



CITY ORDINANCE NO. 403

April 6, 2006

AVIAN INFLUENZA (AI) PREVENTION AND CONTROL ORDINANCE OF BACOLOD CITY.

WHEREAS, Section II of the 1987 Constitution provides that the state shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, in the present situation, the Asian countries are facing a formidable killer-virus that may affect not only poultry but human being as well,

WHEREAS, study shows that there are only three countries in Asia namely, Brunei, Singapore and the Philippines, that are not affected with the killer-virus called Avian Influenza Type A virus,

WHEREAS, recently the country was alarmed of the presence of migratory birds that can be possible carrier of the Avian Influenza type A virus that may infect our local poultry,

WHEREAS, the Province of Negros has been identified as one of the areas that may be affected and under close watch by our health authorities;

WHEREAS, there is an urgent need to counter the deleterious effect of Avian Influenza to our economy especially our local poultry industry

NOW THEREFORE, be it ordained as it is hereby ordained by the Sangguniang Panlungsod of Bacolod City, in session duly assembled.

SECTION I TITLE

This ordinance shall be known as "The Avian Influenza (AI) Prevention and Control Ordinance of Bacolod City"

SECTION II PURPOSE AND OBJECTIVES

This ordinance is enacted for the purpose of preventing and controlling possible entry/outbreak of Avian Influenza in the country, to insure public health and safety as well as general welfare of the community and to protect the local poultry industry and other related economic livelihood of the people of Bacolod City

SECTION III SCOPE AND COVERAGE

This ordinance shall cover all avian species such as but not limited to waterfowls, chickens, birds, fighting cocks within the territorial jurisdiction of Bacolod City.

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SECTION IV DEFINITION OF TERMS

1. **Avian Influenza** - an infectious disease in chicken, ducks, and other birds caused by different subtypes of the influenza A virus
2. **Exotic Birds** - any birds' species or subspecies which do not naturally occur in the Philippines
3. **Fowl/Poultry** - includes marketable broilers, culls, day old chicks, pullets, game fowls, native chickens, ducks hatching eggs, hobby birds, or birds of any kind
4. **Infected Premises** - any poultry holding facility in which (HPAI) or a highly virulent strain of Avian Influenza is confirmed to exist
5. **Negative Monitoring Report** - A disease monitoring report base on a pro-form report sheet that shall be prescribed by the Bureau of Animal Industry
6. **PAHC** - Philippine Animal Health Center
7. **Poultry Holding Facilities** - includes commercial farms, backyard units, hatcheries, processing plants, slaughterhouse, aviaries, feed mills, cockpits, and public markets.
8. **Premises** - any poultry holding facility, regardless of population and avian species.
9. **Quarantine Zone Level 1** - is the zone within three (3) kilometer radius from the Suspect Premises. This shall cover all poultry holding facilities including major markets, processing plants and general service areas.
10. **Quarantine Zone Level 2** - is the zone within a three (3) kilometer radius from the infected premises. This shall cover all poultry holding facilities including major markets, processing plants and general service areas
11. **Suspect Premises** - any poultry holding facility that might have been possibly exposed to an HPAI virus, such that quarantine, monitoring and surveillance, but no pre-emptive slaughter, are warranted.

SECTION V CREATION OF THE LOCAL AVIAN INFLUENZA TASK FORCE

The Avian Influenza Prevention and Control Task Force shall be created and shall be the authority to oversee the implementation of the provisions of this Ordinance and other related activities as maybe provided by rules and regulations and guidelines promulgated by higher authority or mandated by the national laws. The Task Force shall composed of the following.

Chairman	City Mayor
Vice-Chairman	SP Member-Chairman, Committee on Health and Sanitation
Members	City Veterinarian
	City Health Officer
	City Agriculturist
	City PNP Commander
	DILG-City Director
	President - Association of Barangay Chairmen
	Representative from the major Poultry Integrators
	Poultry Raisers Association
	Public Information Officer
	Bacolod City Disaster Coordinating Council


SECTION VI CENSUS AND STATISTICS

The City Veterinary Office shall conduct a census of all livestock and poultry holding facilities in the city. This shall include the type of poultry holding facility, poultry species, poultry population density, facility owner/operator, location, poultry disease profile, bio-security practices, vaccination programs, and farm veterinary support services.

SECTION VII REPORTING, ACTION AND CONTROL OF AVIAN INFLUENZA

1. SUSPECT PREMISES

- 1.1 Reporting - The farm Veterinarian or farm owner, manager or caretaker shall immediately report to the Barangay Captain who in turn report to the City Veterinary Office the occurrence of mortality at least three percent (3%) (based on house population) within twenty four hours (24) after discovery of death. In case of unexplained mortality in two or more households doing backyard poultry farming within a barangay or purok in a span of two (2) days, the owner or caretaker shall immediately report the situation to the City Veterinary Office for investigation and diagnosis. The City Veterinary Office through the City Veterinarian shall conduct an ocular inspection within twenty four (24) hours from notice or information. Upon finding suspect premises, the City Veterinarian shall immediately inform the City Mayor and the Sangguniang Panlungsod. The City Mayor as Chairman of the AI Task Force to provide necessary measures to stop the spread of the virus.
- 1.2 Movement Control in Suspect Premises - the Philippine National Police upon notice from the City Mayor shall enforce movement control
 - 1.2.1 All farm personnel or any person from Suspect Premises shall not be allowed to leave the suspect premises unless with approval from the head of AI Taskforce. Likewise, poultry, poultry products, and by-products, farm equipment and feeds shall not be allowed to leave the suspect premises and instead shall be quarantined in 72 hours awaiting further instructions;

- 1.2.2 Movement of poultry, poultry products, equipment, supplies, feeds, manure, etc. out of the Suspect Premises shall be strictly prohibited and shall be imposed by the Veterinarian in authority and/or the representative of the National Meat Inspection Service in coordination with the PNP;
 - 1.2.3 All dead birds must be properly disposed within the boundaries of the Suspect premises.
 - 1.2.4 Furthermore, the City Veterinarian Office in coordination with the Philippine National Police shall assist the Bureau of Animal Industry in enforcing the requirements covering the local transport of animals, including poultry and poultry by-products as covered by BAI Memorandum dated July 13, 2004.
- 1.3 Referral to the Bureau of Animal Industry - The Veterinary Office shall collect samples from suspected farm or area where the suspected virus affects and the same shall be submitted to the PAHC BAI for virus isolation within 24 hours from reporting.
 - 1.4 Vaccination - The City Health Office through the City Health Officer shall assist in the immunization of veterinary personnel, laboratory staff, medical health workers, and the concerned farm personnel. The City Veterinarian or his official representative shall assist in the conduct of poultry vaccination in the area that are affected and might be affected by the virus.
 - 1.5 Declaration of a quarantine Zone Level 1 - The RFU-DA in coordination with the LGU shall declare a Quarantine Zone Level 1 the area within 3 kilometers radius from the site of the suspect premises.
 - 1.5.1 Upon such declaration, the City Veterinary Office in coordination with the PNP shall impose strict movement control of humans, poultry, livestock and other animal products within 3-km radius zone.
 - 1.5.2 The City Veterinary Office and RFU-DA shall identify poultry holding facilities within the 3 km radius zone and advise the owners of the poultry holding facilities of the movement control being imposed by the city.
 - 1.5.3 The RFU-DA staff and the City Veterinary Office shall trace all animal and human movement, respectively, up to 20 days prior to the onset of the first clinical sign (s) in the Suspect Premises.
 - 1.5.4 The City Veterinarian shall accomplish a formal epidemiological report within 3 days indicating the poultry population under quarantine and a risk analysis of possible spread of the infection based on recorded movements of animals, poultry products, and equipment humans.
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- 1.5.5 Movement of the residents in and out of the 3 km Quarantine Zone Level 1 will be allowed provided they do not get into contact with other poultry.

7.1 INFECTED PREMISES

- 2.1 Reclassification of Suspect Premises - The Suspect Premises shall be reclassified into Infected Premises when the results of the virus isolation test in PAHC-BAI are positive. The director of BAI shall make a formal declaration of the area as Infected Premises.
- 2.2 Reclassification of Quarantine Zone Level 1 to Level 2 - Upon declaration of the Infected Premises, the RFU-DA, in coordination with the BAI and LGU, shall declare a 3-km radius from the Infected Premises to be a Quarantine Zone Level 2.
- 2.3 Stamping-out Activity - Stamping out shall be implemented in the Infected Premises and the Quarantine Zone Level 2 shall be under the authority of BAI-DA. The activities and procedures to be carried out in an Infected Area and the responsibilities of the different government agencies that shall be those as prescribed in Avian Influenza Protection Program Manual of Procedure of the Bureau of Animal Industry.
- 2.4 Movement Limitations & Restrictions in Infected Premises and in Quarantine Zone Level 2
- 2.4.1 Humans - The DOH, through the Local Health Authorities, shall release information material stating all the necessary guidelines on human movement limitations & restrictions.
- 2.4.2 Poultry and Poultry Products
- Movement of any live poultry, poultry products or poultry by-products from the Infected Premises and Quarantine Zone Level 2 shall be strictly prohibited. This shall be enforced by representative of the City Veterinary Office in coordination with the National Meat Inspection Services and with the PNP.
 - Checkpoints manned by PNP along thoroughfares in the periphery of Quarantine Zone Level 2 should be in place to ensure compliance of the order to control the movement of poultry and poultry products in and out of the infected premises.
- 3 The Local Avian Influenza Protection Plan (LAIPP) shall adopt the Avian Influenza Protection Program Manual of Procedure adopted by the National Avian Influenza Task Force.

**SECTION VIII PROHIBITION OF OFFER FOR SALE AND/OR SALE -
While there is a threat of Bird Flu:**

1. It shall be prohibited for any person to offer for commerce, engage in trade or have in possession any exotic species of poultry wildlife;
2. It is also unlawful for any person or corporation to possess/own or keeps unregistered exotic birds for whatever purpose or intent;
3. A violation of this provision shall be penalized accordingly under Chapter IV (Illegal Acts) of RA 9147.

SECTION IX OTHER PROHIBITION - While there is threat of Bird Flu:

1. It shall be unlawful for any person or corporation to offer for sale and transport live chickens/gamefowls in the city;
2. It shall be unlawful for any person or corporation to place chicken, ducks and pigs together in the same area, cages or pens;
3. It shall be unlawful for the owner/possessor to allow their chicken, ducks and other domesticated poultry/fowls to roam freely in the field or area where migratory birds congregates;
4. It shall be unlawful for any person to hunt and capture wild/migratory birds;
5. It shall be unlawful for the owner, manager or any persons to kept, conceal, transport or slaughter, the livestock, birds, chicken and other domestic animals while the area, poultry or farm is declared under quarantine zone;
6. It shall be unlawful for any person to bring in smuggled live chickens, chicken meat, fighting cocks, birds, or any other livestock coming from countries or areas affected by bird flu virus.
7. It shall be unlawful for any person to stop, prevent or caused to be prevented any officer or employee allowed under this ordinance to inspect, investigate, or quarantine the area or farms affected by the avian flu virus.

SECTION X NEGATIVE MONITORING REPORT

The City Veterinary Office shall submit monthly Negative Monitoring Report to the Regional and/or National AI Task Force

SECTION XI SURVEILLANCE

The City Veterinary Office shall assist the national/regional surveillance group in the conduct of zero-surveillance, identification of poultry holding facilities and in encouraging participation of the facility owners/operators in surveillance and reporting. Surveillance reports shall be recorded and submitted to the National AI Task Force Center at the BAI

The City Veterinary Office in coordination with the PNP shall likewise assist BAI in enforcing requirements covering the local transport of animals, including poultry and poultry by-products, as covered by BAI Memorandum dated July 13, 2004. This activity shall be enforced in coordination with the local PNP Station.

SECTION XII INFORMATION DISSEMINATION

The City Veterinary Office shall conduct regular information education campaigns. These campaigns shall include recommended bio-security and other Avian Influenza preventive measures.

SECTION XIII MOBILIZATION OF BARANGAY HEALTH EMERGENCY RESPONSE TEAMS (BHERTS)

To maximize efforts at the grassroots level, the organized BHERTs, pursuant to DILG Memorandum Circular No. 2003-95 dated May 7, 2003 shall be mobilized to provide assistance to the Task Force in the implementation of this ordinance.

SECTION XIV POWER OF ENTRY

The City Veterinarian and the City Health Officer shall have the power of entry to all premises or farms that are affected or under investigation of possible infection of said virus. This power includes the routinely activities of their official representative after presentation of appropriate authority from the City Health Officer and/or the City Veterinarian.

SECTION XV PENALTY

Any violation of any provision of this Ordinance shall be prosecuted and shall be punished for an administrative fine of not less than One Thousand Pesos (P1,000.00) but not more than Five Thousand Pesos (P5,000.00) or imprisonment of not more than six (6) years or both at the discretion of the Court.

In case the violator is a public officer or employee he shall be punished by both a fine and imprisonment depending upon the degree of his participation in the unlawful act.

In the case of corporation, its manager, president or any office who have directly participated in the unlawful act shall be held liable under this ordinance and without prejudice to the administrative action of the city by cancellation of license or Mayor's Permit of said corporation.

SECTION XVI This ordinance shall take effect fifteen (15) days after its publication.

CARRIED BY THE VOTE OF:

Affirmative:

Councilors:

Greg G. Gasalaya, Ana Marie V. Palermó, Lyndon P. Caña,
Jocelle Batapa-Sigue, Napoleon A. Cordova, Elmer T. Sy,
Cataño T. Alisbo, Reynold I. Iledan

Negative : None.

Absent : Councilor Dindo C. Ramos.

Author : Councilor Reynold I. Iledan.


Passed : April 6, 2006 (93rd Regular Session)

Comments: Passed.
Councilors Homer Q. Bais, Jude Thaddeus A. Sayson, Al Victor A. Espino, Arturo V. Parreño and Marx Louie S. de la Rosa were not yet around when this ordinance was passed.




RENECITO S. NOVERO
Vice Mayor
Presiding Officer

ATTESTED:



ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

APPROVED: *May 2, 2006*
April 2006



EVELIO R. LEONARDIA
City Mayor

NT/VHPL/jemz

