



Republic of the Philippines
Province of Ilocos Norte
MUNICIPALITY OF SAN NICOLAS



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE THIRD REGULAR SESSION OF THE 10TH SANGGUNIANG BAYAN
OF SAN NICOLAS, ILOCOS NORTE HELD AT THE MUNICIPAL SESSION HALL
ON THE 16TH DAY OF JULY, 2018 AT 11:20 O'CLOCK IN THE MORNING.

PRESENT:

Hon. Edistio P. Valdez	Vice-Mayor/Presiding Officer;
Hon. Domingo C. Ambrocio, Jr.	Member;
Hon. Angel Miguel L. Hernando	Member;
Hon. Ariel B. Villa	Member;
Hon. Efen C. Butay	Member;
Hon. Norberto S. Dadiz, Jr.	Member;
Hon. Manuel D. Coloma, Sr.	Member;
Hon. Orlando B. Badua	Member;
Hon. Jessie Julito P. Pumaras, Sr.	Member;
Hon. Juanito P. Ulep, Jr.	Member/Acting Liga ng mga Barangay President;
Hon. Inno Ma. Angelo Paulo O. Hernando	Member/PPSK President.

ABSENT:

None.

“MUNICIPAL ORDINANCE NO. 2018-17

AN ORDINANCE REGULATING THE PRESENCE OF STRAY ANIMALS IN PUBLIC PLACES WITHIN THE MUNICIPALITY OF SAN NICOLAS, PROVINCE OF ILOCOS NORTE, AUTHORIZING FOR THIS PURPOSE THE ESTABLISHMENT AND OPERATION OF AN ANIMAL POUND AND THE COLLECTION OF FEES FOR THE PROPER USE AND MAINTENANCE THEREOF, AND FOR OTHER PURPOSES.

Be it ordained by this *Sangguniang Bayan* that:

SECTION 1. *Short Title.* This Ordinance shall be known as “*The 2018 Anti-Stray Animal Ordinance of the Municipality of San Nicolas, Ilocos Norte.*”

SECTION 2. *Definition of Terms.* As used in this Ordinance the following terms shall mean:

1. **ANIMAL OWNER** – refers to any person who has possession in terms of title or proprietorship or has actual control of an animal.
2. **DOMESTICATED ANIMAL** – refers to any animal species which are tamed and within the household of residents.
3. **SMALL ANIMAL** – refers to any animal weighing one (1) kilogram or less but not to exceed one hundred fifty (150) kilograms.
4. **LARGE ANIMAL** – refers to any animal weighing at least one hundred fifty-one (151) kilograms and above.
5. **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.”
6. **STRAY ANIMAL** – refers to any animal such as dog, cat, poultry, horse, goat, cow, carabao, wildlife, exotic and endangered species and the like at loose or elsewhere wandering in public places within the town without being accompanied by its owner.
7. **WILDLIFE** – refers to any animal species which naturally evolves or establishes its population in the wild without human aid or intervention.

SECTION 3. Prohibited Acts.

- (a) No person shall allow his/her animal to wander elsewhere in any public places within the municipality without the company of its owner.
- (b) It shall be unlawful for any personnel of the Municipal Pound to maltreat, torture, poison, or inflict suffering or harm to any impounded animal.
- (c) It shall be unlawful for any person to oppose, resist, or interfere with Municipal Pound personnel from performing a duty mandated of such personnel to perform pursuant to the provisions of this Ordinance.
- (d) It shall be also unlawful to bring pets during the conduct of fiestas, public gatherings and programs and the like.

SECTION 4. Establishment of Animal Pound.


- (a) There shall be established an animal pound in the municipality to be officially named as *San Nicolas Animal Pound* and to be referred to hereinafter as the Municipal Pound.
- (b) The Municipal Pound shall exclusively function as temporary lockdown for all seized stray animals. (c) The pound shall be situated at a definite site within the Municipality, with an environment not harmful to animal health and safety, this to be determined and designated for by the Municipal Mayor pursuant to the town's subsisting zoning plan.
- (d) The Municipal Pound shall be administered by the Office of the Municipal Agriculturist and shall consist of facilities necessary to properly carry out the purposes and functions of an animal pound.
- (e) Funds necessary for the establishment and operation of the Municipal Pound shall be appropriated in the Municipal government's annual budget and/or any supplemental appropriation as the case may be, subject to the pertinent provisions of RA 7160, otherwise known as the Local Government Code of 1991, and other applicable laws, rules and regulations.

SECTION 5. 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:

- (a) The Municipal Agriculturist or any officer or staff under his office;
- (b) Deputized enforcers to be determined by the Office of the Mayor;
- (c) Barangay/purok officials or tanod;
- (d) Philippine National Police (PNP) Personnel.

SECTION 6. Impoundment. (a) All stray animals shall be seized and impounded at the Municipal 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 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 as the Code of Conduct in the Euthanasia for Pets/Companion Animals and Slaughter of Animals for Food.
- (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 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 7. Notice of Impoundment.


- (a) Within twelve (12) hours starting from the time an animal was committed for impoundment at the Municipal 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 8 of this Ordinance.
- (c) The personnel-in-charge of the Municipal 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.

SECTION 8. Redemption.

- (a) An animal owner may, at anytime within the regular working hours after due receipt of the notice of impoundment issued pursuant to Section 6 (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 a fine corresponding to P200.00 for each day of default, or render community service equivalent to one (1) day for each day of default.

SECTION 9. Disposition. The following rules shall govern the disposition of animals impounded at the Municipal Pound:

- (a) Unclaimed animals at the Municipal 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.

SECTION 10. Fees.

(a) The Office of the Municipal Treasurer is hereby authorized to collect and issue corresponding receipts in the following amounts as legal fees in connection with the use of the Municipal Pound:

- (1) P50.00 – for every day of impoundment or custody for small animals;
- (2) P200.00 – for every day of impoundment or custody for large animals; and
- (3) P200.00 – fine for each day of default after the lapse of five (5) days within which an animal owner is allowed to redeem an impounded animal.

(b) Fees and other proceeds collected and accumulated in connection with the enforcement of this Ordinance shall be held in trust by the Local Government Unit to be allocated only for the procurement of vaccines and other priority purchases of the Municipal Pound or other activities or programs relative thereto. Allocation and disbursement of said funds shall be done in accordance with the pertinent provisions of Chapter 2, Title V of RA 7160 or the Local Government Code of 1991 and other applicable laws, rules and regulations.

SECTION 11. Penalty Clause. Violation of any of the provisions of this Ordinance shall subject the violator to the following fines as penalties:

- (a) One Thousand Pesos (P1, 000.00) for first offense;
- (b) Two Thousand Pesos (P2, 000.00) for second offense; and
- (c) Two Thousand Five Hundred Pesos (P2, 500.00) for third and subsequent violations.

SECTION 12. Constitution of Committee. The Local Chief Executive through an appropriate order shall constitute a committee who shall supervise and monitor the implementation of this ordinance whose members shall be but not limited to:

- a. Municipal Mayor – Chairman;
- b. Municipal Agriculturist – Co-Chairman;
- c. Chairman of the Committee on Agriculture of the Sangguniang Bayan – Vice-Chairman;
- d. Liga ng mga Barangay President - Member;
- e. PPSK President - Member;
- f. Chief of Police – Member;
- g. Three (3) Agricultural Technologist from the Office of the Municipal Agriculture - Member;
- h. Two (2) Personnel from the Municipal Health Office – Member;
- i. Two (2) Representative from the Accredited CSOs – Member.

SECTION 13. Implementing Rules and Regulations. The Local Chief Executive and the committee as specified under section 12 shall formulate Implementing Rules and Regulations (IRR) for the effective and efficient implementation of this ordinance.

SECTION 14. Repealing Clause. The provisions of previous local enactments, resolutions, memoranda, circulars, and other issuances inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 15. Separability Clause. In the event that any provision of this Ordinance is found or decreed to be invalid or unconstitutional, all other provisions hereof not affected by such findings or decree shall remain to be in full force and effect.

SECTION 16. Effectivity Clause. This Ordinance shall take effect after fifteen (15) days following the completion of its full publication in any newspaper of general circulation within the Province of Ilocos Norte.

“UNANIMOUSLY APPROVED.

Voting on the foregoing ordinance was as follows:


- AYES : Members Hernando, A., Ambrocio, Jr., Villa, Butay, Dadiz, Jr., Coloma, Sr.,
Badua, O., Pumaras, Sr., Ulep, Jr. and Hernando, I.
- NAYS : None.
- ABSTAINED : None.

I hereby certify to the correctness of the foregoing ordinance.



ENRIQUE P. ULEP, JR.
Secretary to the Sangguniang Bayan I

ATTESTED:



EDISTIO P. VALDEZ
Vice-Mayor/Presiding Officer

APPROVED:



ALFREDO P. VALDEZ, JR., M.D.
Municipal Mayor

Approved on: July 18, 2018