



SANGUNIANG BAYAN OFFICE  
 ITOGON, BENGUET

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**EXECUTIVE ORDER NO. 01**  
 Series of 2021

**PROMULGATING RULES AND REGULATIONS TO IMPLEMENT MUNICIPAL ORDINANCE NUMBERED 31, SERIES OF 2020 OTHERWISE KNOWN AS THE ORDINANCE RESTRICTING STRAY ANIMALS LOITERING AND LITTERING WITHIN THE PUBLIC PLACES OF THE MUNICIPALITY OF ITOGON.”**

**WHEREAS**, in accordance with its mandate as provided under Section 447 (4) (viii) of the Local Government Code of 1991, the Sanguniang Bayan enacted Ordinance Number 31, series of 2020 which provide for the impounding of stray animals, discourage the presence of stray animals in public places through the imposition of fees and penalties to owners of impounded animals, provision of care to impounded animals and the manner of disposition thereof;

**WHEREAS**, for the proper enforcement and execution of the aforementioned ordinance, the promulgation or adoption of corresponding rules and regulation to implement the same is necessary;

**NOW THEREFORE**, by virtue of the powers vested in me as Local Chief Executive, I. ATTY. VICTORIO T. PALANGDAN, in my capacity as Municipal Mayor of the Municipality of Itogon, Province of Benguet hereby promulgate the following rules and regulations implementing Municipal Ordinance No. 31, series of 2020 of the Municipality of Itogon, to wit;

**RULE I- POLICY AND APPLICATION**

**Article 1. Title-** These rules shall be known and cited as the Rules and Regulations Implementing Municipal Ordinance Numbered 31, series of 2020.

**Article 2. Purpose-** These Rules are promulgated to prescribe the guidelines and procedures for the effective implementation of Municipal Ordinance No. 31, series of 2020 in order to facilitate compliance therewith.

**Article 3. Scope and Application-** These Rules shall apply to the entire Municipality of Itogon, its component barangays including GOCCS, NGAs and other public institutions operating within its territorial jurisdiction. It shall also apply to private subdivisions if the stray animal is found on open spaces such as roads, parks and playgrounds and the same is posing threat to the health, sanitation and safety of the inhabitants.

**Article 4. Definition of Terms** – When used in these Rules, the following terms shall mean, and shall be understood according to its corresponding definitions, to wit;

- a. **Animal:** shall refer to any domesticated pet such as dog, cat, poultry, rabbit, goat, sheep, swine/pig including large cattle such as cow, carabao and horse.
- Impounding Authorities:** shall refer to all local government officials and personnel of the national government charged with the duty to enforce national laws and ordinances. Consistent with the Ordinance, the impounding authorities shall include all barangay officials and members of the Philippine National Police to be assisted by the respective Barangay Peace Action Teams of every barangay.

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- c. Ordinance: shall refer to Municipal Ordinance No. 31, series of 2020.
- d. Owner: any person keeping, harbouring, having custody or control of any domesticated animal, or permitting the same to habitually remain on, or be lodged or fed within his yard or premises.
- e. Public places: shall refer to streets, sidewalks, parks, playgrounds, school campus and other places of public gatherings either enclosed or outdoors. It shall also include subdivision roads being utilized as public access for adjoining communities.
- f. Stray animal: shall mean any of the animals defined under these rules without being accompanied by its owner or tamer at loose or elsewhere wandering in public places within the territorial jurisdiction of the Municipality of Itogon.

**Article 5. Prohibited Acts.** It shall be unlawful for any person, natural or juridical, to wilfully or through negligence allow any of their animals to go astray in public places. *Provided further*, that it shall be unlawful for any impounding authority or their authorized representatives to maltreat, torture, inflict harm or cause pain and suffering to impounded animals. *Provided finally*, that it shall be unlawful for any person or impounding authority to kill or dispose any impounded animal in any manner not consistent with the procedures provided under these rules.

## **RULE II- IMPOUNDMENT, TREATMENT AND DISPOSITION OF STRAY ANIMALS**

**Article 6. Capture and Impoundment.** Any animal that has gone astray in public places shall be seized and impounded by the impounding authorities having territorial jurisdiction over the area.

**Article 7. Exercise of Due Diligence.** The impounding authorities and their authorized representatives shall ensure that no animal shall be injured or shall die while being captured, during transport and transfer of the same to the impounding areas. *Provided further*, that proper care and treatment shall be accorded to these animals from impoundment until release to its rightful owners. The impounding authority must ensure that the animals are well fed and nourished. Any sign of disease or weakening observed from an animal shall be reported immediately to the Municipal Agriculture Office for appropriate medical intervention.

**Article 8. Observance of Safety Standards During Operations.** The authorities conducting impounding operations must observe safety standards in capturing stray animals. Wearing of appropriate safety gears or PPEs is required to protect them from possible animal bites and injurious animal reactions. *Provided further*, that all operatives of the impounding authorities shall undergo regular anti- rabies vaccination to be administered by the Municipal Health Office.

**Article 9. Treatment and Isolation of Disease-infected Animals.** The Municipal Veterinarian shall inspect all impounded animals to observe its health conditions. Dogs infected with scabies and such other animals with known skin disease shall be separated from the others with no similar infections. Similarly, animals infected with other disease shall be separated from the healthy ones to avoid widespread. The Municipal Agriculture Office through the municipal veterinarian shall monitor the health conditions of impounded animals and shall be responsible in the treatment of sick animals.

**Article 10. Notification of Owners of Impounded Animals.** The impounding authorities, through the Punong Barangays shall immediately notify the owners that their animals are impounded and must be claimed by them within two (2) days from date of impoundment upon payment of the applicable fees prescribed under Section 6 of the Ordinance and Article 14 of these Rules. Otherwise, the impounded animal shall be disposed within fifteen days from date of notification. The notice must include the location of the impounding area, the corresponding fee to be paid by the owners and other



applicable penalties provided under the ordinance. The mode of notification shall be either through phone call, SMS, and/or written or verbal notification if owner is already identified. For impounded animals with unidentified owners, the Punong Barangay shall post the information containing the pictures of such animal in conspicuous places such as the barangay hall, tanod outposts, waiting sheds, PNP ComPAC and in social media pages.

Provided further, that the fifteen (15) day period contemplated in this article shall commence from the date of posting of the information in the case of unidentified owners and from the date of notification in the case of animal owners who are already known and identified.

**Article 11. Establishment of Barangay Impounding Areas.** The Barangay Officials shall establish their impounding areas with cages within their areas of jurisdiction. Said impounding areas shall be provided with water supply and sewage system for sanitary purposes. In the establishment of impounding areas, the protection of the animals from rain and direct sunlight must be observed.

**Article 12. Establishment of a System for Identification.** To facilitate the identification of animal owners caught during impounding operations, the Barangay Officials shall adopt a system that could provide immediate information on the identity of an owner of an impounded animal. The system may include but not limited to tagging, distribution of animal collars with identification codes to owners, animal registration and such other strategies that the Barangay Officials may deem convenient and workable.

**Article 13. Disposition of Unclaimed Animals.** All animals that remain unclaimed after the lapse of the fifteen-day period as provided under Article 10, paragraph (b) of these Rules shall be disposed in a manner legally and morally acceptable. Provided further that unclaimed animals may be subject for adoption by qualified persons or individuals who has the capability to provide home, proper care and humane treatment to these animals.

**Article 14. Imposition of Fees.** For the impounding of animals, the following fees shall be imposed upon owners of impounded animals:

Type of Animal	Impounding Fee for the first two days	Additional fee for every succeeding day or fraction thereof
1. Dog (native or with breed)	P500.00	P50.00
2. Cat (native or with breed)	P200.00	P50.00
3. Large Cattle (Cow, Horse, Carabao)	P1,500.00	P50.00
4. Goat, Sheep, Swine	P700.00	P50.00

**Provided further** that an Official Receipt issued by the Municipal Treasurer or his/her deputized representative as proof of payment of the impounding fee must first be presented by the owner to the impounding authorities prior to the release of his/her animal. **Provided further**, that the impounding fees collected shall cover the cost of food and upkeep of the animals during impoundment **exclusive** of vaccines and/or medicines for canine scabies, anti-rabies and other known animal diseases, as the case may be, which shall be borne by the animal owner. **Provided finally**, that owners of impounded animals who fail to claim their respective animals within two days from notification may claim the same within the fifteen-day period, subject however to their payment of additional fees provided in this article.

**Article 15. Proceeds of the Fees.** Twenty-five percent (25%) of the fees to be collected under the preceding article shall accrue to the General Fund of the municipality while Seventy-five percent (75%) of which shall accrue to the General Fund of the

impounding barangay. However, payments for vaccines and/or other veterinary medicines for the treatment of impounded animals shall be collected separately and shall accrue to the general fund of the municipality unless the animal owner opts to purchase such items from outside sources other than the municipality.

### RULE III-PENAL AND MISCELLANEOUS PROVISIONS

**Article 15. Penalty.** Without disregard to other penalties under applicable laws, rules and regulations for the commission of the acts prohibited under Municipal Ordinance No. 31, series of 2020, the penalty of Five Hundred Pesos (P500.00) to One Thousand Pesos (P1,000.00) and community service shall be imposed upon conviction to any person, natural or juridical, for violation of the pertinent provisions of the said Ordinance, particularly Section 3 thereof. The Punong Barangay of the place where such violation is committed shall determine the community service to be done and at the same time, supervise the implementation of the same to ensure faithful compliance therewith.

**Provided further**, that any person, individual or entity who is apprehended or cited for violation of the Ordinance but does not wish to contest such violation in court may voluntarily pay the penalty provided under this article and section 11 of the ordinance within six (6) hours from apprehension to avoid the filing of formal charges against him in court. Otherwise, the case shall be prosecuted. **Provided further**, that the amount of penalty to be paid under this provision shall be determined by the Local Chief Executive **exclusive** of the corresponding impounding fee, the manner of payment thereof shall be governed by section 6 and 7 of the Ordinance and Article 14 of these Rules.

**Provided finally**, that owners of animals that are found to be urinating or defecating on another person's property, along the streets, roads, sidewalks and any other public places shall clean the area by properly collecting and disposing the excrete left by the animal and flushing the same with water.

**Article 16. Deputation of Barangay Treasurers.** To facilitate payments under Article 14 and penalties under Article 15, the Municipal Treasurer may deputize the barangay treasurers to collect impounding fees and penalties at the barangay level and issue the corresponding receipts for every payments made.

**Article 17. Repealing Clause.** Any order or portions thereof which are not consistent with this order or portions hereof are thereby repealed or modified accordingly.

**Article 18. Separability Clause.** If for any reason, any part of this Executive Order are declared invalid or unconstitutional by competent authorities, the remaining portions not affected by such declarations shall continue to be in force and effect.

**Article 19. Effectivity Clause.** These Rules shall take effect immediately in accordance with the provisions of the Local Government Code.

Issued this 11<sup>th</sup> day of January, 2021 at Itogon, Benguet.

  
ATTY. VICTORIO T. PALANGDAN  
Municipal; Mayor

 11/12/21