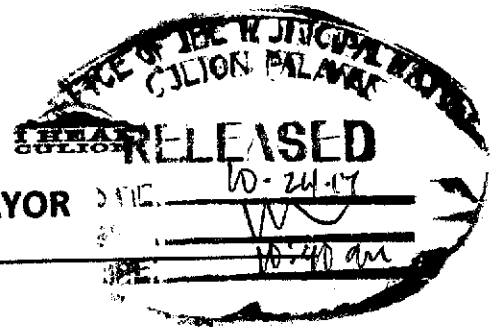




Republic of the Philippine
Province of Palawan
Municipal Government of Culion



OFFICE OF THE MUNICIPAL MAYOR

EXECUTIVE ORDER NO. 88
Series of 2017

PRESCRIBING THE RULES AND REGULATIONS IN THE IMPLEMENTATION/ENFORCEMENT OF MUNICIPAL ORDINANCE NO. 012-2008 ENTITLED AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE ENVIRONMENT FROM STRAY ANIMALS IN THE MUNICIPALITY OF CULION, PROVINCE OF PALAWAN AND FURTHER PROVIDING FOR ITS POLICIES AND GUIDELINES PERTINENT THERETO

WHEREAS, the Local Government Code of 1991 provides that every Local Government Unit (LGU) shall exercise powers necessary, appropriate, or incidental to its efficient and effective governance and those which are essential for the general welfare of its inhabitants and shall ensure and support any other things the promotion of health, safety, general hygiene and sanitation;

WHEREAS, in pursuit to be consistent to the above-mentioned provisions of law and to be compliant to relevant laws in the exercise of power and authority in the local governance operation, the Municipal Government of Culion, through its Sangguniang Bayan, has come to a passage and enactment of Municipal Ordinance No. 012-2008 providing for the protection of the environment from stray animals in the Municipality of Culion, Province of Palawan, and further providing policies and guidelines pertinent thereto;

WHEREAS, to properly, judiciously and effectively implement the subject ordinance, the promulgation of its implementing rules and regulations is mandatory; hence, the issuance of this Executive Order.

NOW THEREFORE; I, MA. VIRGINIA N. DE VERA, Municipal Mayor of Culion, Palawan, by the power vested in me by Law, do hereby prescribe the following rules and regulations implementing Municipal Ordinance No. 012-2008 hereinafter referred to as an "Ordinance for Stray Animals"; to wit:

RULE I
GENERAL PROVISIONS

Article 1. TITLE – This Ordinance shall be entitled and known as the "Ordinance Providing for the Protection of the Environment from Stray Animals in the Municipality of Culion, Province of Palawan."

Article 1.1. This implementing Rules and Regulations (IRR) is issued and promulgated pursuant to Sec. 9 of Municipal Ordinance NO. 012-2008 and likewise, this shall prescribe the procedures and guidelines for the implementation of the aforementioned Municipal Ordinance to facilitate compliance and achieve the noble purpose thereof.

Article 2. DECLARATION OF PRINCIPLE – It is hereby declared to be the principle of the Municipal Government of Culion, Palawan, to protect the environment, life and property from acts which endanger them; promote health and safety; maintain hygiene and sanitation of the surroundings of the general welfare of its constituency, and support Rabies Prevention and Control and Responsible Pet Ownership Programs of the Municipal Government towards Rabies and Waste – Free Culion.

Article 3. REGULATED ACT- No Person shall at anytime, wittingly or unwittingly, set Loose or Let go astray any “dog”, “swine”, “fowl”, “cattle”, “goat”, and other members of the bovine family in any public or private place, whether fettered or not, further the placing and fighting cocks in public places is prohibited.

Article 4. DEFINITION OF TERMS- As used in this Ordinance, the terms hereunder are defined as follows:

Cattle – includes horse, mule, ass, carabao, cow, and other domesticated members of the bovine family,

Fowl – includes chicken (rooster, hen, fighting cock) and ducks,

Impounding- keeping in a confined place,

Private Place – includes privately-owned streets, yards, rice fields, farmlands and lots, owned by an individual other than the owner of the animals,

Public Place – includes national, provincial, municipal or barangay roads parks, plaza, school premises and such other places open to the public,

Astray Animal – an animal which is set loose or not under the complete control of its owner, or the one in charge, or in the possession thereof or found roaming around in public or private places whether fettered or not,

Swine – include hog or pig.

Article 4.1. Stray Animals-any animal mentioned in the ordinance straying in the public place or in the private place, not owned by the owner of straying animal, even though it has a lease, but not held or not in complete control of the owner or in charge of the animal.

RULE II **REGULATORY PROVISIONS**

Article 5. Impounding of Stray Animals- Animals caught astray shall be impounded in a corral or place designated for such purpose located outside the poblacion area. For this purpose, personnel of the Municipal Government shall be assigned to take charge of the impounding operation. Impounded animals shall be released to owner only upon payment to the Municipal Treasurer of poundage fee in the amount of Php. 100.00 per day which is hereby imposed. This imposition shall be incorporated in the Revenue Code of the Municipality.

Article 5.1. The apprehension operation shall be headed by the Municipal Agriculturist and the CADC Administrator; thus, the actual stray dog apprehension shall be performed by the staffs of Office of the Municipal Agriculturist and farm laborers of Culion Agricultural Development Center (CADC);

Article 5.2. The PNP shall provide security anytime there shall be field operation to apprehend stray dogs.

Article 5.3. The payment of Php 100.00/poundage fee for the day/days of impoundment shall consider the immediately succeeding day after the day of apprehension as the first count of the day/days of impoundment.

Article 5.4. The day/days after the first day count, if there shall be any, shall be counted as the impoundment day or days and be multiplied to Php 100.00 per day.

Article 5.5. The amount of fine and poundage fee shall be recommended by the Office of the Municipal Agriculturist and it shall be paid directly to the Office of the Municipal Treasurer.

Article 5.6. The impounding corral shall be constructed and established at CADC, Barangay Baldat, This Municipality.

Article 5.7. The CADC Administrator shall take charge of the food and maintenance of the impounding corral.

Article 5.8. The release of the impounded dog/dogs shall only be done after the owner has already paid the accrued amount of fine and poundage fee.

RULE III **ADMINISTRATIVE PROVISIONS**

Article 6. Administrative Provision.

(1) Not later than the following day after the animal is impounded, a notice of such impounding shall be posted in at least Three (3) conspicuous place and on the barangay bulletin boards in the Municipality for a period of Five (5) days with the owner of the animal is required to claim and establish ownership thereof.

Article 6.1.1. The Municipal Agriculturist shall assign one of his staffs to do the recording, to see to it that the apprehended stray dog/s is secured and to do the necessary posting of the impounded dog/dogs to inform the public.

Article 6.1.2. The claiming owner of the impounded dog shall bring with him/her a certification of Barangay proving that he /she is indeed the owner of the dog with the dog descriptions and the signatures of the Two (2) witnesses from his/her immediate neighbors.

(2) If no person shall claim ownership of the animal after the expiration of 5- days period from the date of impounding, it shall be disposed of humanely in a manner to be determined by the Local Chief Executive (LCE) without circumventing the applicable provisions of national and international laws or anti-cruelty to animals

Article 6.2.1. After the expiration of the 5 days reglamentary period of the maximum extent of impounding, the Municipal Agriculturist shall immediately inform the Local Chief Executive (LCE) that the dog/dogs in the impounding coral has/have already met 5- days reglamentary period of the maximum extent of impoundment and therefore, the order to dispose the animal/s in humanely manner shall be recommended to be executed.

Article 7. Funding. Funds for the proper implementation of this ordinance shall be provided by the Municipal Government of Culion in the supplemental budgets beginning fiscal year 2009 and every year thereafter.

Article 7.1. There shall be a yearly allocation of Fund in the MDRR and Supplemental Budget of the Municipal Government of Culion for the implementation of Municipal Ordinance No. 012-2008

Article 8. Scope of Application – This ordinance shall apply in all the barangay composing the Municipality of Culion.

Article 8.1. The ordinance shall be implemented to all barangay, rural and poblacion, and the Barangay Official's, Tanod's and staffs shall organized themselves as Implementing Team where the Punong Barangay's shall be the Team Leader in their respective Barangay.

Article 8.2. The implementation in Barangay's to be done by Barangay officials shall observe and replicate all procedures prescribed in the Executive Order prescribing the IRR for the implementation of Municipal Ordinance NO.012-2008.

Article 9. Implementing Rules and Regulations- The Local Chief Executive (LCE) shall, through an executive Oder, issue the necessary rules and regulations detailing the manner of the implementation of this regulatory measure to properly and effectively carry- out the intent thereof. The implementation of this ordinance shall involve the Barangay Government, Office of the Municipal Agriculturist, Office of Municipal Treasures, Office of Municipal Health Officer, and other Law enforcement agencies in the municipality whose respective role and responsibility shall be specifically spelled-out in the implementing rules and regulations (IRR) to be promulgated, provided however, that 40% of the fine herein imposed shall accrue as income to the barangay in the poblacion area where the stray animal was caught. If the stray animal is caught in a barangay outside the poblacion area, 100% of the fine shall accrue as income to the said barangay.

Article 9.1. This Executive Order, prescribing the Rules and Regulation for the Implementation of Municipal Ordinance No. 012-2008, "A Municipal Ordinance providing for the Protection of the Environment from Stray Animals in the Municipality of Culion, Province of Palawan, will serve as the legitimate governing rules and regulations with the prescribed procedures and guidelines to carry-out effective implementation of the Municipal Ordinance for the Stray Animals.

Article 9.2. The Municipal Mayor, through the Office of the Municipal Agriculturist, shall carry-out the implementation of the ordinance in actual apprehension of stray dogs; in submitting the needed recommendations to viably comply the implementing procedures of the context of the said local law; and to make necessary recommendations to further improve the implementation of the Ordinance to bring Culion into Rabies and Waste-Free Municipality in the Province of Palawan.

Article 9.3. The Office of the Municipal Treasurer shall received accrued payment for the Fine and Poundage Fee, based on the recommendation from the Office of the Municipal Agriculturist.

Article 11.4. Similarly, in the case of dog bite, Aside from paying of Fine and Poundage Fee, the owner of the apprehended stray dog shall pay for the cost of drug which shall be prescribed by the physician and other incidental expenses that may incur during the period of the victim's medication/hospitalization.

Article 11.4. Similarly, in the case of dog bite, Aside from paying of Fine and Poundage Fee, the owner of the apprehended stray dog shall pay for the cost of drug which shall be prescribed by the physician and other incidental expenses that may incur during the period of the victim's medication/hospitalization.

RULE V
REPEALING CLAUSE

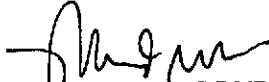
Article 12. All prior ordinances or any other local issuance inconsistent with this are hereby deemed repealed, rescinded and superseded accordingly.

RULE VI
EFFECTIVITY

Article 13. This ordinance shall take effect after the Ten (10) days undertaking of information drive activities and posting of IEC materials regarding its Implementing Rules and Regulations (IRR) at the entrance of the Municipal Hall and at least at the Three (3) Conspicuous places in the Municipality of Culion.

SO ORDERED.

Done in the Municipality of Culion, Province of Palawan, on the 24th day of October in the year of our Lord, Two Thousand Seventeen.


MA. VIRGINIA N. DE VERA
Municipal Mayor

Copy furnished:
All concerned
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