed/Impounded Stray Animals. The following rules shall govern the disposition of animals impounded at the Municipal Pound or Barangay Pound:

- a. Unclaimed animals at the Municipal Pound or Barangay Pound shall *ipso facto* be deemed abandoned, thus become eligible for adoption and may be released to any interested party after the lapse of three (3) days from the time of impoundment, provided: that such animal does not exhibit symptoms of any communicable disease.
- b. Whenever no interested party may opt to adopt, the Municipal Agriculturist shall have the right to cause such abandoned animal to be sold at a public auction.
- c. Abandoned animals exhibiting symptoms of any communicable diseases shall forthwith be euthanized pursuant to the pertinent provisions of Administrative Order No. 21, Series of 1999, otherwise known as the Code of Conduct in the Euthanasia for Pets/Companion Animals and Slaughter of Animals for Food.
- d. No abandoned animal shall be euthanized without the approval of the Municipal Agriculturist.
- e. Abandoned animals eligible for adoption shall, before its release to any interested party, be administered with anti-rabies vaccine. Deliberate omission or neglect on the part of the personnel-in-charge at the Municipal Pound to perform this responsibility shall subject such person to administrative and/or criminal sanctions.



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Section 19. Penalty. Any person who violates any of the provisions of Section 4 and 7 of this Ordinance shall penalized with the following:

- a) First Offense: Fine of Php300.00 or imprisonment of not more than ten (5) days or both such fine and imprisonment at the discretion of the court;
- b) Second Offense: Fine of Php500.00 or imprisonment of not more than twenty (10) days or both such fine and imprisonment at the discretion of the court;
- c) Third and succeeding offenses: Fine of Php1,000.00 and imprisonment of not more than thirty (20) days or both such fine and imprisonment at the discretion of the court.

Section 20. No Contest Provision. Any person who violates this Ordinance and does not wish to contest the violation but is willing to pay voluntarily the fine imposed upon him/her prior to the filing of formal charges with the proper court shall be allowed to pay the imposed fine with the Municipal Treasurer's Office to avoid being prosecuted within FIVE (5) calendar days from the day he/she was cited for violating any provision of this Ordinance, otherwise, a case shall be filed against the violator."

Section 21. Repealing Clause. All Ordinances, Resolutions, Executive Orders, Memorandum Circulars and Administrative Orders or parts thereof which are inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

Section 22. Separability Clause. It is the Sanggunian's intent if any section, subsection, clause or provision of this ordinance is deemed invalid or unconstitutional by a court of competent jurisdiction, that such portion will become a separate provision and will not affect the remaining provisions of this ordinance. The Sanggunian further declares its intent that the provisions of this ordinance would have been adopted if unconditional provision was not included.


Article 23. Effectivity. This Ordinance shall take effect upon approval and compliance with the posting and publication requirements.

ENACTED this 23rd of November 2020.

Certified to be duly adopted and approved:

JOEL V. CAMACHO
Secretary to the Sanggunian

ATTESTED:


HON. RAUL R. SABANGAN
Municipal Vice Mayor &
Presiding Officer



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**WE CONCUR:
SANGGUNIANG BAYAN MEMBERS**

HON. MYLVIN T. JUNIO

HON. PHILIP R. DUMALANTA

HON. JOSEPH VINCENT E. RAMOS

HON. BENJAMIN FRANCISCO S. DE VERA

HON. GERARDO DC. FLORES

HON. MARTIN E. TERRADO II

HON. AMORY M. JUNIO

HON. LEVINSON NESSUS M. UY

HON. RODELITO F. BAUTISTA
President, Liga ng mga Barangay

HON. GABRIEL TRISTAN P. FERNANDEZ
President, SK Federation



APPROVED:

HON. CEZAR T. QUIAMBAO
Municipal Mayor

[Handwritten signature in blue ink]