

Republic of the Philippines
PROVINCE OF LA UNION

TANGGAPAN NG SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE JOURNAL OF THE 40th REGULAR SESSION OF THE 20th SANGGUNIANG PANLALAWIGAN OF LA UNION HELD AT THE SPEAKER PRO-TEMPORE FRANCISCO I. ORTEGA PROVINCIAL LEGISLATIVE BUILDING AND SESSION HALL, PROVINCIAL CAPITOL, CITY OF SAN FERNANDO, PROVINCE OF LA UNION ON APRIL 03, 2014

Hon. Aureo Augusto Q. Nisce..... Vice-Governor / Presiding Officer

PRESENT:

| | |
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| Hon. Francisco "Kit" C. Ortega, Jr. | Member |
| Hon. Jonathan Justo A. Orros | Member |
| Hon. Joaquin C. Ostrea, Jr. | Member |
| Hon. Reynaldo M. Mosuela | Member |
| Hon. Victoria L. Aragon | Member |
| Hon. Nancy Corazon M. Bacurnay | Member |
| Hon. Robert B. Madarang, Jr. | Member |
| Hon. Christian I. Rivera | Member |
| Hon. Ruperto A. Rillera, Jr. | Member |
| Hon. Bellarmin A. Flores II | Member |
| Hon. Alfredo Pablo R. Ortega | Member |

ABSENT:

Hon. Manuel "Mannix" R. Ortega, Jr...... Member (SL)

ORDINANCE NO. 051-2014

**PROTECTING AND PROMOTING ANIMAL WELFARE PURSUANT TO THE PROVISIONS OF
REPUBLIC ACT 8485 OTHERWISE KNOWN AS THE ANIMAL WELFARE ACT OF 1998**

Sponsor: Hon. Joaquin C. Ostrea, Jr.
Co-Sponsors: Hon. Francisco "Kit" C. Ortega, Jr.
Hon. Reynaldo M. Mosuela

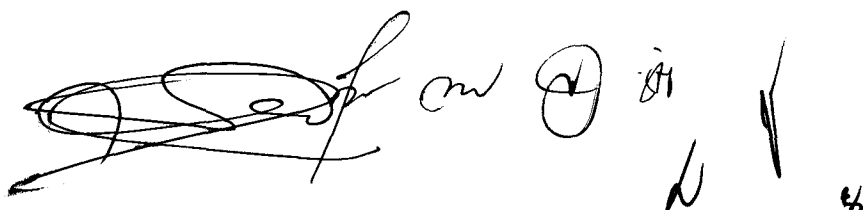
Section 1. Title. This Ordinance shall be known as an "Ordinance Protecting and Promoting Animal Welfare Pursuant to the Provisions of Republic Act 8485 Otherwise Known as the Animal Welfare Act of 1998.

Section 2. Declaration of Policy. Pursuant to Article II Section 2 of the 1987 Philippine Constitution, the Philippines generally adopts the accepted principles of international law as part of the law of the land and adheres to the policy of peace, equality, justice, freedom, cooperation, and amity with all nations. Part of its international commitments is respect to the sensitivity of the world community to certain practices unique to the country but are offensive to the accepted norms and conduct of the civilized world.

Hence, the Government of the Philippines is one of the signatories of the Universal Declaration on Animal Welfare in San Jose, Costa Rica and recognizes that "animals are living, sentient beings and therefore deserve due care and respect". Its principles provide that "animal welfare" shall be a common objective for all nation" and that "all appropriate steps shall be taken by nations to prevent cruelty to animals and to reduce their sufferings".

Section 3. Definitions – As used in this Ordinance, the following terms, words and phrases shall be construed to mean as follows:

- a. **Animal Welfare** – the avoidance of exploitation of animals by man by maintaining appropriate standards of accommodation, feeding and general care, the prevention



and treatment of disease and the assurance of freedom from unnecessary discomfort and pain.

- b. **Pound** – an establishment created by the City/Municipal Government where stray dogs are apprehended and confined for three (3) days before being redeemed by their owners or if unclaimed disposed of by approved methods. The pound must be accredited by the Animal Welfare Division of the BAI, as provided for by the Animal Welfare Law.
- c. **Responsible Pet Owner** – one who takes possession only of the number of pets he/she can afford to feed and gives proper care by giving clean, nutritious and sufficient food and water, bathing, cleaning its sleeping area, chaining or putting the pet in a cage and not allowing it to stray and having it vaccinated against dangerous communicable diseases.
- d. **Food Animal** – all domestic animals slaughtered for human consumption such as but not limited to cattle, carabao, buffaloes, horses, sheep, goats, hogs, deer, rabbits, ostrich and poultry.
- e. **Sentient Beings** – capable of experiencing pain and suffering.
- f. **Pet** – any animal owned and kept by human beings in the household or within the owner's private property.

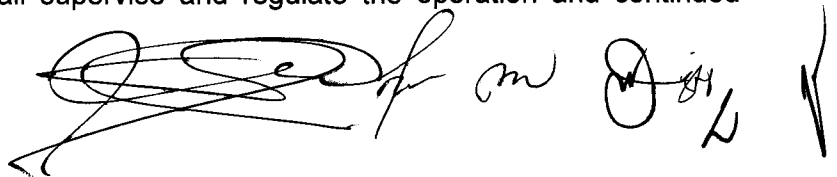
Section 4. Coverage – This ordinance is enacted to ensure the protection and promotion of the welfare of all animals found within the territorial jurisdiction of the Province of La Union, whether wild or domesticated, which are kept, bred, treated, trained either as objects of trade or as household pets. For purposes of this ordinance, the pet animal shall include birds.

Section 5. Requirement for Registration with the Bureau of Animal Industry – No person, association, partnership, corporation, cooperative or any government agency or instrumentality including slaughter houses shall establish, maintain and operate any pet shop, kennel, veterinary clinic, veterinary hospital, stockyard, corral, stud farm or stock farm or zoo for the breeding, treatment, sale or trading, or training of animals without first securing from the Bureau of Animal Industry a Certificate of Registration therefore.

Section 6. Responsibility of the owner of the facilities- The owner/operator of the slaughter houses, pet shops, kennels, veterinary clinic, veterinary hospital, stockyard, corral, stud farm, or stock farm or zoo shall ensure that their facility shall continue to be adequate, clean and sanitary and that the same will not be used for, nor cause pain/or suffering to the animals. Failure of the said owner/operator of the aforementioned facilities shall be a ground for the Provincial/Municipal/City Veterinarian or the Regional Animal Welfare Officer to issue an order directing the said owner/operator of the affected facilities to stop its operation/closure of the business after due process. The Municipal/City/Provincial Veterinarian or the Regional Animal Welfare Officer shall likewise recommend the cancellation of the Certificate of Registration issued to the establishment concerned without prejudice to the filing of the necessary action before the proper court or forum for violation of the pertinent provision of this ordinance or the Animal Welfare Act.

Section 7. Certificate of Registration with the Bureau of Animal Industry- A prerequisite for the issuance of a Business/Mayor's Permit – No animal facilities mentioned above shall be issued a business/mayor's permit unless a Certificate of Registration with the Bureau of Animal Industry- Animal Welfare Division shall have been obtained and presented. Any cancellation/revocation of such Certificate of Registration during its validity period shall likewise be a ground to revoke/cancel the business permit issued by the Municipal/City/Provincial Government.

Section 8. Supervision and Regulation- The Municipal/City/Provincial Veterinarian or his duly authorized representative shall supervise and regulate the operation and continued

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compliance of the owners of the above facilities with the provisions of this ordinance and the animal welfare law in coordination with the Bureau of Animal Industry or its Regional Animal Welfare Division located within the area of its jurisdiction. The City/Provincial Veterinarian shall actively enforce all laws and regulations for the prevention of cruelty to animals and promote their welfare. He shall have the power to inspect the above cited facilities to ensure that its owners/operators continue to comply with the provisions of the Animal Welfare Act and this ordinance. The Municipal/City/Provincial Veterinarian shall make the necessary recommendation to their Local Chief Executives all actions/programs necessary to promote animal welfare as well as the conduct of sustained information and education campaign.

Section 9. Municipal/City/Provincial Animal Welfare and Meat Inspection Services Division- There is hereby created a Provincial Animal Welfare and Meat Inspection Services Division under the Office of the Municipal/City/Provincial Veterinarian as mandated by Republic Act 10536, as amended. The said Division shall oversee, regulate and implement the provisions of RA 8485; to ensure the safety and quality of meat and meat products in their area of jurisdiction and of this ordinance and shall coordinate closely with the Bureau of Animal Industry or its Regional Offices to ensure the effective and positive implementation of the Animal Welfare Law. The Municipal/City/Provincial Veterinarian or its duly authorized representative shall submit a periodic report (quarterly/semi-annually) to the Municipal Mayor/City Mayor/Provincial Governor of the status and development of its programs for purposes of monitoring.

Section 10. Promotion of Animal Welfare and Respect to the Rights of Animals- It shall be unlawful for any person to torture any animal, to neglect to provide care, sustenance or shelter, or maltreat any animal or to subject any dog, horse or carabull's fights kill or cause or procure to be tortured, or deprived of adequate care, sustenance or shelter, or maltreat or use the same in research or experiments not expressly authorized by the Act/Ordinance.

Section 11. Care of Animals during transit- It shall be the duty of any owner or operator of any land, air or water public utility transporting pet, wildlife and all other animals to:

1. Provide, in all cases, adequate, clean and sanitary facilities for the safe conveyance and delivery thereof to their consignee at the place of consignment.
2. Provide sufficient food and water while in transit for more than twelve (12) hours or whenever necessary and while in temporary holding place while awaiting transport.
3. Provide maximum comfort while in transit and minimize, if not totally prevent, incidence of sickness and death.
4. Prevent any form of cruelty from being inflicted upon the animals.
5. Ensure that animals are not confined under cruel and inhumane condition such as but not limited to placing of animals on trunks or under false bottoms, cages not adequate considering the number and size of animals, insufficiently ventilated cages or spaces during transport and while in transit.
6. Prevent use of cruel restraint such as but no limited to trussing, use of tin cans, wire, plastic straw as well as other similar materials as muzzles.
7. Prevent subjecting/exposing the animals to extreme weather conditions.

Section 12. Care of Animals during trading or while in display, exhibit or sale – The above-mentioned duties shall likewise apply to the owner/operator of any transport facility or any animal facility when the animals are held or kept temporarily during trading, display, exhibit or sale.

Section 13. Shipping/Transport Permit – No public utility shall transport any animals without a written permit from the Director of the Bureau of Animal Industry or his/her authorized representative. Such transport permit shall be presented to the local police officer or to the Municipal/City/Provincial Veterinarian or any deputized officer or representative of the Bureau of Animal Industry when so required.

Section 14. Killing of Animals- The killing of any animal other than cattle, pigs, goats, sheep, poultry, rabbits, carabaos, horses, deer, and crocodiles is likewise hereby declared unlawful.

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Exceptions:

1. When it is done as part of a religious ritual of an established religion or sect or a ritual required by tribal or ethnic customs of indigenous cultural communities. The tribal leader however, is required to record and report thereof to the Municipal/City/Provincial Veterinarian.
2. When the pet animal is afflicted with an incurable communicable disease as determined by a licensed veterinarian.
3. When the killing is deemed necessary to put an end to the misery suffered by the animal and certified by a duly licensed veterinarian;
4. When it is done to prevent an imminent danger to the life and limb of a human being;
5. When done for the purpose of animal population control;
6. When the animal is killed after it has been used in an authorized research of experiments.
7. Any other ground analogous to the foregoing as determined by a licensed veterinarian.

In all the above cases including those of cattle, pigs, goats, sheep, poultry, rabbits, carabaos, horses, deer and crocodile, the killing of animals shall be done through humane procedures at all times.

For this purpose, humane procedures shall mean the most scientific methods available as maybe determined and approved by the Committees and contained in the Implementing Rules and Regulations.

Section 15. Transporting or trafficking of dogs and cats for slaughter and introduction of meats from non-food animals into the market or human food chain - It shall be unlawful for any persons, association, partnership or cooperation, cooperative or any government agency or instrumentality to trade or engage in the trading of dogs and cats as well as other animals not considered or defined as food animal by the National Meat Inspection Service for purposes of slaughter for food except when done as part of a religious ritual of an established religion or sect or a ritual required by tribal or ethnic customs of indigenous cultural communities as provided above and as provided under Section 6 (1) of RA 8485, when such animals are used as feast offerings. Eating of the meat of the animal offered or used for purposes of religious rituals or celebrations of an indigenous rural community shall however, be limited to those who participated in the said ritual or celebration and shall not in any way be offered for sale. No meat, carcass or parts thereof, or any by-products of animals not considered food animals such as those derived from dogs and cats, either raw or cooked shall be sold or offered for sale as food in any market, restaurant, groceries or any retail stores, clandestinely or openly. Slaughtering of non-food animals such as dogs and cats in the city/provincial/municipal abattoir or slaughter houses shall in no case be allowed.

Buying or purchasing dogs/cats for purposes of selling the same to the persons/group identified as engaging in the illegal dog/cat trade slaughter of the said animals for food shall likewise be penalized. A person or group of persons shall be considered as engaged in the illegal dog/cat trade when he fails to show necessary permits or authority to engage in the business of the animal transport or facility as defined under RA 8485 and the object of the buying is to sell/slaughter the said animals for food.

Section 16. Establishment of a City/Municipal Dog Pound – Cities and municipalities shall establish a “Public Dog Pound” which shall be maintained under the supervision of a licensed veterinarian, or any authorized/designated pound officer of the Office of the Municipal Agriculturist or of the Municipal/City Rabies Control Committee. The site of the City or Municipal Dog Pound shall be identified or determined by the Mayor.

Section 17. Responsibilities of Pet Owner - Every pet owner, custodian or caretaker are enjoined to be responsible and to take care of their pets. It shall be the owner’s duty to:

1. Register/License his pet;

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2. Immunize pets regularly against dangerous and communicable animal diseases;
3. Leash or cage pets and not allowing them to go astray;
4. Provide pets with adequate food, water, and shelter;
5. Monitor and report any abnormal behavior/temper and bite incidence;
6. Assume full liability whenever his pet has bitten a victim outside of his enclosed premises or whenever he lost control of his pet;
7. Participate in any activity to eradicate dangerous and communicable animal diseases and control of stray animals.

Section 18. Penalty – Any person found violating this Ordinance shall be penalized as follows:

1st Offense -Fine of PhP1,000.00 or imprisonment of one (1) month or both at the discretion of the court.

2nd Offense -Fine of PhP2,000.00 or imprisonment of two (2) months or both at the discretion of the court.

3rd Offense and succeeding offenses -Fine of PhP3,000.00 or imprisonment of three (3) months or both at the discretion of the court.

Section 19. Implementation – Within 90 days after the approval of this Ordinance, the Office of the Governor shall prepare the Implementing Rules and Regulations for the effective implementation of this Ordinance.

Section 20. Repealing Clause - Any ordinance/s thereof inconsistent herewith is hereby repealed or modified accordingly.


Section 21. Effectivity – This ordinance shall take effect after posting and publication as provided by law.

APPROVED.

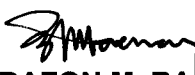
I HEREBY CERTIFY to the correctness of the foregoing ordinance.


DONATO A. RIMANDO
 OIC Secretary to the Sanggunian


ATTESTED:



AUREO AUGUSTO Q. NISCE
 Presiding Officer
 Vice-Governor

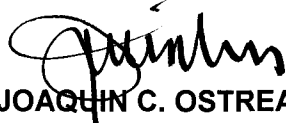

FRANCISCO "KIT" C. ORTEGA, JR.
 Sangguniang Panlalawigan Member


NANCY CORAZON M. BACURNAY
 Sangguniang Panlalawigan Member


JONATHAN JUSTO A. ORROS
 Sangguniang Panlalawigan Member


ROBERT B. MADARANG, JR.
 Sangguniang Panlalawigan Member





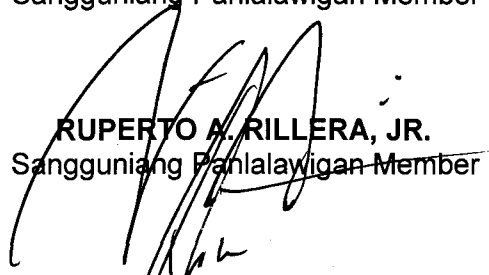
JOAQUIN C. OSTREA, JR.
Sangguniang Panlalawigan Member



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Sangguniang Panlalawigan Member



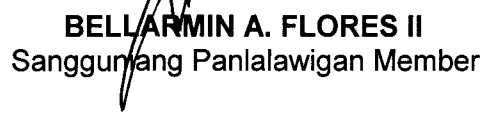
REYNALDO M. MOSUELA
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RUPERTO A. RILLERA, JR.
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VICTORIA L. ARAGON
Sangguniang Panlalawigan Member



BELLARMIN A. FLORES II
Sangguniang Panlalawigan Member



ALFREDO PABLO R. ORTEGA
Sangguniang Panlalawigan Member

APPROVED:


MANUEL C. ORTEGA
5006 Governor 