



Territory of Guam
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OFFICE OF THE GOVERNOR
LEFINAN I MAGALAHI
AGANA, GUAM 96910 U.S.A.

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MAY 07 1993

The Honorable Joe T. San Agustin
Speaker, Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

RECEIVED
LEGISLATIVE SECRETARIAT
[Signature]

Dear Mr. Speaker:

Transmitted herewith is Bill No. 192 which I have signed into law this date as
Public Law 22-13.

Sincerely yours,

[Signature]
JOSEPH F. ADA
Governor of Guam

220209

Attachment

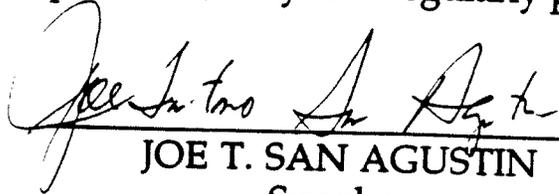


Commonwealth Now!

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

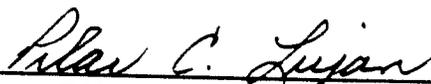
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 192 (LS), "AN ACT TO REPEAL AND REENACT ARTICLES 1 AND 2 OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, AND TO ADD A NEW ARTICLE 3 THERETO, ON LICENSING AND KEEPING ANIMALS, AND ON ANIMAL SHELTER OPERATION," was on the 23rd day of April, 1993, duly and regularly passed.



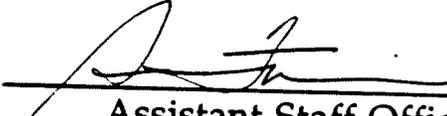
JOE T. SAN AGUSTIN
Speaker

Attested:



PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 26th day of April
1993, at 3:32 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: May 7, 1993

Public Law No. 22-13

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 192 (LS)

As substituted by the Committee on Health,
Ecology, and Welfare and as amended by
the Committee on Rules

Introduced by:

D. L. G. Shimizu
C. T. C. Gutierrez
T. S. Nelson
E. P. Arriola
J. P. Aguon
M. Z. Bordallo
M. D. A. Manibusan
D. F. Brooks
F. P. Camacho
T. C. Ada
H. D. Dierking
P. C. Lujan
V. C. Pangelinan
D. Parkinson
E. D. Reyes
J. T. San Agustin
F. R. Santos
J. G. Bamba
A. C. Blaz
T. V. C. Tanaka
A. R. Unpingco

AN ACT TO REPEAL AND REENACT ARTICLES 1 AND 2 OF
CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, AND TO
ADD A NEW ARTICLE 3 THERETO, ON LICENSING AND
KEEPING ANIMALS, AND ON ANIMAL SHELTER
OPERATION.

- 1 **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**
2 **Section 1.** Article 1 of Chapter 34, Title 10, Guam Code Annotated, is
3 hereby repealed in its entirety and reenacted to read as follows:

1 "Article 1. Control and Licensing of Pets

2 §34101. Definitions.

3 §34102. Pet license required.

4 §34103. Pet license.

5 §34104. Seeing-eye and hearing-aid dogs.

6 §34105. Issuance and description of license.

7 §34106. Description of pet license tag.

8 §34107. Replacement of pet license tag.

9 §34108. Rabies vaccination.

10 §34109. Vicious pet.

11 §34110. Immediate menace.

12 §34111. Pet attacking person.

13 §34112. Pet trespassing on private property.

14 §34113. Liability.

15 §34114. Damages by pet: owner liable.

16 §34115. Pet Control Unit.

17 §34116. Dog running at large, impoundment, holding period,
18 sterilization and adoption.

19 §34117. Impoundment.

20 §34118. Facility operation.

21 §34119. Minimum standards.

22 §34120. Authority to kill pets running at large.

23 §34121. Authority of officers.

24 §34122. Wrongful interference with officers.

25 §34123. Disposition of money collected.

26 §34124. Penalties.

1 §34101. **Definitions.** For purposes of this Article:

2 (a) "Euthanasia" meaning putting an animal to death by
3 drug in a manner provided by regulation of the Department of
4 Public Health and Social Services (the "Department").

5 (b) "Impoundment" means strict confinement under
6 restraint by leash, cage or paddock upon premises specified by
7 order of the Director of Public Health and Social Services (the
8 "Director").

9 (c) "Officer" means a member of the Guam Police
10 Department, a Mayor of Guam, or a person authorized by the
11 Director.

12 (d) "Person" means any natural person, association,
13 partnership, firm, corporation or any government entity.

14 (e) "Pet" means a cat or dog.

15 (f) "Pet owner" means any person or legal entity who
16 harbors, cares for, exercises control over or knowingly permits
17 any pet to remain on premises occupied by that person or legal
18 entity.

19 (g) "Running at large" means any dog that:

20 (1) is not restrained on private property in a manner
21 that physically prevents the dog from leaving that property
22 or reaching any public areas; or

23 (2) when on public property, or any public area, is not
24 restrained by a leash, tether or other physical control device
25 not to exceed eight (8) feet in length and under the physical
26 control of a capable person.

1 (h) "Unlicensed pet" means any pet not exempted under the
2 provisions of this Article for which the license for the current year
3 has not been issued or to which the license tag is not attached.

4 (i) "Department" means the Department of Public Health
5 and Social Services.

6 (j) "Director" means the Director of Public Health and
7 Social Services.

8 §34102. **Pet license required.** No person shall own a pet unless it
9 is licensed and wearing a license tag as provided by this Article. This
10 shall not apply to pets under the age of three (3) months, pets in
11 quarantine or pets brought into Guam for a temporary term not to
12 exceed one (1) month for the exclusive purpose of entering such pets in a
13 show or exhibition.

14 §34103. **Pet license.**

15 (a) Each pet shall be licensed by its owner.

16 (b) The license year is January first to December thirty-
17 first.

18 (c) The owner of a pet imported into Guam shall have
19 thirty (30) days to obtain the prescribed license. Pets exempted by
20 §34102 of this Article shall be licensed when such exemption
21 expires.

22 (d) The fee shall be established by the Director. The full fee
23 shall be paid for any fraction of the year for which a license is
24 issued.

25 (e) A pet license is not transferable to another pet. The
26 license number shall be assigned to the pet and shall remain with

1 the animal upon transfer to another owner for the life of the
2 license.

3 (f) A penalty to be established by regulation shall be
4 charged for late renewal of a license.

5 (g) Any penalty shall be in addition to the applicable license
6 fee and payable at the time of the issuance.

7 **§34104. Seeing-eye and hearing-aid dogs.** A blind or deaf person
8 owning a dog trained to aid the blind or deaf, commonly called a
9 seeing-eye or hearing-aid dog, shall be exempted from payment of any
10 license fee.

11 **§34105. Issuance and description of license.** All licenses for pets
12 shall be issued by the Department upon payment of the fee. The license
13 shall be in such form as the Director shall approve and shall include the
14 following:

15 (a) The name and address of the owner;

16 (b) The expiration date of the license;

17 (c) The date of payment;

18 (d) The breed, age, sex, sterilization status (whether
19 spayed or neutered) and color of the pet;

20 (e) The serial number of the tag issued for such pet;

21 (f) The date of rabies vaccination, vaccine expiration date,
22 the type, manufacturer's name and serial number of the vaccine
23 lot used.

24 **§34106. Description of the pet license tag.** A tag in such form and
25 design as prescribed by the Director, stating the serial number of the tag
26 and the license year, shall be issued with each license. The tag shall be
27 attached to a collar around the neck of, or to a harness worn by the pet

1 for which the license tag was issued, except when the pet is displayed in
2 an exhibition or show. It shall be unlawful for any person to attach a
3 license tag to the collar or harness of any pet except the pet which is
4 described in the application for such license tag.

5 **§34107. Replacement of pet license tag.** If any license tag is lost,
6 mutilated or stolen, the pet owner to whom such tag was issued shall be
7 entitled to receive a replacement by presenting to the Department
8 satisfactory proof that such tag was lost, mutilated or stolen. A
9 substitute tag shall be issued upon payment of a fee equal to one-half
10 (1/2) the annual license fee.

11 **§34108. Rabies vaccination.** A pet license shall be issued only
12 upon presentation of a valid certificate of vaccination against rabies
13 providing immunity during the period of licensure and signed by a
14 licensed veterinarian. The type and quantity of rabies vaccine utilized
15 to vaccinate pets within Guam and accepted duration of immunity
16 produced by such vaccine shall be determined by regulation specified by
17 the Director.

18 **§34109. Vicious pet.** Any pet which, while running at large, has
19 bitten a person or persons ~~two~~ (2) or more times may be declared to be a
20 vicious pet and ordered confined or destroyed by the Director.

21 **§34110. Immediate menace.** It shall be lawful for any officer, if
22 there are no other readily available means of bringing the pet under
23 control, to kill any pet that constitutes an immediate menace to any
24 person. The officer shall turn the carcass of the pet over to the
25 Department as soon as possible for examination as determined by the
26 Director, and compile a written report and submit to the Director
27 describing the event leading to the killing if said pet was licensed.

1 **§34111. Persons attacked by animal.** Any person who is attacked
2 by a pet or animal or any person witnessing any such attack may kill
3 such pet or animal while so attacking or thereafter. Such person shall
4 notify the Department immediately of such killing and remain with the
5 carcass until an officer takes possession of the carcass. The carcass
6 shall be immediately delivered to the Department for examination.

7 **§34112. Pet trespassing on private property.**

8 (a) Any person who shall observe a pet to be trespassing on
9 land or premises not owned or possessed by owner of the pet shall
10 report such trespass to the Pet Control Unit.

11 (b) It shall be unlawful for any person to kill a pet not
12 owned by him except in any of the following cases or as otherwise
13 provided in this Article:

14 (1) The pet is found in the act of killing, wounding or
15 persistently pursuing livestock or poultry on land or
16 premises not owned or possessed by the pet owner;

17 (2) The person has such proof as conclusively shows
18 that the pet has recently engaged in killing or wounding his
19 livestock or poultry on land or premises owned by him.

20 **§34113. Liability.** Any person killing or injuring a pet pursuant to
21 action taken by him as authorized under any section of this Article shall
22 not incur any financial liability to the owner of such pet.

23 **§34114. Damages by pet: owner liable.** If a pet shall injure any
24 person or damage any person or property, the pet owner shall be liable
25 to the extent that his negligence was the proximate cause of such injury
26 or damage.

27 **§34115. Pet Control Unit.**

1 The Department shall maintain a Pet Control Unit. The Pet
2 Control Unit shall maintain a pound, provide and carry out a territory-
3 wide plan to collect and place under observation biting pets, reduce the
4 number of pets running at large and, upon request, collect and dispose
5 of humanely any sick, aged, injured or unwanted small animal. The
6 Mayors of Guam shall have the concurrent responsibility within their
7 respective jurisdiction for collecting all pets running at large and
8 turning them over to the Pet Control Unit. At the discretion of the
9 Director or his designated representative, a biting pet may be confined
10 by the owner of such pet in accordance with regulation adopted by the
11 Director.

12 **§34116. Dog running at large, impoundment, holding period,**
13 **sterilization and adoption.**

14 (a) It shall be unlawful for any dog owner to willfully allow
15 a dog owned by him to run at large.

16 (b) Any pet over three (3) months old that is not licensed as
17 required by §34102 of this Article or any dog that is not wearing a
18 current tag in accordance with §34106 of this Article or any dog
19 that is running at large shall be apprehended and impounded or
20 disposed of in accordance with regulations adopted by the
21 Director.

22 (c) The owner, as shown on the license, of any licensed pet
23 that has been impounded shall be notified of such impoundment
24 and that the pet, if not claimed within ten (10) days after such
25 notification, may be given for adoption upon payment of the
26 applicable per diem costs and adoption deposit or humanely
27 destroyed. Such notice may be delivered personally to the owner,

1 let at his place or residence in Guam, or sent by regular mail to his
2 last known address, or informed by telephone or fax to the
3 number(s) as shown on the license. At the end of ten (10) days
4 after notification, any licensed pet not claimed may be given for
5 adoption upon payment of the applicable per diem costs and
6 adoption deposit or humanely destroyed.

7 (d) Any unlicensed pet that has been impounded shall be
8 kept for three (3) days and may be claimed by the owner by
9 obtaining a license as provided in this Article and paying for the
10 costs for care and keep. At the end of three (3) days after
11 impoundment, any such pet not claimed may be given for
12 adoption or humanely destroyed.

13 (e) A per diem charge to be fixed annually by the Director
14 on the basis of operating costs shall be charged for every day, or
15 part thereof, for any pet, kept in the pound. Such charge shall be
16 borne by the owner of the impounded pet, if known, and shall be
17 included in costs to any claimant.

18 (f) All pets over the age of six (6) months given for
19 adoption shall be sterilized before being released to new owners.
20 Any expense incurred for such operations or vaccinations shall be
21 included with the costs of care and keep and borne by the new
22 owner.

23 (g) No dog or cat under the age of six (6) months to be
24 given for adoption shall be released without a written agreement
25 from the adopter guaranteeing that such animal will be sterilized.
26 A deposit of at least Seventy-Five Dollars (\$75) must be paid at
27 the time of adoption of a dog, and Fifty Dollars (\$50) for a cat to

1 guarantee for sterilization. Failure to perform the sterilization
2 shall be a forfeiture of the amount deposited and the animal shall
3 be returned to the pound.

4 **§34117. Impoundment.** Any pet may be impounded and held at
5 the facility when it is the subject of a violation of this Article, when a pet
6 requires protective custody and care because of mistreatment or neglect
7 by its owner, or when otherwise ordered impounded by a court.

8 **§34118. Facility operation.**

9 (a) The Director shall operate, maintain or provide for an
10 adequate facility to receive, care for and safely confine pets
11 delivered to the Director's custody under provisions of this Article
12 and such facility shall be reasonably accessible to the public.

13 (b) The Director may contract the operation of the shelter
14 to any qualified non-profit private organization. If the Director
15 so contracts, the private non-profit organization must operate the
16 facility so as to conform to the provisions provided herein. Pet
17 control shall remain the sole responsibility of the Department of
18 Public Health and Social Services.

19 (c) The enactment of any provision of this Article shall not
20 be cause for reduction of personnel in the Pet Control Unit.

21 (d) The Director shall provide that a licensed veterinarian
22 attend to the pets at the facility as necessary.

23 **§34119. Minimum standards.** The Director shall prescribe the
24 minimum standards for humane pet care set forth in this Article.

25 **§34120. Authority to kill pets running at large.** It shall be
26 unlawful to shoot or otherwise kill any pet which has bitten or is
27 believed to have bitten any person except to prevent further attack by

1 the pet or to prevent otherwise unavoidable escape of the pet. In every
2 other case, however, officers may apprehend pets running at large by
3 any means deemed reasonably necessary under the circumstances and
4 provided for in regulations specified by the Director. When the Director
5 shall determine that the use of poison baits are necessary to reduce the
6 number of pets running at large, the following guidelines shall be
7 observed:

8 (a) Poison baits may be placed on private property only
9 upon written consent of the owner or tenant of such property;

10 (b) Poison baits may, after public announcement, be placed
11 on public lands within a municipality only with the written
12 consent of the Mayor of that municipality or during a public
13 health emergency due to rabies.

14 **§34121. Authority of officers.**

15 (a) All officers shall have authority as peace officer to the
16 extent necessary to enable them to discharge all duties assigned to
17 them by law.

18 (b) Any officer is authorized to enter upon any private
19 premises, and is authorized to remove any pet from public or
20 private property, if that officer has reason to believe that the pet
21 or its owner is in violation of any provisions of this Chapter. Any
22 pet so removed shall be impounded and delivered to the pound.

23 (c) Any officer may issue a citation of violation as provided
24 in §§25.10 through 25.50 of Title 8, Guam Code Annotated.

25 **§34122. Wrongful interference with officers.** Any person resisting
26 or obstructing an officer in the exercise of his duties as provided in this

1 Article shall be guilty of a misdemeanor and punished as prescribed in
2 §34124 of this Article.

3 §34123. **Disposition of money collected.** All moneys collected
4 under provisions of this Article shall be placed in the General Fund.

5 §34124. **Penalties.** Violation of §34122 of this Article shall be
6 punishable by imprisonment not to exceed one (1) year or by a fine not to
7 exceed One Thousand Dollars (\$1,000) or both. Violation of any other
8 provision of this Article which provides that certain conduct shall be
9 unlawful shall be punishable by a fine not less than Fifty Dollars (\$50),
10 or by imprisonment not to exceed six (6) months, or both."

11 **Section 2.** Article 2 of Title 10, Guam Code Annotated, is hereby
12 repealed and reenacted as follows:

13 "Article 2. Permits for Animal Facilities,
14 Humane Animal Care.

- 15 §34201. **Definitions.**
- 16 §34202. **Permits.**
- 17 §34203. **Permit issuance and revocation.**
- 18 §34204. **Confinement.**
- 19 §34205. **Animal care.**
- 20 §34206. **Keeping of wild animals.**
- 21 §34207. **Performing animal exhibitions.**
- 22 §34208. **Animal waste.**
- 23 §34209. **Authority of officers.**
- 24 §34210. **Penalties.**

25 §34201. **Definitions.** For purposes of this Article:

26 (a) "Animal" means any live non-human vertebrate
27 creature, domestic or wild;

1 (b) "Animal shelter" means any facility operated by a
2 humane society, the government of Guam or its authorized
3 agents for the purpose of caring for animals held under the
4 authority of this Article;

5 (c) "Auctions" mean any place or facility where animals are
6 regularly bought, sold or traded, except for those facilities
7 otherwise defined in this Article. This does not apply to individual
8 sales of animals by owners;

9 (d) "Circus" means a commercial variety show featuring
10 animal acts for public entertainment;

11 (e) "Commercial animal establishment" means an pet shop,
12 grooming shop, auction, riding school or stable, zoological park,
13 circus performing animal exhibition, animal quarantine facility or
14 kennel;

15 (f) "Grooming shop" means a commercial establishment
16 where animals are bathed, clipped, plucked or otherwise
17 groomed;

18 (g) "Officer" means a member of the Guam Police
19 Department, a Mayor or a person authorized by the Director of
20 Public Health and Social Services (the "Director");

21 (h) "Kennel" means any premises wherein any person
22 engaged in the business of boarding, breeding, buying, letting for
23 hire, training for a fee, selling dogs or cats, or any premise in a
24 non-agricultural zone area upon which five (5) or more adult dogs
25 or cats are harbored or kept;

26 (i) "Owner" means any person, partnership or corporation
27 owning, keeping or harboring one (1) or more animals. An animal

1 shall be deemed to be harbored if it is fed or sheltered three (3)
2 consecutive days or more;

3 (j) "Performing animal exhibition" means any spectacle,
4 display, act or event other than circuses in which performing
5 animals are used;

6 (k) "Pet" means any animal kept for pleasure rather than
7 utility;

8 (l) "Pet shop" means any person, partnership or
9 corporation, whether operated separately or in connection with
10 another business enterprise except for a licensed kennel that buys,
11 sells or boards any species of animal;

12 (m) "Public nuisance" means any animal which:

13 (1) Molests passersby or passing vehicles;

14 (2) Attacks other animals;

15 (3) Trespasses on school grounds;

16 (4) Is repeatedly at large; or

17 (5) Damages private or public property;

18 (n) "Restraint" means any animal secured by a leash or lead
19 or under the control of a responsible person and obedient to that
20 person's commands or within the real property limits of its owner;

21 (o) "Riding school or stables" mean any place which has
22 available for hire, boarding and/or riding instruction, any horse,
23 pony, donkey, mule or burro;

24 (p) "Veterinary hospital" means any establishment
25 maintained and operated by a licensed veterinarian for surgery,
26 diagnosis and treatment of disease and injuries of animals;

1 (q) "Vicious animal" means any animal that constitutes a
2 physical threat to human beings or other animals;

3 (r) "Wild animal" means any animal which is not commonly
4 domesticated, or which is not native to Guam, or which,
5 irrespective of geographic origin, is of a wild or predatory nature,
6 or any domesticated animal, which because of its size, vicious
7 nature or other characteristics would constitute an unreasonable
8 danger to human life or property if not kept, maintained or
9 contained in a safe and secure manner;

10 (s) "Zoological parks" means any facility, other than a pet
11 shop or kennel, displaying or exhibiting one (1) or more species of
12 non-domesticated animals operated by a person, partnership,
13 corporation or government agency;

14 (t) "Permitting authority" means the Department of Public
15 Health and Social Services (the "Department") which shall be the
16 permitting authority for purposes of this Article.

17 **§34202. Sanitary permits.**

18 (a) No individual, partnership or corporation, or any other
19 group or combination acting in concert shall operate a zoo, pet
20 shop, kennel, animal shelter, veterinary hospital or other
21 commercial animal establishment, or which imports, exports,
22 exhibits, sells, boards or otherwise exposes the public to live
23 animals without first obtaining a sanitary permit to operate, and
24 shall conduct such enterprise in compliance with this section and
25 any regulations specified by the Director. An exception to this
26 provision may be made for kennels on land which is zoned as
27 agricultural.

1 (b) The Department shall promulgate regulations for the
2 issuance of permits and shall include requirements for humane
3 care of all animals and for compliance with the provisions of this
4 Article.

5 (c) Upon a showing by an applicant for a permit that he is
6 willing and able to comply with the regulations promulgated by
7 the permitting authority, a permit shall be issued upon payment of
8 the applicable fee.

9 (d) The permit period shall coincide with business license
10 period and run for one (1) year. Renewal applications for permits
11 shall be made thirty (30) days prior to expiration. Application for
12 permit to establish a new commercial animal establishment under
13 the provisions of this Article may be made at any time.

14 (e) Every facility regulated by this Article shall be
15 considered a separate enterprise and requires an individual
16 permit.

17 (f) Persons operating kennels for the breeding of dogs or
18 cats may elect to license such animals individually.

19 (g) Failure to obtain a permit before opening any facility
20 covered in this section shall result in a fine of Two Hundred
21 Dollars (\$200). Each day of violation is a separate offense.

22 (h) Any person who has a change in the category under
23 which a permit was issued shall be subject to reclassification and
24 appropriate adjustment of the permit fee shall be made.

25 (i) The permit required in this section shall be in addition to
26 the business license required for the business to operate.

27 **§34203. Permit issuance and revocation.**

1 (a) The permitting authority may revoke any permit if the
2 person holding the permit refuses or fails to comply with this
3 Article, the regulations promulgated by the permitting authority
4 or any law governing the protection and keeping of animals.

5 (b) Any person whose permit is revoked shall, within ten
6 (10) days thereafter, appropriately dispose all animals owned,
7 kept or harbored and no part of the permit fee shall be refunded.

8 (c) It shall be a condition of the issuance of any permit or
9 license that the permitting authority shall be permitted to inspect
10 all animals and the premises where animals are kept at any time
11 and shall, if permission for such inspections is refused, revoke the
12 permit of the refusing owner.

13 (d) If the applicant has withheld or falsified any
14 information on the application, the permitting authority shall
15 refuse to issue a permit.

16 (e) No person who has been convicted of cruelty to animals
17 shall be issued a permit to operate a commercial animal
18 establishment.

19 (f) Any person having been denied a license or permit may
20 not reapply for a period of thirty (30) days. Each reapplication
21 shall be accompanied by a Ten Dollar (\$10) fee.

22 **§34204. Confinement.**

23 (a) Every female dog or cat in heat shall be confined in a
24 building or secure enclosure in such a manner that such female
25 dog or cat cannot come in contact with another animal except for
26 planned breeding.

1 (b) Every vicious animal, as determined by the
2 Department, shall be confined by the owner within a building or
3 secure enclosure and shall be securely muzzled or caged whenever
4 the animal leaves the premises of its owner.

5 §34205. Animal care.

6 (a) No owner shall fail to provide his animals with
7 sufficient good and wholesome food and water, proper shelter
8 and protection from the weather, veterinary care when needed to
9 prevent suffering and with humane care and treatment.

10 (b) No person shall beat, cruelly ill treat, torment,
11 overload, overwork, or otherwise abuse an animal or cause,
12 instigate or permit any dogfight, bullfight or other combat
13 between animals with the exception of cockfighting as regulated
14 by the Cockpit License Board.

15 (c) No owner of an animal shall abandon such animal.

16 (d) No person shall crop a dog's ears except when a
17 licensed veterinarian issues a signed certificate that the operation
18 is necessary for the dog's health and comfort and in no event shall
19 any person except a licensed veterinarian perform such an
20 operation.

21 (e) Any person who, as the operator of a motor vehicle,
22 strikes a domestic or wild animal shall stop at once and render
23 such assistance as may be possible and shall immediately report
24 such injury or death to the animal's owner. In the event the
25 owner cannot be ascertained and located, such operator shall at
26 once report the accident to an officer.

27 §34206. Keeping of wild animals.

1 (a) No person shall keep or permit to be kept on his
2 premises any wild or vicious animal for display or for exhibition
3 purposes, whether gratuitously or for a fee. This section shall not
4 be construed to apply for zoological parks, performing animal
5 exhibitions or circuses.

6 (b) No person shall keep or permit to be kept any wild
7 animal as a pet.

8 (c) The permitting authority shall have the power to
9 release or order the release of any infant wild animal kept under
10 temporary permit which is deemed capable of survival.

11 **§34208. Performing animal exhibitions.**

12 (a) No performing animal exhibition or circus shall be
13 permitted in which animals are induced or encouraged to perform
14 through the use of chemical, mechanical, electrical or manual
15 devices in a manner which will cause or is likely to cause physical
16 injury or suffering.

17 (b) All equipment used on performing animals shall fit
18 properly and in good working condition.

19 **§34208. Animal waste.** The owner of every animal shall be
20 responsible for the removal of any excreta deposited by his animal(s) on
21 public walks, recreation areas or private properties.

22 **§34209. Authority of officers.**

23 (a) Any officer may issue a citation of violation as provided
24 in §§25.10 through 25.50 of Title 8, Guam Code Annotated.

25 (b) The Director may declare an animal to be a public
26 nuisance. Any animal found by the Director to be a public

1 nuisance shall be impounded and may be ordered confined or
2 destroyed.

3 **§34210. Penalties.**

4 (a) Except as otherwise provided herein, any person
5 violating any provision of this Article shall be deemed guilty of a
6 violation and shall be punished by a fine of not less than Fifty
7 Dollars (\$50) nor more than Five Hundred Dollars (\$500). If any
8 violation be continuing, each day's violation shall be deemed a
9 separate violation.

10 (b) The provisions of this Article shall not apply to any
11 operator of a greyhound racing track nor to any greyhound racing
12 dog so long as such greyhound is subject to regulation by the
13 Department of Revenue and Taxation."

14 **Section 3.** Article 3 is hereby added to Chapter 34, Title 10, Guam Code
15 Annotated, to read as follows:

16 "Article 3. Quarantine

17 **§34301. Definitions.**

18 **§34302. Rabies prevention.**

19 **§34303. Observation of suspected dogs.**

20 **§34304. Examination of impounded or quarantined dogs for**
21 **rabies.**

22 **§34305. Rabies outbreak.**

23 **§34306. Violations and penalties.**

24 **§34301. Definitions.** For purposes of this Article:

25 (a) "Carrier" means any individual, partnership,
26 corporation or any other group or combination acting in concert
27 which shall transport any animal into, through or upon Guam.

1 (b) "Designated inspection area" means an area designated
2 by the Director of Public Health and Social Services (the
3 "Director).

4 (c) "Dog or cat" means those animals belonging to the
5 order Carnivora, including dogs, wolves, foxes, skunks, raccoons,
6 cats, civets, hyenas, weasels, wolverines; the order Marsupialia,
7 including opossums, koalas, kangaroos; and the order
8 Chiroptera, including bats.

9 (d) "Impoundment" means strict confinement under
10 restraint by leash, cage or paddock upon premises specified by
11 order of the Director.

12 (e) "Officer" means a member of the Guam Police
13 Department, a Mayor of Guam, or a person authorized by the
14 Director.

15 (f) "Quarantine" means strict isolated impoundment.

16 (g) "Rabies" means the acute infectious disease of the
17 central nervous system caused by a filterable virus, most
18 frequently transmitted by the bite of infected animals and
19 commonly referred to "hydrophobia".

20 **§34302. Rabies prevention.**

21 (a) **Quarantine unit.** The Department of Public Health and
22 Social Services (the "Department") shall maintain a dog or cat
23 quarantine unit, provide and carry out a quarantine program to
24 receive incoming dogs or cats upon arrival on the island, have
25 such dogs or cats examined within twenty-four (24) hours upon
26 arrival and twenty-four (24) hours prior to release from
27 quarantine by a licensed veterinarian and provide for the health

1 and well-being of such dogs or cats for the duration of their
2 quarantine, including the administering of necessary
3 immunization shots by a licensed veterinarian at the quarantine
4 unit at the expense of the owner.

5 (b) **Quarantine of dogs or cats.** All dogs or cats brought
6 into Guam shall be subject to quarantine for a period of time
7 approved by the Director. Requirements for the entry to and
8 release from quarantine of dogs brought into Guam shall be a
9 minimum of one hundred twenty (120) days. Any and all costs,
10 including care and keep, shall be borne by the dog or cat owner.

11 (c) **Exemption from quarantine.** Notwithstanding any
12 other provision of this Article:

13 (1) **Certain dogs.** Seeing-eye dogs serving blind
14 masters or hearing-aid dogs serving deaf persons and dogs
15 which are the official property of a federal, state or
16 territorial government agency may, in the absence of
17 evidence that they have been exposed to rabies, be granted
18 exemptions from the quarantine provisions of this Article,
19 provided they:

20 (i) Comply with all other requirements for
21 entry into the territory;

22 (ii) Remain the property of the individual or
23 agency whose property they were given when granted
24 such exemption;

25 (iii) Remain free of signs or symptoms of rabies;

26 (iv) Are made available for examination by an
27 officer at any reasonable time.