



RESOLUTION NO. 006-C-2011

WHEREAS, in an effort to minimize, if not to completely eradicate the scourge of rabies, the Sangguniang Bayan of Naga, Cebu has approved Resolution No. 035-E-97, promulgating Ordinance No. 004-97 entitled "*Revision of Anti-Rabies Ordinance*" on September 26, 1997;

WHEREAS, Republic Act No. 9482, otherwise known as the "*Anti-Rabies Act of 2007*", was enacted and passed into law for the purpose of establishing a system to prevent or at least control the spread of rabies and its eventual eradication;

WHEREAS, to conform with the provisions of the Republic Act. No. 9482, the Sangguniang Panlalawigan of Cebu approved Ordinance No. 2009-08 on August 03, 2009 entitled "*Providing for the Control and Elimination of Rabies, Prescribing for the Penalties for violation thereof, and in the process amending Ordinance No. 92-05, entitled Rabies Control Ordinance of 1992 and its amendatory Ordinances for the purpose of conforming said Ordinances with Republic Act No. 9482*";

WHEREAS, this Body is prompted on the need to amend the pertinent Local Ordinance No. 004-97 and adopt the provisions of Cebu Provincial Ordinance No. 2009-08, so as to conform with the provisions of the aforementioned Republic Act No. 9482;

NOW, THEREFORE, Be it resolved by the Sangguniang Panlungsod of Naga, Cebu, on motion of Hon. Nilo B. Alinsonorin, seconded by Hon. Othello M. Chiong, to approve as it hereby approves the following Ordinance:

ORDINANCE NO. 2011-002

THE ANTI-RABIES ORDINANCE OF 2011 OF NAGA, CEBU

BE IT ORDAINED by the Sangguniang Panlungsod of Naga, Cebu that:

Section 1. **TITLE.** This Ordinance shall be known as the Anti-Rabies Ordinance of 2011 of the City of Naga, Cebu.

Section 2. **DEFINITION OF TERMS:** For purposes of interpreting the provisions of this Ordinance, the following terms shall mean:

- a. **Bitten** refers to an act by which a dog seizes, cuts or grips with its teeth so that the skin of a person has been wounded, pierced or scratched.
- b. **Concerned Officials** refer to Barangay Officials, Municipal and Barangay Health Workers, Municipal Agricultural Officers and Technicians, Police Officer and Government Veterinarians.
- c. **Dog** refers to a common quadruped domestic animal belonging to the order *carnivore* (male or female) scientifically known as *Canis Familiaris*.
- d. **Impound** refers to seize and hold in the custody of law.
- e. **Owner** refers to any person keeping, harboring or having charge, care or control of a dog including his/her representative.
- f. **Pound** refers to a public enclosure for stray animal.
- g. **Public Place** refers to any place open to the public like parks, malls, markets, streets, etc.
- h. **Rabies** refers to a fatal disease caused by a *Lyssa* virus, transmitted mainly

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through the bite of an infected animal and is characterized by muscle paralysis, hydrophobia and aerophobia and others.

- i. **Rabies Vaccination** refers to the inoculation of a dog with a rabies vaccine by a licensed government or private veterinarian or trained individual under the direct supervision of a licensed veterinarian. The services of the said trained individual shall be limited only to rabies vaccination injection in dogs and only during government mass vaccination campaigns.
- j. **Stray Dog** refers to any dog leaving the owner's place and no longer under the effective control of the owner.

Section 4. Local Rabies Control Committee. A Local Rabies Control Committee is hereby created to monitor and implement the mandates of this Ordinance. The Municipal Agriculture Officer shall act as Chairman of the Committee, with the Municipal Administrator, Municipal Social Welfare Officer, the Municipal Health Officer and the Superintendent of the Naga Division of the Department of Education, as members.

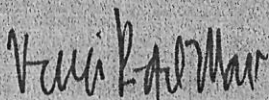
Section 5. Local Rabies Prevention and Eradication Program. It is hereby mandated that there shall be a Local Rabies Prevention and Eradication Program, which shall make its goal to make the Municipality of Naga, Cebu a "Rabies-Free Zone". Such Local Rabies Prevention and Eradication Program shall, as far as practicable, be in line with the National Rabies Prevention and Control Program that may be drawn up as mandated by Republic Act No. 9482, otherwise known as the "Anti-Rabies Act of 2007". The Local Rabies Control Committee shall be responsible for the preparation, implementation and monitoring of the Local Rabies Prevention and Eradication Program.

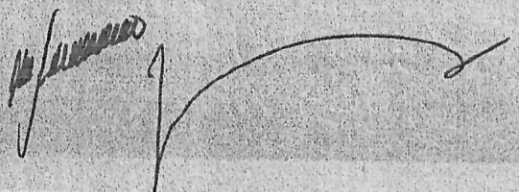
Such a Program shall include among its component activities the following comprehensive and mass rabies vaccination of dogs, dog population control, the conduct of information and education campaigns on the need to register dogs, impounding, destruction and disposal of stray dogs, the conduct of information and education campaigns on the prevention and control of rabies, provision on pre-exposure treatment to high risk personnel and post exposure treatment of animal bite victims as well as the encouragement of the practice of responsible dog ownership and program monitoring and evaluation procedures.

Pursuant to Republic Act No. 9482, the Local Rabies Control Committee, in the preparation and implementation of such a program, may consult, call upon and seek the assistance and participation of the Department of Agriculture, Department of Health, Department of Interior and Local Government and the Department of Education, as well as Non-Governmental Organization and other Officials of this Local Government Unit.

Section 6. Responsibilities of Dog Owners. All dog owners shall be required to:

- a. Have their dog vaccinated against rabies at three months old and every year thereafter and maintain a registration card and proper certifications which shall contain all vaccinations conducted on their dog, for accurate record purposes.
- b. Submit their dog for mandatory registration as required in Section 10 hereof.
- c. Have the "Dog Tags", to be issued under Section 8 hereof, on the neck of their dogs at all times.





d. Maintain control over their dog and not allow it to roam the streets or public places without a leash, in accordance with Section 13 hereof.

e. Within twenty four (24) hours, report immediately any dog biting incident to the concerned Officials for investigation or any appropriate action and put such dog under observation or control by the appropriate authority where the dog owner resides and to assist the victim and authorize to take custody of the dog or exhume the same to determine whether the dog is rabid or not.

f. Assist the dog biting victim immediately and shoulder the medical expenses incurred and other expenses relative to the victim's injuries.

Section 7. *Transport of Dogs and Cats into the Territorial Jurisdiction of the Naga, Cebu.* No dog, shall be transported, brought or shipped into the territorial jurisdiction of Naga, Cebu without proof of proper vaccination issued by a Government Veterinarian or duly licensed Private Veterinarian.

Section 8. *Responsibilities of Local Rabies Control Committee.* In addition to the preparation and implementation of the Local Rabies Prevention and Control Program, the Local Rabies Control Committee must:

- a. Establish a Dog Registry.
- b. Ensure that all dogs are registered and properly immunized.
- c. Vaccinate dogs routinely to cover the whole dog population in their respective jurisdiction.
- d. Ensure that dogs are leashed or confined within the premises of the owner's house or owner's fenced surroundings.
- e. Implement the National Rabies Prevention and Control Program and the Provincial Rabies Prevention and Control Program.
- f. Ensure the enforcement of Section 6 of Republic Act No. 8485, otherwise known as "The Animal Welfare Act of 1998".
- g. Prohibit the slaughter and trade of dog meat and likewise the cooking and eating of dog meat.
- h. Strictly enforce dog impounding activities and field control to eliminate unregistered and stray dogs.
- i. Establish and maintain a dog pound where impounded dogs shall be kept, in accordance with Section 12 hereof.
- j. Ensure that no dog shall be brought into territorial jurisdiction of this municipality without a valid vaccination certificate and such valid vaccination is in compliance with the provisions of Section 10 and 11 hereof.
- k. Assist all barangays to create a Barangay Rabies Control Committee with Section 9 hereof.

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- I. Create the Barangay Rabies Control Committee in accordance with Section 9 hereof.

Section 9. *Barangay Rabies Control Committee.* All component Barangays within the Municipality of Naga, Cebu shall create a Barangay Rabies Control Committee. Such Barangay Rabies Control Committee shall primarily be responsible for the effective monitoring and implementation of the Local Rabies Control and Eradication Program and this Ordinance. The Barangay Rabies Control Committee shall also be the surveillance arm of the Local Rabies Control Committee and shall inform the Local Rabies Control Committee of any incidence of dog bites on humans within their territorial jurisdiction. It shall submit reports that the Local Rabies Control Committee may require from it.

Section 10. *Mandatory Registration of Dogs.* Owners of dogs are hereby required to register annually their dogs with the Office of Municipal Agriculturist.

Section 11. *Vaccination of Dogs.* As a requirement for the annual registration, all dogs, at least three (3) months old must be brought and submitted to the Municipal Agriculture Officer for annual rabies vaccination and registration. Vaccination may be made by a private licensed veterinarian.

Upon vaccination and registration, a dog shall be issued a Certificate and "Dog Tag" which shall identify the dog as having been vaccinated. The Certificate of Vaccination must among other things, clearly identify the dog, the date of vaccination and previous vaccination information. The Municipal Agriculture Office shall design the form of the Certificate which form shall be used by the Municipal Agriculture Officer or by licensed private veterinarian if the vaccination is made within the Municipality of Naga, Cebu. For this purpose, the following fees shall be imposed to owners of dogs for the following services rendered:

Registration	-----	
Vaccination)	-----P 150.00/dog
Certification)	
Cost of Dog Tag	-----	

Section 12. *Catching of Stray Dogs and Establishment of Dog Pound.* Unregistered and stray dogs and dogs without proper vaccination shall automatically be considered as clinically suspect rabid dogs, whether or not it is involved in a potential rabies exposure. Hence, unregistered and stray dogs and dogs without proper vaccination shall be put in dog pounds and dispose of, taking into consideration the following guidelines:

- a. Unregistered, stray and unvaccinated dogs shall be apprehended, impounded and kept in a local government operated dog pound.
- b. Impounded dogs shall be kept for at least three (3) days in the dog pound to allow the owners thereof to claim their dogs.
- c. Impounded dogs not claimed after three (3) days will be disposed of in the order of priority provided herein: disposal for adoption or foster ownership, study for research purposes and in any manner authorized under the provisions of Republic Act No. 8485, otherwise known as the "Animal Welfare Act of 1998".
- d. No dog shall be released from a dog pound without first having been vaccinated and registered in accordance with the provisions of this Ordinance.

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For this purpose, an impoundment fee charge of P 25.00 per day per dog shall be charged to impounded dog owners to defray the expenses of dog food and other operating expenses in maintaining the animal pound.

Section 13. ***Leashing and Confinement of Dogs.*** All dogs shall be confined and kept within the fenced premises of the owner. However, in the absence of fence or confined area, all dogs shall be kept on leash at all times. Dogs brought to public places or outside the owner's premises shall be leashed at all times.

Section 14. ***Liability of Owners of Dogs or Persons in Possession of Dogs.*** Owners of a dog or any person in possession of a dog shall be liable for the medical expenses that may be incurred, relative to or incidental, to an injury or damage that a dog may cause to another person, in addition to other remedies provided by existing laws.

Section 15. ***Administrative Penalties.*** The following acts shall be subject to an administrative fine herein imposed:

- a. Dog Owners who fail or refuse to have their dog registered and properly vaccinated against rabies shall be assessed an administrative fine of TWO THOUSAND (P2,000.00) PESOS.
- b. Dog Owners who refuse to have their dog properly vaccinated shall be liable to pay for the proper vaccination of both the dog and persons bitten by the dog.
- c. Dog owners who refuse to put their dogs under observation after it has bitten another person shall be liable to pay an administrative fine of FIVE THOUSAND (P5,000.00) PESOS.
- d. Dog Owners who refuse or fail to put a leash on their dogs when the dogs are outside the owner's premises shall be liable to pay the administrative fine of FIVE HUNDRED (P500.00) PESOS.
- e. Dog Owners who fail and do not shoulder the medical expenses of the person bitten by their dog shall be liable to pay the administrative fine of FIVE THOUSAND (P5,000.00) PESOS.
- f. Owners or possessors of dogs and cats transported in violation or Section 6 hereof shall be liable to pay the administrative fine of TWO THOUSAND (P2,000.00) PESOS.
- g. An impounded dog shall be released to its owner upon the payment of an administrative fine of FIVE HUNDRED (P500.00) PESOS in addition to other fees that the owner may be liable under this Ordinance.
- h. The use of false or fake vaccine of dog shall render the owner liable to pay an administrative fine of FIVE HUNDRED (P500.00) PESOS.

The administrative fines imposed under this Section shall be without prejudice to other penalties that may be imposed by law, including but not limited to Republic Act No. 9482.

Section 16. ***Rabies Consciousness Month.*** A "Rabies Consciousness Month" shall be observed in the whole month of June of each year. The Municipal Agriculture Officer, in coordination with the Rural Health Units shall spearhead the observance of the "Rabies Consciousness Month", which shall be observed by, among others, activities that would implement the declared policy of the Ordinance.

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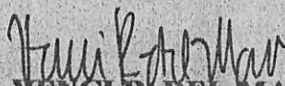
Section 17. **Repealing Clause.** Ordinances or provisions thereof, particularly Ordinance No. 004-97 and other Resolutions inconsistent with this Ordinance are deemed repealed or modified by this Ordinance.

Section 18. **Separability Clause.** In case any of the provisions of this Ordinance is declared unconstitutional or contrary to law, the other provisions shall remain in full force and effect.


Section 20. **Effectivity.** This Ordinance shall take effect three weeks after its publication and posting.

ENACTED AND APPROVED UNANIMOUSLY this 23rd day of February 2011.

CERTIFIED CORRECT:


VENCIR. DEL MAR
SB Member/Presiding Officer
Pro-tempore

ATTESTED BY:


DELZA T. ARELLANO
Secretary to the Sanggunian

APPROVED BY:


VALDEMAR M. CHIONG
Mayor