

Item No.: 11

Date: 28 OCT 2022

Republic of the Philippines
PROVINCE OF LEYTE

SANGGUNIANG PANLALAWIGAN
PROVINCE OF LEYTE
SP Records
10/12/22
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PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Released: [Signature]
Time: 11:45
Date: 10-12-22

2nd INDORSEMENT
October 11, 2022

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary the attached Ordinance No. 132 S. 2022 of the SB of Matag-ob, Leyte, recommending to declare its validity pursuant to its power under Section 56 (c) of R.A 7160, the same being, to the opinion of the Provincial Legal Office (PLO), an exercise of the power authorized under Section 16 of the Code, essential to the promotion of the General Welfare, Health and Safety.

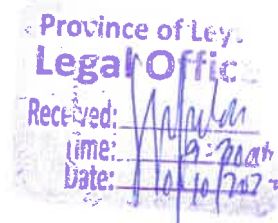
Atty. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

[Handwritten signature of Atty. JOSE RAYMUND A. ACOL]

Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
06 October 2022



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO.132, SERIES OF 2022 OF THE MUNICIPALITY OF MATAG-OB, LEYTE, ENTITLED: AN ORDINANCE ENFORCING THE ANTI-STRAY DOG ORDINANCE IN THE MUNICIPALITY OF MATAG-OB, LEYTE AND THEREBY IMPOSING FEES, CHARGES AND PENALTIES FOR VIOLATION THEREOF.**

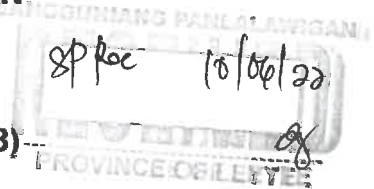

FLORINDA JILL S. UYVICO
Provl Govt Dept Head
(SP Secretary)



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MATAG-OB
OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 132
(Proposed Municipal Ordinance No. 138)
Series 2022

Author: Hon. Artemio T. Almoroto



AN ORDINANCE ENFORCING THE ANTI-STRAY DOG ORDINANCE IN THE MUNICIPALITY OF MATAG-OB, LEYTE AND THEREBY IMPOSING FEES, CHARGES AND PENALTIES FOR VIOLATION THEREOF.

Be it ordained by the Sangguniang Bayan of Matag-ob, Leyte, in its regular session assembled, that:

Section 1. Short Title. This Ordinance shall be known as the anti-stray dog ordinance of Matag-ob, Leyte.

Section 2. Definition of Terms. The following terms shall be defined accordingly:

- a. Stray Dog – a domestic animal that has a established pet owner which have strayed from their owners and wandering about;
- b. Street Dog – may be stray dogs, pets which have strayed from or are abandoned by their owners;
- c. NO CONTACT POLICY – is a policy that allows identification and determination of ownership of stray dogs as well as the utilization of CCTV, digital cameras and/or other gadgets or technology to capture videos and images to apprehend owners of stray dogs.
- d. Citation Ticket – a form issued to person/s violating any municipal ordinance of the municipality in lieu of arrest or prosecution, among other things, it notifies the offender/s on the particular infraction of the ordinance he/she violated and also advices him/her to appear before the Chief of Police.
- e. Trespassing – enter the owner's land or property without permission.
- f. Euthanize – put a living thing specially a dog to death humanely
- g. Adoption – the action or fact of taking legally the ownership of a pet dog
- h. Auction – a public sale in which a dog is sold to the highest bidder.

Section 3. Scope. This ordinance shall cover the territorial jurisdiction of the municipality of Matag-ob, Leyte.





Section 4. Registration of Dogs. The Office of the Municipal Agriculturist shall be tasked to effect a municipal wide registration of dogs in consonance with the provisions of existing laws on Rabies Control.

Section 5. No Contact Policy. Is a policy that allows identification and determination of ownership of stray dogs as well as the utilization of CCTV, digital cameras and/or other gadgets or technology to capture videos and images to apprehend owners of stray dogs.

How does it work?

- a. The PNP shall identify the owner of stray dog, after which, a citation ticket shall be issued against the owner of the stray dog;
- b. The Punong Barangay and other authorized Barangay Officials shall also take full responsibility in identifying the owner of stray dogs in their respective barangays;
- c. To ensure the efficient and effective implementation of this ordinance, the Barangay Officials shall then be deputized to issue Citation Tickets to violators of this ordinance.
- d. After receiving the citation ticket, the owner of the stray dog shall then be given Five (5) Working Days to pay the administrative fine to the Municipal Treasurer's Office.

No other office shall be authorized to receive payments except the Municipal Treasurer's Office.

Section 6. Dog Bite Accountability. If a pet dog is involved in dog bite incident, then the owner and/or possessor of such pet dog shall be liable to shoulder the expenses incurred for the treatment of the dog bite victim.

In cases wherein the dog bite incident is due to trespassing, then the land owner and/or property owner is free from any liability/accountability.

Section 7. Barangay Share from Administrative fines. The Barangays comprising the municipality of Matag-ob shall be given 60% share from the income generated from administrative fines paid by violators of this ordinance.

Section 8. Formulation of Implementing Rules and Regulations. The Office of the Municipal Agriculturist in coordination with PNP, Office of the Municipal Health and other line agencies shall be assigned to formulate the Implementing Rules and Regulations so that a mechanism shall be established for the supervision, monitoring and reporting for the effective and efficient implementation of this ordinance.



Section 9. Impounding of Stray Dog. Only dogs that have no established and/or identified owner will be impounded and put in the dog pound.

1) The impounded stray dog shall be kept in the dog pound for Five (5) days, after which, it shall be disposed of in the foregoing manner, whichever is applicable if no owner comes forward to claim the dog:

- a. Auction off with a starting bid of Two Hundred Pesos (P200.00), each bid increment shall be not less than Twenty Pesos (P20.00);
- b. Adoption;
- c. Euthanize.

2) Pet owners whose pet dog is detained in the dog pound shall be caused to pay an impounding fee of ₱50.00 per head per day in addition to the administrative fines that the pet owner must pay for violating the provision of this ordinance.

Section 10. Establishment of Dog Pound. A dog pound shall be established to house stray dogs that will not be redeemed by their respective owners immediately, or those dogs that have no established owner.

The dog pound shall be designed in coordination with the office of the Municipal Engineering, the Office of the Municipal Agriculturist and the Office of the Municipal Health.

It shall be manned and operated by a personnel hired by the LGU for the purpose and the personnel therein shall undergo the trainings to capacitate him of his official duties and functions.

Section 11. Adoption Process. Adoption process for stray dogs housed in the Municipal Dog Pound.

- a) Submit an application for adoption;
- b) Go through an interview with the Dog Pound Administrator;

The Dog Pound Administrator shall be delegated to formulate and reproduce the Adoption Application Form.

Section 12. Auction Process. Before the start of the auction, potential buyers shall be allowed a preview period to check the dogs on sale and examine their condition. The preview period may be announces as being on the day of the auction, a few hours before it starts. Once potential buyers are done viewing all the dogs for auction, they must register with the auctioneer. The registration process requires the buyer's details like phone number, address and a valid identification card. Each registered bidder shall be given a bidder card with a number that is used to identify the participants.

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The auction shall then start with the auctioneer giving a brief description of the dog for sale and starts the bidding at P200. The bidders will now call out their price. Each bid increment shall be at P20.00.

The process ends when there are no more bids, and the buyer making the highest bid gets the dog on sale. The highest bidder takes ownership of the dog immediately after paying his bid price.

Section 13. Euthanization for dogs. Euthanasia is an overdose of barbiturates that will stop a dog's heart. The fluids are administered through an intravenous catheter or an injection and it is painless when properly done, hence, before administering the barbiturates, the dog should first be given sedatives to calm the dog.

This procedure shall be administered by an expert in coordination with the office of the Municipal Agriculturist and the Municipal Health.

Section 14. Penalty Clause. Any person found violating any provision of this ordinance shall be penalized as follows:

- a. First Offense – a fine of 500
- b. Second Offense – a fine of 1,000
- c. Third Offense – a fine of 2,000 or imprisonment of Five (5) days, or both such fine and imprisonment upon the discretion of the court.

Section 15. Separability Clause. If for any reason, any provision of this ordinance is found unconstitutional or contrary to law, the other provisions not affected thereof shall continue to be in full force and effect.

Section 16. Repealing Clause. Municipal Ordinance No. 76 s. 2018, entitled "AN ORDINANCE IMPOSING FEES AND CHARGES FOR OWNERS OF ASTRAY ANIMALS AND FOWLS WITHIN THE POBLACION OF THE MUNICIPALITY OF MATAG-OB, LEYTE.", is hereby modified accordingly.

Section 17. Effectivity Clause. This ordinance will take effect 15 days upon approval.

PASSED AND ENACTED on September 19, 2022 by the Sangguniang Bayan assembled.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance



PM
ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian

ATTESTED:

[Signature]
HONORABLE ROMEO N. ALBARIDA
Senior SB Member

[Signature]
HONORABLE ARTEMIO T. ALMOROTO
SB Member

[Signature]
HONORABLE JOEL N. DENOY
SB Member

[Signature]
HONORABLE EVANGELINE C. CARNO
SB Member

[Signature]
HONORABLE ORLANDO G. VIACRUSIS
SB Member

[Signature]
HONORABLE EDUARDO E. TOLEDO
SB Member

[Signature]
HONORABLE PAOLO ANTONIO C. LAURENT
SB Member (ABSENT)

[Signature]
HONORABLE RICARDO L. GIVA
SB Member

[Signature]
HONORABLE RODOLFO N. SUÑIR
Ex-Officio Member, LnB President

[Signature]
HONORABLE MARTIN LUTHER P. VELARDE
Ex-Officio Member, SK Federation President
(ABSENT)

[Signature]
HONORABLE VINCENT LYNBERN P. TACOY
Municipal Vice-Mayor
Presiding Officer

APPROVED:

[Signature]
HONORABLE BERNANDINO G. TACOY
Municipal Mayor

Date Signed: 10-03-22



Republic of the Philippines
Province of Leyte
Municipality of Matag-ob
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OFFICE OF THE SECRETARY TO THE SANGGUNIAN

CERTIFICATION

THIS IS TO CERTIFY that copies of the **MUNICIPAL ORDINANCE NO. 132** Series 2022 entitled: "AN ORDINANCE ENFORCING THE ANTI-STRAY DOG ORDINANCE IN THE MUNICIPALITY OF MATAG-OB, LEYTE", have been posted in three conspicuous places within the Municipality since August 22, 2022.

This certification is issued in compliance with Section 59 of R.A. 7160, otherwise known as the Local Government Code of 1991.

Issued this 5th. Day of October, 2022.


ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian