



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
21st City Council

PO21CC-424

83rd Regular Session

ORDINANCE NO. SP-**3065**, S-2021

AN ORDINANCE AUTHORIZING THE CITY VETERINARY DEPARTMENT TO DEPUTIZE THE BARANGAY OFFICIALS IN QUEZON CITY AS BARANGAY ANIMAL CONTROL OFFICERS (BACO) WITHIN THEIR TERRITORIAL JURISDICTION, AND FOR OTHER PURPOSES.

Introduced by Councilor ERIC Z. MEDINA.

Co-Introduced by Councilors Bernard R. Herrera, Lena Marie P. Juico, Dorothy A. Delarmente, M.D., Tany Joe "TJ" L. Calalay, Nicole Ella V. Crisologo, Victor V. Ferrer, Jr., Winston "Winnie" T. Castelo, Atty. Bong Liban, Eden Delilah "Candy" A. Medina, Ramon P. Medalla, Mikey F. Belmonte, Estrella C. Valmocina, Franz S. Pumaren, Kate Galang-Coseteng, Matias John T. Defensor, Wencerom Benedict C. Lagumbay, Jorge L. Banal, Sr., Peachy V. De Leon, Imee A. Rillo, Marra C. Suntay, Irene R. Belmonte, Resty B. Malañgen, Hero M. Bautista, Patrick Michael Vargas, Ram V. Medalla, Marivic Co Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto-Antonio, Donato "Donny" C. Matias, Freddy S. Roxas and Noe Dela Fuente.

WHEREAS, under Section 15, Article II of the 1987 Philippine Constitution, it is one of the declared policies of the State "to protect and promote the right to health of the people and instill health consciousness among them";

WHEREAS, it has been observed that one of the pressing problems adversely affecting the health and safety of the city inhabitants is the proliferation of stray animals in the barangay which do not only cause inconvenience and fear, but also animosity among the neighborhood;

WHEREAS, innumerable complaints have been ventilated to the various Lupong Tagapamayapa and even the court against the owners of stray animals who are quite negligent in taking care of their domesticated or large cattle animals;

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WHEREAS, rabies, a highly fatal disease caused by a lyssa virus, can be transmitted through a bite by an infected animal or through contamination with virus-laden saliva on breaks in the skin and of mucous membranes such as the eyes, the lips, the mouth, or the genital organs;

WHEREAS, according to health authorities numerous patients died of rabies every year and the cases of rabies transmission in the Philippines continue to proliferate despite the government's relentless efforts to rid the country of the problem;

WHEREAS, to prevent the incidence of animal bites as well as the hazard of rabies transmission, various laws and local ordinances had been passed and the City Veterinary Department of Quezon City is regularly conducting mass animal or dog vaccination and the rescue of stray animals;

WHEREAS, due to limited number of personnel of the City Veterinary Department, the latter has difficulty of deploying animal control officers in every barangay, as well as closely monitoring all violation of animal control laws;

WHEREAS, in the interest of health and safety of the Quezon City residents, the City Government through Ordinance No. SP-1491, S-2005, deputizes the barangay officials of Quezon City to undertake the apprehension of all animals found to be wandering, straying or roving unattended in streets or public places;

WHEREAS, to further strengthen the city's rabies control program and to effectively enforce the existing animal control laws, there is a need to augment the presence of Animal Control Officers in the barangay;

WHEREAS, the barangay government, through its local chief executive, is mandated by law to assist the city government in the implementation of its projects and programs as well as in the enforcement of its city ordinances.

NOW, THEREFORE,

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

SECTION 1. AUTHORIZATION. - The City Veterinary Department, through its Department Head and upon the recommendation or endorsement of the Punong Barangay concerned, is hereby authorized to deputize the barangay officials of Quezon City as Barangay Animal Control Officers (BACO) within their territorial jurisdiction.

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SECTION 2. DEFINITION OF TERMS. - For the purpose of this Ordinance, the following terms shall be defined as follows:

- a) "Barangay Animal Control Officer or BACO" - refers to any elective or appointive barangay official duly deputized by the City Veterinary Department to enforce animal control laws.
- b) "Animal Control Laws" - refer to all laws, city ordinances, rules and regulations or local executive orders pertaining to animal control, care, breeding, treatment, cruelty, training and education, sale or trading, and other animal welfare related laws. It includes laws about stray animals, city pound or animal shelter, and rabies control.
- c) "Stray Animals" - refer to domesticated or large cattle animal/s roaming or loitering around the streets and other public place not on leash, unattended, unrestrained or no longer under the effective control of the owner/handler.
- d) "Domesticated Animal" - refers to animals that have an extensive relationship with, or have been genetically adapted over generations to live alongside humans such as dogs, cats, canine, chicken, and fowls.
- e) "Large Cattle" - refers to cow, carabao, horse, goat, sheep, pig, mule, ass, or other domesticated member of the bovine family.
- f) "Owner" - refers to any person keeping, harboring or having charge, care or control, custody or possession of the animal including his/her representative or handler.

SECTION 3. POWERS, DUTIES, AND FUNCTIONS. - The Barangay Animal Control Officers (BACO) shall have the following powers, duties and functions:

- a) Undertake apprehension for violation of animal control laws and issue the corresponding citation tickets;
 - b) Rescue and impound stray animals;
 - c) Enforce animal control laws;
 - d) Perform such other duties and functions as may be assigned or delegated by the City Veterinary Department.
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SECTION 4. SUPERVISION AND CONTROL. - The BACO shall be under the supervision and control of the City Veterinary Department. Accordingly, they shall submit an after-activity report to the said department within a period of five (5) days.

SECTION 5. NUMBER, TRAINING, AND DEPUTIZATION OF BACO. - Each barangay shall have at least three (3) BACO to be deputized, oriented or trained by the City Veterinary Department. Additional BACO may be deputized depending on the size and population of the barangay. Only the recommended or endorsed barangay officials by the Punong Barangay, with proper training from the City Veterinary Department, shall be entitled to deputization.

SECTION 6. UNLAWFUL RESISTANCE AND INTERFERENCE. - It shall be unlawful for any person to resist or interfere with the BACO in the performance of their duties and responsibilities. Unlawful resistance or interference shall be penalized in accordance with the provisions of the existing Quezon City Veterinary Code.

SECTION 7. SPECIAL ACCOUNT. - The fines and/or penalties collected in connection with the enforcement of this Ordinance or Animal Control Laws shall accrue to the Trust Fund of the Quezon City Government. The City Accountant shall keep and maintain a special account and all records related thereto.

SECTION 8. INCENTIVES. - The fines and/or penalties collected in connection with the enforcement of this ordinance or Animal Control Laws shall be distributed on a quarterly basis, as follows:

- a) Ten percent (10%) shall be given to the BACO concerned; and*
- b) Five percent (5%) shall accrue to the general fund of the concerned barangay.*

SECTION 9. INSTITUTION OF LEGAL ACTION RELATIVE TO CITATION TICKETS. - The violator shall be given five (5) days from the date of issuance of the citation ticket to pay the fine. Otherwise, the BACO or the issuing officer shall institute the necessary legal action before the City Prosecutor's Office with the assistance of the City Legal Department.

SECTION 10. SEPARABILITY CLAUSE. - If any part of this Ordinance is declared unconstitutional or invalid, the other provisions not affected thereby shall continue to be in full force and effect.

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SECTION 11. REPEALING CLAUSE. - For the purpose of this ordinance, Ordinance No. SP-1491, S-2005 is hereby declared inoperative or non-existing. Other city ordinances, resolutions, local executive orders, rules and regulations, and administrative issuances found to be inconsistent with or contrary to the provisions of this ordinance are hereby repealed, amended or modified accordingly.

SECTION 12. EFFECTIVITY CLAUSE. - This Ordinance shall take effect immediately upon its approval.

ENACTED: December 1, 2021.


GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:


Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

APPROVED: DEC 22 2021


MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on December 1, 2021 and was PASSED on Third/Final Reading on December 06, 2021.


Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

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