

MANILA TIMES
MAY 26, '06
p. A-6



Republic of the Philippines
CITY COUNCIL
Quezon City
16th City Council

45th Regular Session

ORDINANCE NO. SP-1638, S-2005
(PO2004-25/PO2005-252)

AN ORDINANCE REGULATING THE OWNERSHIP, POSSESSION, AND/OR KEEPING OF DOGS IN HOMES OR BUSINESSES, DEFINING CERTAIN PROHIBITED ACTS AND THE PENALTIES THEREFOR, AMENDING FOR THE PURPOSE ORDINANCE NO. 60 S-1947, AND FOR OTHER PURPOSES.

Introduced by Councilors BERNADETTE HERRERA-DY, ELIZABETH A. DELARMENTE, ROMMEL R. ABESAMIS, JOSEPH P. JUICO, WINSTON "Winnie" T. CASTELO, AIKO MELENDEZ, VOLTAIRE GODOFREDO L. LIBAN III, ALLAN BUTCH T. FRANCISCO, FRANZ S. PUMAREN, WENCEROM BENEDICT C. LAGUMBAY, DIORELLA MARIA SOTTO-DE LEON, ANTONIO E. INTON, JR., ALMA F. MONTILLA, JANET M. MALAYA, RESTITUTO B. MALANGEN and BAYANI V. HIPOL.

WHEREAS, dogs, which are stray, unleashed and/or not confined, pose a public health hazard as exemplified by the intolerable incidence of rabies caused by dog bites;

WHEREAS, Section 458 (4) viii) of Republic Act No. 7160, as amended, otherwise known as the Local Government Code of 1991, grants power to the City Council of each city to 'xxx regulate the keeping of animals in homes or as a part of a business, xxx';

WHEREAS, it is the bounded duty of the City Council to safeguard public health by regulating the possession, ownership, and/or keeping of dogs.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED:

SECTION 1. Registration. – Every resident of Quezon City, who owns, possesses, keeps and/or harbours a dog or dogs shall register the same with the City Veterinarian when the said dog/s reach the age of at least three (3) months. Such registration shall be renewed annually. For this purpose, the occupant of any premises, except a practicing veterinarian for dogs under his professional care, on which a dog remains or two which a dog customarily returns daily for a continuous period of ten (10) days, is presumed to be harbouring or keeping a dog within the meaning of this ordinance.

SECTION 2. Requirements. – An owner shall be required to:

2.1. Present a written proof of the rabies vaccination of the dog/s subject of the registration issued by the Quezon City Veterinarian Office, any other public veterinarian, his/her license number and the date and place of the vaccination.

2.2. Pay a registration fee of One Hundred Pesos (P100.00) per dog. The City Treasurer may adjust the registration fee beyond the One Hundred Pesos (P100.00) prescribed herein every five (5) years, considering applicable administrative costs, but each increase shall not go beyond thirty percent (30%) of the prevailing rate at any given time.

2.3. Present the Registration Certificate provided under Section 3 hereunder, if already previously registered.

SECTION 3. Registration Tag. – The City Veterinarian shall issue a registration tag to each registered dog, the same to be attached securely to the dog's collar or harness whenever the dog is not indoors or confined. It is presumed that a stray dog without the registration tag is not registered under this Ordinance and the pertinent provisions of this Ordinance shall therefore apply.

For this purpose, the City Veterinarian shall devise a system wherein the tags shall be traceable to the specific dog as well as the owner thereof, the same to be tamper-proof as possible.

The City Veterinarian shall further issue a dated document to the owner (to be referred to as the 'REGISTRATION CERTIFICATE') detailing the name, breed, colour, and sex of the dog, the trace number/letter of the registration tag and the name and address of its owner/keeper.

5.1. Allowing or permitting a dog, registered or unregistered, to run astray, unleashed, or outside the direct control of the owner/keeper.

5.2. Allowing or permitting a dog, registered or unregistered, repeatedly or habitually defecate or urinate in another person's property without the property owner's consent. The dog's defecation or urination for at least three (3) times within the span of fourteen (14) days shall be deemed habitual or repeated.

5.3. Keeping and/or harbouring any dog, which already exhibits the common and/or known symptoms of a rabid dog. For this purpose, the owner/keeper of a rabid dog shall immediately report the same to the City veterinarian or the nearest barangay hall for appropriate reposition.

5.4. Keeping and/or harbouring any dog, which has assaulted, bitten or attacked any person without provocation.

5.5. Keeping and/or harbouring any dog, which persistently barks, howls or

cries without any provocation resulting to the unreasonable deprivation of the peace and quiet of any person residing nearby.

5.6. Owning, keeping and/or harbouring any dog, which kills, wounds, or worries any other domestic animal without provocation.

SECTION 6. Impounding of Dogs and Disposal of Unclaimed Dogs. – In addition to any penalty herein after provided, the City Veterinarian, the City Health Officer, or their designated agents, shall capture, restrain, and/or confiscate any untagged dog, or any dog covered under Section 5, subject to the provisions of Section 7.

Any untagged dog shall be impounded and its owner shall be required to register the same, pursuant to the provisions of this Ordinance before it can be returned to its owner/keeper/claimant.

Any dog, whether tagged or untagged, which remains unclaimed for three (3) days after capture or impoundment, shall be disposed off by using the most humane methods, such as intravenous chemicals and firearms, approved by pertinent government regulations; provided that the three (3) day period for tagged dogs shall begin from the time notice of the dog's impoundment has been received by the registered owner or a responsible member of his/her household.

The owner or claimant of any impounded dog shall be obliged to pay a reasonable fee for the expenses necessary for the upkeep of the dog, while being impounded.

In all instances, the claimant shall be required to show proof of his/her ownership of the dog before the said animal can be released to him/her.

SECTION 7. Assistance of the Sangguniang Barangay. – Only the Office of the City Veterinarian shall implement the Registration aspect of this Ordinance and shall secure the assistance of the Barangay Officials concerned.

Where feasible, the City Veterinarian shall devise a system wherein the implementation of the other provisions of this Ordinance shall be devolved to the Barangay but shall at all times ensure that the purpose of this Ordinance shall be achieved.

For this purpose, the Barangay shall form a team, which shall implement this Ordinance, including a team of Dog Captors, which shall undergo training to be conducted by the City Veterinarian.

SECTION 8. Penalties. – Any violation of this Ordinance shall be punishable as follows:

8.1. A fine of double the current registration fee, provided for under Section 2, for an owner's/keeper's failure to register any dog covered hereunder.

8.2. A fine of One Thousand Pesos (P1,000) or imprisonment of not less than two (2) months and not over one (1) year or both fine and imprisonment, upon the discretion of the court for any other violation of this Ordinance and surrender the dog for disposition by the City Veterinarian for a violation of subsection 5.3, 5.4, and 5.6.

SECTION 9. Liability of Dog Owners. – In addition to the penalties provided under Section 8 above, every person who harbours or keeps a dog within the contemplation of this Ordinance shall be responsible for the damage which the animal may cause to a third party or property of a third party.

SECTION 10. Share of Barangays in the Fees/Charges Collected. – The proceeds of the fees/ charges collected by virtue of this Ordinance shall accrue to the general fund of the City government; provided, that the fees/charges actually and directly collected by the Barangay, through the Barangay Treasurer, shall be equally apportioned between the City and Barangay and accrue to their respective general funds.

SECTION 11. Appropriations. – The amount of Two Million Pesos (P2,000,000) shall be appropriated from any available City Funds for the purpose of implementing the provisions of this Ordinance. For succeeding Calendar Years, the budget for the implementation shall be included in the appropriations of the City Veterinarian's Office.

SECTION 12. Separability Clause. – If any provision or part hereof is held to be invalid or unconstitutional, other provisions hereof, which are not affected thereby shall remain valid.

SECTION 13. Repealing Clause. – Ordinance No. 60, S-1947, as well as any City Ordinance or parts thereof inconsistent herewith, are hereby repealed.

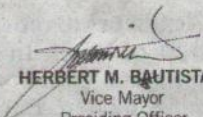
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
SECTION 14. Effectivity Clause. – This Ordinance shall take effect after fifteen (15) days from its publication in at least three (3) newspapers with circulation within the jurisdiction of Quezon City.

SECTION 15. Implementing Rules and Regulations. – The Honorable City Mayor, acting through the City Veterinarian and the City Health Officer, shall jointly formulate the Implementing Rules and Regulations of this Ordinance.

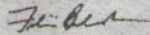
ENACTED: December 6, 2005.


HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

ATTESTED:



EUGENIO V. JURILLA
City Secretary

APPROVED: JAN. 16, 2006


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on December 6, 2005, was finally PASSED on Third/Final Reading by the City Council under Suspended Rules on the same date.


EUGENIO V. JURILLA
City Secretary

MT - May 26, 2006