

53rd Regular Session

ORDINANCE NO. SP- 1661 , S-2006
(PO2006-28)

AN ORDINANCE AMENDING SECTIONS 3, 4(a) AND 6 OF ORDINANCE NO. SP-1631, S-2005 OTHERWISE KNOWN AS "AN ORDINANCE PROHIBITING THE SELLING OF ENDANGERED/EXOTIC ANIMALS IN MALLS AND OTHER ESTABLISHMENTS WITHIN THE TERRITORIAL JURISDICTION OF QUEZON CITY," SO AS TO INCLUDE THE DEPARTMENT OF AGRICULTURE (DA) AS ONE OF THE IMPLEMENTING AGENCIES, AND AUTHORIZING THE ENVIRONMENTAL PROTECTION AND WASTE MANAGEMENT DEPARTMENT (EPWMD) TO ISSUE AN ENVIRONMENTAL CLEARANCE OR PERMIT TO MALL AND OTHER ESTABLISHMENTS WHICH HAVE BEEN CLEARED AND FOUND DURING THE INSPECTION NOT SELLING ENDANGERED/EXOTIC ANIMALS.

Introduced by Councilors EDCEL B. LAGMAN, JR. and JORGE B. BANAL, JR.

Co-Introduced by Councilors Bernadette Herrera-Dy, Elizabeth A. Delarmente, Rommel R. Abesamis, Winston "Winnie" T. Castelo, Eric Z. Medina, Antonio E. Inton, Jr. and Restituto B. Malañgen.

WHEREAS, Section 4 of Republic Act No. 9147 states that, "Jurisdiction of the Department of Environment and Natural Resources (DENR) and the Department of Agriculture - xxx The DA shall have jurisdiction over all declared aquatic critical habitats, all aquatic resources including but not limited to all fishes, aquatic plants, invertebrates and all marine mammals, except dugong. xxx";

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WHEREAS, said provision underscores that the DA be included as one of the implementing arms. The coordination by the Quezon City government should not be limited to the DENR, EPWMD and Quezon City Police District;

WHEREAS, for monitoring purposes, there is, likewise, a need to authorize the Quezon City government through the EPWMD to issue Environmental Clearance or Permit to restaurants and similar establishments which have been cleared and found during inspection not selling endangered/exotic animals as food to its clientele.

NOW, THEREFORE,

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

SECTION 1. The provision of Section 3 of the above stated Ordinance is hereby amended to read as follows:

“Section 3. Program on Conserving and Protecting Endangered and Exotic Species – There shall be a comprehensive program to be formulated by the EPWMD in coordination with DENR, DA, and other line agencies of the government and the private sector concerned, within one (1) year from effectivity of this Ordinance, to conserve and protect selling, exploitation and abuse of endangered and exotic animals.”

SECTION 2. The provision of Section 4(a) of the same Ordinance is hereby amended to read as follows:

“Section 4. Selling of endangered/exotic animals shall be illegal except in the following cases:

“a. When the Secretaries of the DENR and DA issue permit, certification of clearance to qualified individuals or entities.”

SECTION 3. The provisions of Section 6 of the same Ordinance is hereby amended to read as follows:

“Section 6. The Environmental Protection and Waste Management Department (EPWMD), in coordination with the DENR, DA, and the QCPD, shall be mandated to deputize its personnel to conduct inspection of restaurants suspected of selling endangered/exotic animals as food to its clientele.”

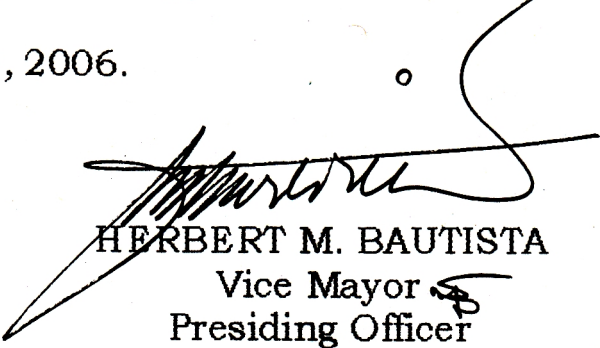
SECTION 4. The Quezon City government, through the EPWMD shall issue an Environment Clearance or Permit to restaurants and similar establishments which have been cleared and found during the inspection not selling endangered/exotic animals as food to its clientele.

SECTION 5. Repealing Clause - Any ordinance or provision thereof, rules, regulations and other issuance not consistent with this ordinance is hereby modified, amended and/or repealed accordingly.

SECTION 6. Separability Clause - If for any reason or reasons, any part of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions thereof not affected thereby shall continue to be in full force and effect.

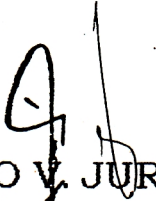
SECTION 7. Effectivity - This Ordinance shall take effect immediately upon its approval.

ENACTED: March 13, 2006.




HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

ATTESTED:



EUGENIO V. JURILLA
City Secretary


APPROVED: _____



FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on March 13, 2006, was finally PASSED on Third/Final Reading by the City Council on March 20, 2006.



EUGENIO V. JURILLA
City Secretary