



OFFICE OF THE SANGGUNIANG BAYAN

Municipal Building, Poblacion, Bulalacao, 5214, Oriental Mindoro

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE 10TH SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO HELD ON JUNE 15, 2020 AT THE SANGGUNIANG BAYAN SESSION HALL

PRESENT:

- Hon. Ramon G. Magbanua Municipal Vice Mayor/Presiding Officer
Hon. Dexter R. Gonzales Sangguniang Bayan Member
Hon. Dennes M. Faner Sangguniang Bayan Member
Hon. Edezer F. Aceron Sangguniang Bayan Member
Hon. German S. Acosta Sangguniang Bayan Member
Hon. Kieven E. Cantos Sangguniang Bayan Member
Hon. Jess V. Sapungan Sangguniang Bayan Member
Hon. Elpidio N. Contreras, Jr Sangguniang Bayan Member
Hon. Edwin C. Aceron Sangguniang Bayan Member
Hon. Enrico C. Villas Pangulo, Liga ng mga Barangay
Hon. Tulay M. Caring IPM Representative
Hon. Kim Jonh Elco E. Cantos SK Federation President

ABSENT: NONE

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MUNICIPAL ORDINANCE NO. 20-06-269

AN ORDINANCE PROHIBITING STRAY ANIMALS IN PUBLIC PLACES WITHIN THE MUNICIPALITY OF BULALACAO, ORIENTAL MINDORO, AUTHORIZING FOR THIS PURPOSE THE ESTABLISHMENT AND OPERATION OF BULALACAO ANIMAL POUND AND THE COLLECTION OF FEES FOR THE PROPER USE AND MAINTENANCE THEREOF, AND FOR OTHER PURPOSES

Sponsor and Author
Sangguniang Bayan Member DEXTER R. GONZALES

Sponsors:
Sangguniang Bayan Member EDEZER F. ACERON
Chairperson, Committee on Legal Matters
Sangguniang Bayan Member GERMAN S. ACOSTA
Chairperson, Committee on Public Safety

Co-Sponsor:
Sangguniang Bayan Member EDWIN C. ACERON

WHEREAS, the 1987 Constitution provides that the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy;

WHEREAS, Republic Act No. 7160 or the Local Government Code of 1991 mandates that "Every local government unit shall have the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare." The same law provides that local government units shall ensure and promote health and safety, maintain peace and order, and preserve the comfort and convenience of their inhabitants within their respective territorial jurisdictions;

Vertical list of names and signatures on the right margin, including: HON. JESS V. SAPUNGAN, HON. KIEVEN E. CANTOS, HON. TULAY M. CARING, HON. GERMAN S. ACOSTA, HON. KIM JONH ELCO E. CANTOS, HON. EDEZER F. ACERON, HON. ENRICO C. VILLAS, HON. DENNES M. FANER, HON. EDWIN C. ACERON, HON. DEXTER R. GONZALES, HON. RAMON G. MAGBANUA, HON. ELPIDIO N. CONTRERAS, JR., HON. ERNILLO C. VILLAS.

WHEREAS, stray animal bite could inflict rabies virus and other infections to the victim while animals straying in public roads and places could cause accidents thereby endangering limbs, lives and properties;

WHEREAS, animals should be provided with proper care, shelter, and sustenance as emphasized by Republic Act No. 8485 or the Animal Welfare Act of 1998 as amended by Republic Act 10631, and other related laws and issuances;

WHEREAS, local policies pertaining to animal protection and stray animal prohibition must be formulated and strictly implemented to ensure that welfare and safety of human and animal alike is always upheld and observed;

WHEREAS, Section 447 of Republic Act No. 7160 or the Local Government Code of 1991 mandates the sangguniang bayan, as the legislative body of the municipality, to enact ordinances, approve resolutions, and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of that Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of that Code;

NOW THEREFORE, be it enacted by the Sangguniang Bayan of Bulalacao, Oriental Mindoro, that:

Section 1. Short Title. This ordinance shall be also known as "The 2020 Stray Animal Prohibition Ordinance of Bulalacao".

Section 2. Statement of Policy. It is the policy of the Local Government Unit of Bulalacao (LGU of Bulalacao) to maintain safety and orderliness in public places and to protect, promote health and welfare of, and provide proper care and management for pets and all other animals.

Section 3. Definition of Terms. As used in this ordinance the following terms shall mean:

- a. **Animal registry** shall refer to the record of identity and ownership of an animal with corresponding registration fee.
- b. **Animal owner** shall refer to any person, association, institution, or agency who or which has possession and control of an animal registered or not in the name of such person, association, institution, or agency.
- c. **Barangay Animal Pound Center (BAPC)** shall refer to the impounding center which shall be established, managed and maintained by the sangguniang barangay in each of the fifteen (15) barangays of the municipality in close coordination and partnership with BAP.
- d. **Bulalacao Animal Pound (BAP)** shall refer to the fixed enclosure with personnel and facilities for temporary keeping of stray animals, operated by the LGU of Bulalacao.
- e. **Rabies** shall refer to the viral disease that causes inflammation of the brain in humans and animals.
- f. **Roads and public places** shall refer to highways, roads, streets, alleys, bridges, vacant or open public spaces, parks, schools, ports, markets, government compounds and grounds, and other similar structures and facilities used by the public.
- g. **Stray animal** shall refer to any animal such as but not limited to pig, dog, cat, poultry, goat, horse, cow, and carabao at loose or elsewhere roaming around within the municipality, or tethered along public roads and places.

HON. JESS V. SORUNGAN  
PELUPA UYAZ

HON. KUMAR E. CANTOS  
HON. THOMAS C. RING

HON. GERARDO S. ROSITA  
HON. JIM JIMELCO E. CANTOS

HON. EDEBERTO ACERON  
HON. ENRICO C. VILLAS

HON. DENNIS M. FANER  
HON. EDWIN C. ACERON

HON. DEXTER B. GONZALES  
HON. FELICIANO TORRESAS, JR.

HON. RAFAEL M. MAGBANUA  
HON. ERNAN C. VILLAS

h. **Vaccination** shall mean inoculation of standard rabies vaccine or other serum or attenuated vaccines into the animals; it shall also mean immunization.

**Section 4. Prohibited Acts.** Prohibited acts shall include the following:

- a. Letting an animal or pet roam around elsewhere in public places within the municipality without the owner's company;
- b. Tethering of animals along roads and in public places;
- c. Opposing, resisting, or interfering with pound personnel in relation to the performance of duties for effective pound operation; and
- d. Maltreatment, torture, poisoning or inflicting any form of suffering or harm to any impounded animal.

**Section 5. Establishment of Bulalacao Animal Pound.** There shall be established an animal impounding area in the municipality to be officially named as Bulalacao Animal Pound (BAP). It shall be exclusively used as the temporary shelter for all seized stray animals and shall be situated in accessible area within the municipality, with an environment conducive to animal health and safety. Such area shall be determined and designated by the Municipal Mayor pursuant to the municipality's zoning ordinance.

The BAP shall be managed and operated by the Veterinary Unit or Livestock Unit or its equivalent under the Municipal Agriculture Office and shall be provided with vehicles, facilities, materials, equipment, gadgets, personal protective equipment, supplies, furniture, and fixtures necessary to properly carry out the purposes and functions of an animal pound. Funds for its personnel, maintenance and operating expenses, and capital outlay shall be appropriated yearly.

Each of the 15 sangguniang barangays in this municipality shall establish a BAPC and shall provide necessary operational requirements and guidelines in accordance with this Ordinance.

**Section 6. Organizational Arrangements.** The following organizational arrangements shall be upheld, observed, and respected:

- 1. The following persons shall have the authority to seize and impound stray animals:
  - a. BAP employees and workers;
  - b. Deputized enforcers;
  - c. Barangay tanods; and
  - d. Barangay Peacekeeping Action Team (BPAT) members
- 2. Personnel of Veterinary Unit or Livestock Unit or its equivalent under the Municipal Agriculture Office shall man the BAP and shall be designated to act as
  - a. Pound Supervisor who shall:
    - a.1. direct the over-all operation of the BAP;
    - a.2. supervise all other personnel in the BAP;
    - a.3. coordinate for the registration of all animals in Bulalacao;
    - a.4. spearhead the conduct of information dissemination pertinent to the mandate and operation of BAP, pertinent laws and regulations, and implementation of related programs, projects, and services;
    - a.5. issue certificates of animal registration upon applicant's compliance to requirements and payment of applicable fees;
    - a.6. coordinate for the continuous improvement of BAPCs in accordance with operational standards and legal parameters;

HON. JESSA SAPUNGAN  
 HON. KIEVA CANTOS  
 HON. JULIAN M. CARING  
 HON. GERMAY S. ACOSTA  
 HON. KIM JOHN ILCO E. CANTOS  
 HON. EDEZEF ACERON  
 HON. ENRICO C. VILLAS  
 HON. DENNIS M. FANER  
 HON. EDWIN C. ACERON  
 HON. DEBERT GONZALEZ  
 HON. ELVIDIO CONTRERAS, JR.  
 HON. ERIBON EL MAGBANUA  
 HON. ERNILDO C. VILLAS

- a.7. coordinate with the MAO, local veterinarian, Provincial Veterinary Office, and other agencies, offices, and individuals to pursue programs, projects, and services of BAP; and
- a.8. perform other functions as may be required by authorities

b. Pound Assistant shall:

- b.1. supervise the seizing and impounding of stray animals;
- b.2. assist the Pound Supervisor in the performance of functions;
- b.3. maintain and keep animal registry and other records pertinent to the operation of the BAP;
- b.4. process animal registration, impoundment, and release;
- b.5. conduct periodic inspection on all BAPCs;
- b.6. conduct vaccination on impounded animals, if necessary; and
- b.7. perform other functions as may be required by authorities

c. BAP Workers shall:

- c.1. seize or catch stray animals;
- c.2. identify, locate, and inform the owners of captured animals to arrange immediate release;
- c.3. maintain sanitation and cleanliness of pens and pound premises;
- c.4. conduct regular vaccination against rabies and other animal diseases;
- c.5. feed animals and provide the necessary care and management requirements;
- c.6. conduct information and education campaign on basic pet/animal care and management tips; and
- c.7. perform administrative works and other functions as may be required by authorities

BAP Workers shall be appointed at the ratio of two per pound vehicle for every eight (8) hours of service.

The punong barangay shall assign equivalent workers or accept volunteers in the BAPC.

**Section 7. Animal Impoundment.** The following policies shall be observed, upheld, and respected:

- a. All stray animals or animals tethered along roads and in public places shall be seized and impounded at the BAP or BAPC until the proper release to the lawful claimants or owners;
- b. Impoundment period shall not exceed three (3) days including Saturdays, Sundays, and holidays, except when impoundment for more than the prescribed period is necessarily called for by medical reasons and other justifiable circumstances, in which case the animal owner shall be duly advised;
- c. All impounded animals shall be provided with proper care, shelter, and sustenance;
- d. Animals which have died within the impoundment period shall be disposed of according to proper veterinary and health procedures. The BAP or BAPC shall not take any responsibility for any animal death except when such death can be proven to have been due to neglect or deliberate cruelty on the part of any of BAP or BAPC personnel, worker, or volunteer;
- e. No wildlife, exotic or endangered animal seized while wandering in public places shall be subject to impoundment but, right upon capture, such animal shall be forthwith committed for proper care and custody to the Department of Environment and Natural Resources (DENR), except

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HON. GERMAN S. ACOSTA  
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HON. EDEZER F. ACERON  
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HON. DENNIS M. FANER  
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HON. RAMON G. MAGBANUA  
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when upon capture said animal is found to have been exhibiting symptoms of communicable diseases, then the same shall be managed or euthanized pursuant to Department of Agriculture Administrative Order No. 21 Series of 1999 pertaining to the Code of Conduct in the Euthanasia for Pets/Companion Animals and Slaughter of Animals for Food, and other pertinent laws and issuances;

- f. Within twelve (12) hours from actual impoundment, BAP or BAPC workers or volunteers shall identify, locate, and inform the owner of an impounded animal;
- g. When no animal owner shall have been identified and located, the impounded animal, ipso facto, shall be deemed abandoned and be properly disposed in accordance with the provisions of Section 8 of this Ordinance;
- h. The Pound Assistant shall maintain, update, and keep a list of all impounded animals at the BAP or BAPC, recording descriptions which include the kind, breed, color, unique markings, among others;
- i. The owner shall redeem the impounded animal upon payment of necessary fees and incidental charges, after anti-rabies vaccine and necessary immunization shall have been administered, and after an orientation on proper care and management of animals shall have been given;
- j. With no operational BAP or BAPC, impoundment and other provisions of this Ordinance shall not be implemented; and
- k. The owner of stray animals or of animals tethered along roads and in public places shall bear medical and other expenses in connection with bites made or accidents caused by such animals.

The BAP or BAPCs shall issue additional guidelines on animal impoundment as maybe necessary.

**Section 8. Disposition of Impounded Animals.** The following rules shall govern the disposition of animals impounded at the BAP or BAPC.

- a. Unclaimed animals at the pound, ipso facto, shall 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 signifies any intention to adopt, the LGU of Bulalacao's Veterinarian or its equivalent shall have the right to cause such abandoned animal to be sold at a public auction, provided such action shall be in conformity with provisions of Republic Act No. 8485 or the Animal Welfare Act of 1998 as amended by Republic Act 10631, and other related laws and issuances;
- c. Abandoned animals exhibiting symptoms of communicable diseases shall be euthanized pursuant to Department of Agriculture Administrative Order No. 21 Series of 1999 pertaining to the Code of Conduct in the Euthanasia for Pets/Companion Animals and Slaughter of Animals for Food, and other pertinent laws and issuances;
- d. Abandoned animals eligible for adoption or auction, before its release to any interested or winning party, shall be administered with anti-rabies vaccine or the necessary immunization. Deliberate omission or neglect on the part of the personnel-in-charge to perform this responsibility shall subject such person to administrative and/or criminal sanctions; and

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PENNY LAJAZ

HON. KIEVE CANTOS  
HON. JUCKY M. CARRING

HON. GERMAN S. ACOSTA  
HON. JOHN ALCO E. CANTOS

HON. EDEFER E. ACERON  
HON. ENRICO C. VILLAS

HON. DENNIS M. FANER  
HON. EDWIN C. ACERON

HON. DEXTER GONZALES  
HON. ELPIDIO N. CONTRERAS, JR.

HON. FAUSTO M. MAGBANUA  
HON. ERNESTO C. VILLAS

e. No abandoned animals shall be eligible for adoption or auction or euthanasia without the approval of the LGU of Bulalacao's Veterinarian or its equivalent;

**Section 9. Animal Registration and Tagging.** All dogs, cats, and other pets/animals shall be registered and tagged in BAP or in BAPCs. The owner shall fill-out the registration form and pay the registration fee pursuant to Section 11 of this Ordinance. Such registration form shall be approved by the Pound Supervisor.

Tags prepared or fabricated by the BAP or BAPC shall be issued to the owner who shall attach it to the collar or harness of the animal whenever practicable. Such tags shall contain the following information:

- a. Name and address of the owner/harboree;
- b. Date of vaccination/immunization;
- c. Serial number of animal tag; and
- d. Breed, age, color, and sex of the animal

The animal tag shall be made of durable material and shall be of different color for each year.

Other identification system may also be used by the BAP and BAPCs such as but not limited to identification card, vaccination card, or ear tattooing.

The BAP or BAPCs shall issue guidelines on registration and tagging procedures.

**Section 10. Immunization or Vaccination.** The BAP and BAPCs shall make efforts for regular animal vaccination/immunization subject to standard procedures. Certificates of vaccination/immunization shall be issued and shall be a requirement for animal registration and tagging.

**Section 11. Fees.** The Municipal Treasury Office (for BAP operation) or the Barangay Treasurer (for BAPC operation) shall collect and issue corresponding official receipts on the following:

- a. Registration fee for every animal - PhP 100.00;
- b. Tag fee for every animal - PhP 50.00;
- c. Impoundment or custody fee for a small animal - PhP50.00 for every day;
- d. Impoundment or custody fee for a large animal - PhP 200.00 for every day;
- e. Impoundment extension fee - PhP 50.00 for each day of default after the lapse of three (3) days within which an owner is allowed to redeem an impounded small animal;
- f. Impoundment extension fee - PhP 200.00 for each day of default after the lapse of three (3) days within which an owner is allowed to redeem an impounded large animal;

Fees and other proceeds collected and accumulated in connection with the enforcement of this Ordinance shall be held in trust by the LGU of Bulalacao or barangay LGUs and shall be used only for the procurement of vaccines, tags, and other priority purchases or for the implementation of programs, projects, and services relative to BAP and BPAC operation and maintenance. Allocation and disbursement of said funds shall be done in accordance with pertinent provisions of Chapter 2, Title V of R.A. No. 7160 or the Local Government Code of 1991 and other applicable laws, rules and regulations.

Ordinance No. 16-12-169 entitled "Ordinance Imposing Fees For The Registration Of Private Brand And Registration Of Cattle, Horse, Mule, Donkey, And Carabao, And Other Related Fees In Bulalacao, Oriental Mindoro" shall remain valid and in effect.

HON. JESS V. SAPUNGIN  
 HON. KIEVIN P. CANTOS  
 HON. TULYAN M. CANTOS  
 HON. GERARDO S. ASOSTA  
 HON. KIM HONG ELCO E. CANTOS  
 HON. EDEZER F. ACERON  
 HON. ENRICO C. VILLAS  
 HON. DENNIS M. FANER  
 HON. EDWIN C. ACERON  
 HON. DEXTER A. GONZALES  
 HON. ERNILLO VILLAS  
 HON. RAFAEL M. MAGBANUA  
 HON. ELIDION CONTRERAS

**Section 12. Penalty Clause.** Violation of Section 3 particularly statements a, b, and c, of this Ordinance shall subject the animal owner to the following fines:

For large animals:

- a. one thousand pesos (PhP 1,000.00) for first offense;
- b. one thousand five hundred pesos (PhP 1,500.00) for second offense; and
- c. two thousand pesos (PhP 2,000.00) for third and succeeding offenses

For small animals:

- a. two hundred pesos (PhP 200.00) for first offense;
- b. four hundred pesos (PhP 400.00) for second offense; and
- c. six hundred pesos (PhP 600.00) for third and succeeding offenses

Violation of statement d of Section 3 of this Ordinance shall be penalized pursuant to Republic Act No. 8485 or the Animal Welfare Act of 1998 as amended by Republic Act 10631.

If the offense is committed by an association, institution, agency, or other juridical entity duly organized in accordance with law, the chief executive officer, president, head of agency, or general manager shall be held liable.

Cancellation, suspension, or non-renewal of business permit may be imposed if the violator is a business operator.

**Section 13. Fund and Administrative Provisions.** The Municipal Agriculture Office and the Municipal Information Office or the equivalent unit under the Office of the Municipal Mayor shall disseminate the contents of this Ordinance.

The Municipal Budget Office shall ensure the appropriation of at least three hundred thousand pesos (PhP 300,000.00) for the maintenance and other operating expenses of the Veterinary Unit or Livestock Unit or its equivalent under the Municipal Agriculture Office for the implementation of this Ordinance starting year 2021 and for every year thereafter. Annual appropriation for capital outlay and personnel services shall be also provided based on recommendations by the Veterinarian or its equivalent.

Disbursement shall only be allowed upon presentation of necessary documents as may be required by the Municipal Accounting Office.

Any official, officer, employee, or worker of the LGU of Bulalacao who shall disregard or neglect the implementation of this Ordinance shall be administratively dealt with and such shall be a ground for a disciplinary action subject to pertinent provisions of applicable policies, rules, and laws.

**Section 14. Repealing Clause.** Kautusan Bilang 18-08-212 entitled "Kautusang nag-aatas na talian at ikulong ang mga alagang hayop at pagpataw ng kaparusahan sa mga paglabag" is hereby repealed.

All other local ordinances inconsistent with the provisions of this Ordinance are hereby modified accordingly.

Higher laws or policies inconsistent with the provisions of this Ordinance shall prevail.

**Section 15. Separability Clause.** If any provision of this Ordinance is declared invalid, the remainder or any provision hereof not affected thereby shall remain in force and effect.

HON. JESS V. SAMPAGAN  
 HON. KIEVINZ CANTOS  
 HON. GERMANS DEBOSTA  
 HON. EDIEZEL F. ACERON  
 HON. DENNIS M. FANER  
 HON. DEXTER R. GONZALES  
 HON. ROY E. MAGBANUA  
 HON. ERNIL VILLAS  
 HON. TIGAY M. CARRING  
 HON. NIM JONH ELIO E. CANTOS  
 HON. ENRICO C. VILLAS  
 HON. EDWIN C. ACERON  
 HON. ELADIO N. TORRESAS, JR.  
 HON. ERNIL VILLAS

**Section 16. Effectivity.** This Ordinance shall take effect immediately after fifteen (15) days of posting of its approved copy in bulletin board at the entrance of the municipal hall and in at least two (2) other conspicuous places in the Local Government Unit of Bulalacao.

**ENACTED** this 15<sup>th</sup> day of June 2020 Bulalacao, Oriental Mindoro.


  
**Hon. DEXTER R. GONZALES**  
Sangguniang Bayan Member

  
**Hon. DENNESS M. FANER**  
Sangguniang Bayan Member

  
**Hon. EDEZER F. ACERON**  
Sangguniang Bayan Member

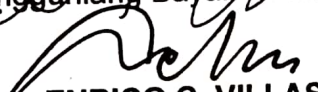
  
**Hon. GERMAN S. ACOSTA**  
Sangguniang Bayan Member

  
**Hon. KIEVEN E. CANTOS**  
Sangguniang Bayan Member

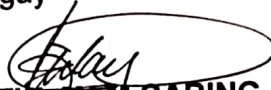
  
**Hon. JESS V. SAPUNGAN**  
Sangguniang Bayan Member

  
**Hon. ELPIDIO N. CONTRERAS, JR.**  
Sangguniang Bayan Member


  
**Hon. EDWIN C. ACERON**  
Sangguniang Bayan Member

  
**Hon. ENRICO C. VILLAS**  
Pangulo, Liga ng mga Barangay

  
**Hon. KIM JONH ELCO E. CANTOS**  
SK Federation President

  
**Hon. TULAY M. CARING**  
IPM-Representative


**CERTIFIED TRUE AND CORRECT:**

  
**PERITA L. PAZ**  
Secretary to the Sangunian

**ATTESTED:**

  
**Hon. RAMON G. MAGBANUA**  
Municipal Vice Mayor/Presiding Officer

**APPROVED:**

  
**Hon. ERNILO C. VILLAS**  
Municipal Mayor  
Date Signed: 07-13-2020