



Republic of the Philippines
City of Davao
Office of the Sangguniang Panlungsod



19th City Council
11th Regular Session
Series of 2022

PRESENT:

Councilor	Alberto T. Ungab	- Temporary Presiding Officer
Councilor	Ralph O. Abella	
Councilor	Nilo D. Abellera	
Councilor	Luna Maria Dominique S. Acosta	
Councilor	Bai Hundra Cassandra Dominique N. Advincula	
Councilor	Wilberto E. Al-ag	
Councilor	Dante L. Apostol Sr.	
Councilor	Conrado C. Baluran	
Councilor	Jessica M. Bonguyan	
Councilor	Louie John J. Bonguyan	
Councilor	Pilar C. Braga	
Councilor	Augusto Javier G. Campos III	
Councilor	Danilo C. Dayanghirang	
Councilor	Jonard C. Dayap	
Councilor	Edgar P. Ibuyan Jr.	
Councilor	Edgar R. Ibuyan Sr.	
Councilor	Richlyn N. Justol-Baguilod	
Councilor	Pamela A. Librado-Morata	
Councilor	Diosdado Angelo Junior R. Mahipus	
Councilor	Rodolfo M. Mande	
Councilor	Jaffar U. Marohomsalic	
Councilor	Bonifacio E. Militar	
Councilor	Myrna G. L'Dalodo-Ortiz	
Councilor	Antoinette G. Principe-Castrodes	
Councilor	J. Melchor B. Quitain Jr.	
Councilor	Mary Joselle D. Villafuerte	
Councilor	Jesus Joseph P. Zozobrado III	

ABSENT:

Vice Mayor Sebastian Z. Duterte	- OB-Acting City Mayor
---------------------------------	------------------------

ORDINANCE NO. 0902-22
Series of 2022

AN ORDINANCE AMENDING CITY ORDINANCE NO. 1457, SERIES OF 1974, ENTITLED "AN ORDINANCE PROHIBITING THE LOOSENING OR LETTING STRAY DOGS IN THE CITY OF DAVAO, PROVIDING FOR THE CATCHING AND IMPOUNDING OF THE SAME, COLLECTION OF FEES FOR IMPOUNDING THEM AND PROVIDING FURTHER FOR (THEIR) DISPOSITION WHEN NOT CLAIMED WITHIN A CERTAIN PERIOD AND PROVIDING FOR PENALTY IN CASE OF VIOLATION THEREOF"

Be it ordained by the Honorable Sangguniang Panlungsod of Davao City in session assembled, that:

CHAPTER ONE GENERAL PROVISIONS

SECTION 1. SHORT TITLE – This Ordinance shall be known as the **"DOG WELFARE, LEASHING AND LICENSING (DWELL) ORDINANCE"**.

SECTION 2. DECLARATION OF POLICY – It is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature and adopts the declared policy of Republic Act 9482 to protect and promote animal health and welfare and that towards this end, a system of regulating the ownership, care and custody of dogs shall be laid down and the need of responsible pet ownership established.

SECTION 3. DEFINITION OF TERMS – The following terms used in this Ordinance shall mean:

- a. Abandonment – the act of leaving permanently or for a long period of time by relinquishment of responsibilities to take appropriate care and custody of dogs.
- b. Actual or Constructive Possession – consists in the manifestation of acts of dominion over the dog as a party would naturally exercise as his own; includes custody.
- c. Adoption – the act of legally taking another's dog and bringing it up as one's own.
- d. Aggression- attempt to do harm. Refers to an act of threatening or harming behavior directed toward another individual, including dog on dog aggression, aggression toward people, and aggression toward other animals.
- e. Anti-Rabies Vaccine – an immunization used to prevent rabies in people who have been bitten by an animal or otherwise exposed to the rabies virus.
- f. Canine- refers to all breeds or domesticated dogs.
- g. Dog Health Card – refers to vaccination records of dog. It also includes the detailed information of the dog and owner.
- h. Dog Tag – a metal identification disc that is worn on a chain around the neck of a dog
- i. Escaped Animal – refers to any animal that is outside its designated cage, coral, yard or enclosure without the control of its owners or handlers.
- j. Euthanasia – the process of painless death to dogs and other animals. It shall only be performed by a duly licensed veterinarian using the methods as approved under the revised rules and regulations on the Euthanasia of Animals amending DA Administrative Order 21 issued on April 16, 1999, pursuant to the provisions of R.A. No. 8485 and R.A. No. 9482.

- k. Immunization Vaccine for dogs – that which is prepared and is composed of living but weakened rabies virus administered in a single dose of one (1) milliliter and injected intramuscularly, or such other vaccine of equal or greater potency or as may be prescribed by the health authorities.
- l. Pound/Animal Control Facility- the facility established and operated by the city where apprehended stray animals are confined for five (5) days before it is redeemed by the owner, or if unclaimed, disposed of by approved methods. It shall also refer to Davao City Dog Pound.
- m. Indigent – A person who has no visible means of income.
- n. Leash – a long thin piece of leather or a chain attached to the dog's collar to keep the dog under control.
- o. Nuisance – any dog that unreasonably annoys humans, endangers the life or health of other animals or persons, or substantially interferes with the rights of citizens, other than their owners or family members, to the enjoyment of life or property.
- p. Owner – refers to any person in whose name the registration certificate for the dog is issued; Provided, however, that if the dog is not yet immunized nor issued a metal tag and registration certificate, the term "owner" may refer to any person keeping, harboring, having charge or control of the dog.
- q. Register – the act of recording the necessary information of the dog at the City Veterinarian's Office or in some case with Philippine Canine Club Inc. (PCCI).
- r. Rabies- is an acute and highly contagious disease of mammals (such as dogs) caused by a virus.
- s. Rabies Vaccination of Dogs- means the inoculation of dogs with a rabies vaccine for the species licensed by the Bureau of Animal Industry, Department of Agriculture. Such vaccination must be performed by licensed veterinarian or trained livestock technician or livestock inspector under the direct supervision of the City Veterinarian or any of his/her deputy.
- t. Restrained- means tethered/leashed or caged.
- u. Spay or neuter – the surgical process in neutering dogs (male/female) so they will not be able to reproduce, thereby controlling the dog population in a locality.
- v. Stray dog –that which is found wandering in streets, plazas, markets, school premises and other public places either not accompanied by the owner or possessor or even when accompanied but such was not leashed. Dogs wandering without dog tag are automatically considered stray.
- w. Torture – the act of deliberately inflicting severe physical or psychological suffering on someone by another as a punishment or in order to fulfill some desire of the torturer or force some action from the victim.

- x. Veterinary Officer – refers to a licensed veterinarian employed by the government as veterinarian of the municipality, city, province, local units or Department of Agriculture, Regional Field Units for the purpose of dealing with animal welfare.

CHAPTER TWO REGISTRATION AND VACCINATION OF DOGS

SECTION 4. VACCINATION – All dogs at least three (3) months old, shall be properly vaccinated with anti-rabies vaccine. The City Veterinarian or his authorized representative or, a private registered veterinarian shall perform the vaccination; Provided, that, should the vaccination be performed by a private veterinarian, the owner shall still register the dog with the City Veterinarian's Office; Provided, further, that a record of vaccination shall be presented to said Office for verification.

SECTION 5. REGISTRATION, OWNERSHIP AND LICENSE FEE – Every person whose dogs are properly vaccinated shall, for each dog, secure the following:

- a. Certificate of Registration – This shall be issued by the City Veterinarian and/or his authorized representative to the owner whose dogs have been properly vaccinated, indicating therein the details, such as but not limited to:
 1. Name of the dog
 2. Breed, color, and sex of the dog
 3. Date of first vaccination
 4. Owner's name, address, birthday, mobile number and email address
- b. Metal/Dog Tag – To be issued by the City Veterinarian's Office who shall impress it with a serial number and the year of issue. The tag shall be worn by the dog at all times. Dogs without metal tag are presumed stray dogs without an owner.
- c. Payment of Certificate of Registration and Dog Tag – The dog owner shall pay the amount of Fifty Pesos (P50.00) for the registration and a corresponding amount that shall be determined by the City Veterinarian's Office for dog tag. The City Treasurer's Office or the Barangay Treasurer shall issue an Official Receipt to be considered as the license certificate. Renewal of Registration will be on an annual basis and any replacement of Lost Card shall pay the corresponding fees to the City Treasurer's Office or the Barangay Treasurer.

Dogs utilized for safety and security measures by the enforcement authorities in facilities and commercial establishments shall be exempted from licensing but not from vaccination.

SECTION 6. RESPONSIBILITIES AND LIABILITIES OF DOG OWNERS – It shall be the duty of the dog owners to:

- (a) Have their dogs vaccinated every year and registered as provided in Section 5 of this Ordinance.

Except for those who foster stray dogs in an established private dog shelter, any person or institution is allowed to own not more than four (4) registered and vaccinated dogs. Notwithstanding, a person or institution may be allowed to own more than four (4) dogs provided, they will pay an "excess dog tax" of Two Hundred Pesos (200.00) for each excess dog; Provided further, that they can provide appropriate care and management to the dog; Provided finally that, the new owner has not previously violated any regulations of this Ordinance.

- (b) Maintain a record card containing the information such as, but not limited to, the name of the dog, name of the owner, and record of vaccinations of the dog.
- (c) Contain their dogs within the premises of the residence or establishment. The dog shall be leashed or properly restrained when brought to any place outside their property. When an owner's area is not fenced nor confined, the dog must be kept on leash at all times. The leash shall not exceed two (2) meters.
- (d) Provide sufficient food, shelter, and proper grooming and other basic needs of the dog.

Any dog owner who can no longer provide appropriate care and management of the dog, that is to comply for its food, safety and shelter including its registration and vaccination, is encouraged to transfer onerously or gratuitously to another person or entity who is capable and willing to comply the responsibilities of a dog owner; Provided that, the new owner will update the record of the dog in the City Veterinarian's Office as his to officially assume the rights and responsibilities over the dog. Provided further, that the new owner has less than four (4) dogs being cared for, unless proven that the owner can still provide appropriate and sufficient care to the dog. Provided further that, the new owner has not previously violated any regulations of this Ordinance.

- (e) To remove and dispose feces deposited by the dog in another person's premises or in a public area or any other means, such as the wearing of dog diaper. The owner should carry, at all times, a bag or any receptacle for the disposal of the waste. Failure of the owner to remove and dispose feces shall be penalized based on Section 13 of this Ordinance.
- (f) Dog owners are encouraged to place anti-bite muzzle on their dogs whenever they bring their pets outside of their residence.
- (g) Report to the City Veterinarian's Office or the Barangay Animal Control Committee or Barangay Health Workers within twenty-four (24) hours on any dog bite incident, regardless of the gravity of the wound. The dog shall be placed under observation for two (2) weeks by a government or private veterinarian to determine whether the dog is rabid or not. Observation period could also be with the owner, provided that they are instructed on the proper observation procedures and shall diligently follow the same.
- (h) Assist the dog bite victim immediately and shoulder the medical expenses incurred and other incidental expenses relative to the victim's injuries.

In case the dog bite victim immediately seek medical attendance after the incident and it was not immediately reported to the dog owner, the victim shall secure a medical certificate or official receipt from any clinic or hospital, private or public, indicating the expenses incurred and thereafter, the dog bite victim shall issue acknowledgment receipt indicating that the said expenses had been paid or reimbursed by the dog owner.

- (i) In case of damage to property caused by a dog, the owner of the dog shall indemnify the property owner based on the extent and severity of the actual damage caused on the property.

- (j) If there are dogs which are proven to be nuisance or constitute a danger to the community, the owner or possessor thereof shall be requested in writing by the Barangay Animal Control Officer through the Punong Barangay or any barangay official concerned, to undertake appropriate remedial measures to prevent any harm or injury to any person or property or in the alternative, to remove such animal from the barangay area to the City Pound, within five (5) days from receipt of said notice. Should the owner or possessor fail to comply therewith, he shall be subject to penalty in accordance with Section 13 of this Ordinance.

SECTION 7. ANTI-RABIES VACCINATION- Every dog three (3) months of age and older shall be submitted by the owner for rabies vaccination and shall be vaccinated with the use of animal rabies vaccines licensed by the Bureau of Animal Industry once a year. Young dogs shall be vaccinated within 30 days after they have reached 3 months of age. Actual vaccination shall be done by a licensed veterinarian, trained and deputized livestock technician or livestock inspector and under the direct supervision of the City Veterinarian.

SECTION 8. IMPOUNDING, ADOPTION, DISPOSAL OF STRAY DOGS –

- (a) Dogs shall be considered stray if they are not accompanied by its owner, or even when accompanied by the owner but not leashed, and found wandering in streets, plazas, markets, school premises and other public places. Stray dogs are immediately secured for impounding at the City Animal Shelter and when available at the Barangay Animal shelter.
- (b) The impounding fee for each dog shall be at the rate of P500.00 for the first day and an addition of P 50.00 for the succeeding days. No dog shall be released without being registered and vaccinated pursuant to Section 6 of this Ordinance.
- (c) Dogs not claimed within three (3) days from the date of impoundment shall be placed for adoption to qualified persons or institutions, in accordance with the provisions of Ordinance No. 0123-19, Series of 2019, otherwise known as the Davao City Adopt-A-Dog-and-Cat (DADC) Ordinance of 2019; Provided that half of the amount of the impounding fee shall be paid by the adopting person; Provided that, the registration fee for the dog shall be free of charge, however, the adopter should update the record of the dog as the new owner, in the City Veterinarian's Office, if there is any. If none, the adopter shall comply the vaccination and registration process under Chapter Two of this Ordinance, free of charge.
- (d) Dogs not claimed or adopted after seven (7) days from the date of impoundment shall be disposed of through euthanasia or in any humane procedures in accordance with the provisions of RA No. 8485 or the "Animal Welfare Act" as amended by RA No. 10631.

**CHAPTER THREE
INFORMATION EDUCATION CAMPAIGN AND PET ADVOCACY**

SECTION 9. INFORMATION EDUCATION CAMPAIGN- The City Veterinarian's Office together with the City Health Office is hereby mandated to organize an Information Education Campaign on Responsible Pet Ownership in the City of Davao. The campaign includes, but not limited to, danger of rabies, its prevention, control and eradication, and dog population control.

SECTION 10. PET ADVOCACY GROUPS- The City Government of Davao shall promote and advance the role of Advocacy Group. Pet groups and clubs in the city should be registered and recognized locally. Groups and clubs must indicate their information, advocacies, and activities. They are encouraged to participate in the LGU's rabies prevention, stray reduction, pet adoption, and other related campaigns.

CHAPTER FOUR POPULATION CONTROL PROCEDURES

SECTION 11. FREE SPAY AND NEUTER – To stop or prevent unexpected reproduction, the City Veterinarian's Office shall make available both Spay and Neuter procedures for dogs.

Duly registered and vaccinated dogs are eligible for spay or neuter procedure, free of charge. Provided that, if the owner has two or more dogs, only two dogs are charged free. In excess, regular fees for such procedure shall be charged.

CHAPTER FIVE RESPONSIBILITIES OF CITY AND BARANGAY OFFICES CONCERNED

SECTION 12. RESPONSIBILITIES OF OFFICES – The following Offices shall be tasked to:

- (a) **City Veterinarian's Office (CVO)** shall maintain and keep track of the Dog Registry in the City. It shall also secure that the vaccination as well as the Spay and Neuter procedures for dogs are made available and accessible.

It shall also be the duty of the City Veterinarian's Office to secure and impound stray dogs and assure that those which will not be claimed or adopted in the period provided under Section 7 of this Ordinance, will be disposed through euthanasia or other humane procedures.

Furthermore, it shall be among the responsibilities of the said Office to contact the owner of impounded dogs when the same is registered in its registry. The Office must exhaust remedies to contact the owner to claim the impounded dog in the City Pound.

- (b) **City Health Office (CHO)** in coordination with the CVO and the barangay concerned alongside proper information dissemination to its clients, may establish vaccination stations in the población and in different barangays, which shall likewise be made available to the City Veterinarian or his authorized representative for the purpose of anti-rabies vaccination of dogs.

- (c) **Barangay Animal Control Officer** shall be designated and is charged with the responsibility of responding to calls for service ranging from stray animals to investigations of cruelty to animals including dog fighting, and bringing them to the dog pound.

It shall likewise be the role of the Barangay Animal Control Officer to respond, educate, accost, and file a complaint against abusers or violators of this Ordinance.

- (d) **City Treasurer and/or the Barangay Treasurer** shall be responsible for the collection of fees for licensing of dogs, impounding, and other necessary fees for procedures availed of. Fees collected will be shared with the City Government getting a seventy percent (70%) share and the Barangay getting thirty percent (30%) share.
- (e) **Animal Welfare Groups** in coordination with the Offices above primarily the CVO, may cooperate and participate in the processes which their services and expertise may be of great help and assistance in the welfare of dogs, such that efficiency in the delivery of services will be realized.

CHAPTER SIX PROHIBITED ACTS AND PENALTIES

SECTION 13. PROHIBITED ACTS – The following acts are declared unlawful:

- a. Deliberate refusal to undertake appropriate remedial measures to prevent any harm or injury to any person or property or in the alternative, to remove such animal from the barangay area to the City Animal Shelter, upon determination that his/her dog/s is proven to be a nuisance.
- b. Using dogs and other animals as accessory for purposes of begging is prohibited under this Ordinance.
- c. Such other deliberate acts not found in Republic Act No. 9482 or the Anti-Rabies Act of 2007 shall be considered prohibited act under this Ordinance, subject to penalties imposed by the Local Government of Davao City.

SECTION 14. PENALTIES – Any acts that are punishable under Republic Act No. 9482 shall be penalized accordingly and any acts punishable under this Ordinance, shall carry the following penalties:

First Offense - stern warning

Second Offense - payment of fine amounting to One Thousand Pesos (P1,000.00) or community service of three (3) hours in the residence of the offending party or in the barangay, subject to the certification to be issued by the barangay that he/she has done 3-hour community service

Third Offense - payment of fine amounting to Three Thousand Pesos (P3,000.00)
Fourth Offense, payment of fine amounting to Five Thousand Pesos (P5,000.00) with permanent disqualification to register, adopt or take custody of a dog.

Penalties imposed herein are without prejudice to the imposition of other violations provided for by existing applicable laws, rules and regulations.

**CHAPTER SEVEN
MISCELLANEOUS AND FINAL PROVISIONS**

SECTION 15. BUDGETARY REQUIREMENT – Immediately after this Ordinance shall have taken effect, the City Mayor's Office through the City Budget Office shall cause the inclusion in the City's Annual Budget of an appropriation necessary for the effective implementation of this Ordinance.

The barangay shall allocate funds for the implementation of this Ordinance.

SECTION 16. REPEALING CLAUSE – All ordinances, resolutions, memoranda, orders and similar issuances, or part or parts thereof, which are inconsistent with any of the provisions of this Ordinance are hereby repealed, modified, or amended accordingly.

SECTION 17. SEPARABILITY CLAUSE – If, for any reason, a provision of this Ordinance is declared invalid or unconstitutional, all other provisions hereof not affected shall continue to be in full force and effect.

SECTION 18. EFFECTIVITY – This Ordinance shall take effect after publication in a newspaper of local circulation and 90 days after the issuance of a duly approved Implementing Rules and Regulations.


ENACTED, on the 15th day of March, 2020 by a unanimous vote of all the Members of the Sanggunian, there being a quorum.

CERTIFIED CORRECT:


CHARITO N. SANTOS

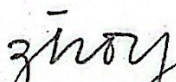
Secretary to the Sangguniang Panlungsod
(City Government Department Head II)

ATTESTED:



ALBERTO Y. UNGAB
Acting Vice Mayor
Temporary Presiding Officer
cns/kjtq

APPROVED: MAY 11 2022, 2022

ATTESTED:


ATTY. ZULEIKA T. LOPEZ
City Administrator

SARA Z. DUTERTE
City Mayor


SEBASTIAN Z. DUTERTE
Acting City Mayor

AN ORDINANCE AMENDING CITY ORDINANCE NO. 1457, SERIES OF 1974, ENTITLED "AN ORDINANCE PROHIBITING THE LOOSENING OR LETTING STRAY DOGS IN THE CITY OF DAVAO, PROVIDING FOR THE CATCHING AND IMPOUNDING OF THE SAME, COLLECTION OF FEES FOR IMPOUNDING THEM AND PROVIDING FURTHER FOR THEIR DISPOSITION WHEN NOT CLAIMED WITHIN A CERTAIN PERIOD AND