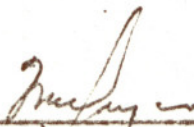


FIFTH GUAM LEGISLATURE
1960 (SECOND) Regular Session

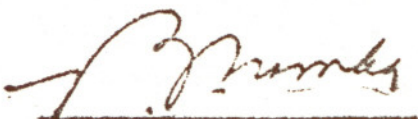
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 240, "An Act to repeal Section 12129 of the Government Code of Guam to repeal Subsection I of Section 369 of the Penal Code of Guam, to amend Section 9630 of Subchapter N, Chapter 6, Title X, Government Code of Guam, and to add Subchapter M to Chapter 6, Title X, of the Government Code of Guam, pertaining to control and licensing of dogs in Guam", was on the 12th day of February, 1960, duly and regularly passed.



M. U. LUJAN
Vice-Speaker

ATTESTED:



V. B. BAMBA
Legislative Secretary

This Act was received by the Governor this 17th day
of February, 1960 at 11:40 o'clock A. M.



MANUEL F. L. GUERRERO
Assistant Secretary of Guam

APPROVED:



MARCELLUS GRAEME BOSS
Acting Governor of Guam

DATED: FEB 27 1960
11:28 A.M.

P.L.
5-62

AN ACT TO REPEAL SECTION 12129 OF THE GOVERNMENT CODE OF GUAM TO REPEAL SUBSECTION 1 OF SECTION 369 OF THE PENAL CODE OF GUAM, TO AMEND SECTION 9620 OF SUBCHAPTER N, CHAPTER 6, TITLE X, GOVERNMENT CODE OF GUAM, AND TO ADD SUBCHAPTER N TO CHAPTER 6, TITLE X, OF THE GOVERNMENT CODE OF GUAM, PERTAINING TO CONTROL AND LICENSING OF DOGS IN GUAM.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

2 Section 1. Subchapter N is hereby added to Chapter 6, Title
3 X, of the Government Code of Guam, to read as follows:

4 "Subchapter N

5 Control and Licensing of Dogs

6 Section 9620. Short Title. This Subchapter may be cited
7 as the Dog Control Law.

8 Section 9620.1. Definitions. For the purpose of this
9 Subchapter certain terms and words are defined as follows:

10 (a) 'Dog owner' means every person owning, har-
11 bering or keeping a dog.

12 (b) 'Own' includes harboring or keeping a dog.

13 (c) 'Officer' means any member of the Department
14 of Public Safety, the Commissioners of Guam, and
15 any person authorized by the Director of Medical
16 Services.

17 (d) 'Unlicensed dog' means any dog for which the
18 license for the current year has not been paid or to
19 which the tag provided for herein is not attached.

20 Section 9620.2. License required. It shall be unlawful
21 for any person to own a dog unless such dog is licensed as
22 provided by this Subchapter. This section shall not apply to
23 dogs under the age of three months, dogs in quarantine or
24 dogs brought into Guam for a temporary term not to exceed

1 one month for the exclusive purpose of entering such dog
2 in a show or exhibition.

3 Section 9620.3. License year. The license year for dogs
4 shall begin on July 1st. Licenses shall be issued commencing
5 June 1st of each year. The owner of a dog imported into Guam
6 shall have fifteen (15) days to obtain the prescribed license.
7 Dogs exempted by Section 9620.2 shall be licensed within thirty
8 (30) days after the exemption ceases. For any license obtained
9 after the date prescribed by this section, a delinquency
10 penalty of fifty cents (\$0.50) for each month or a fraction
11 thereof shall be added to the fee and collected. The full fee
12 shall be paid for any fraction of any year for which a
13 license is issued.

14 Section 9620.4. License fees. Owners of dogs must
15 procure an annual license for each and every dog they own.
16 The annual license fee for each dog shall be as follows:

17 Males, each	\$2.00
18 Spayed females, each	2.00
19 Females not spayed, each	5.00

20 Before a license is issued for a spayed female dog, the
21 owner shall file with the licensing official an affidavit
22 or certificate in writing, signed by a qualified veterinarian
23 showing that the dog has been spayed. An affidavit or
24 certificate shall not be required if such an affidavit or
25 certificate is already on file.

26 Section 9620.5. Same: Seeing-Eye Dogs. A blind person
27 owning a dog, trained to aid the blind, commonly called
28 a seeing-eye dog, shall be exempted from any fees under this
29 Subchapter.

30 Section 9620.6. Same: Duplicate tag. If any license
31 tag is lost or stolen, the owner to whom such tag was issued
32 shall be entitled to receive a duplicate thereof by presenting

1 to the Department of Finance satisfactory proof that such tag
2 was lost or stolen. A properly numbered substitute or duplicate
3 tag shall thereupon be issued and a fee of fifty cents (\$0.50)
4 collected.

5 Section 9620.7. Issuance of license. All licenses for
6 dogs shall be issued by the Department of Finance upon payment
7 of the prescribed fee. The license shall be in such form
8 as the Director of Finance shall prescribe and shall include
9 the following:

- 10 (a) The name and address of the owner;
11 (b) The expiration date of the license;
12 (c) The date of payment;
13 (d) Description of the dog for which the license
14 is issued;
15 (e) The number of the tag issued for such dog.

16 Section 9620.8. Tag. A tag in such form and design as
17 shall be prescribed by the Director of Finance, stating the
18 serial number, the year for which it is issued and the sex
19 of the dog for which it is issued, shall be issued with each
20 license. The tag shall be attached to a collar around the
21 neck of or to a harness worn by the dog for which the
22 license is issued.

23 Section 9620.9. Rabies certificate required. No dog
24 license shall be issued unless the owner present a valid
25 certificate of vaccination against rabies, signed by a
26 qualified veterinarian. The certificate shall state the date
27 of vaccination, the breed, sex, age and color of the dog, and
28 the origin and serial number of the vaccine used. The
29 Department of Agriculture Veterinarian is hereby authorized
30 to vaccinate and to issue a certificate therefor, upon the
31 payment of a fee not to exceed three dollars (\$3.00).

32 Section 9620.10. Transfer of license. Whenever owner-
33 ship of a dog is transferred, the former owner may surrender

1 any unexpired license and tag issued to him. Upon payment
2 of a fee of fifty cents (\$0.50) a new license and tag shall be
3 issued to the new owner.

4 Section 9620.11. Quarantine of dogs: rabies. Any
5 dog showing any evidence that it has, or is believed to
6 have, rabies, or which has bitten a person, shall be
7 examined by a qualified veterinarian, or a qualified person
8 authorized by the Director, and shall be quarantined
9 or isolated by the Director for a period of not more
10 than fourteen (14) days. Such dog shall be released only
11 upon the certificate of a qualified veterinarian, or by
12 a qualified person authorized by the Director, filed with
13 the Director, that the dog is free of rabies. Any and
14 all costs, including care and keep, shall be borne by
15 the owner if known. Any dog found to have rabies shall
16 be destroyed.

17 Section 9620.12. Vicious dogs. Any dog which has
18 bitten a person or persons two or more times may be declared to be
19 a vicious dog and ordered confined or destroyed by the Director.

20 Section 9620.13. Immediate menace. It shall be
21 lawful for any officer to destroy summarily any dog
22 running at large that constitutes an immediate menace
23 to any one or more persons.

24 Section 9620.14. Dog attacking person. It shall be
25 lawful for any person who, while peaceably conducting him-
26 self in any place where he may lawfully be, is attacked
27 by a dog, or any person witnessing any such attack, to kill
28 such dog while so attacking.

29 Section 9620.15. Dog harassing domestic animals.
30 It shall be lawful for any person to kill any dog found
31 harassing, chasing, worrying, injuring, or killing any
32 domestic animals or fowl, except on the premises of the
33 owner of such dog.

1 Section 9620.16. Liability. Any person killing
2 or injuring a dog pursuant to action taken by him as
3 authorized under Section 9620.13, 9620.14, 9620.15, or
4 9620.16, shall not incur any financial liability to the
5 owner of such dog.

6 Section 9620.17. Damages by dog; owner liable.
7 If a dog shall injure any person or damage any property,
8 the owner of such dog shall be liable in damages.

9 Section 9620.18. Dog control unit. The Department of
10 Public Safety shall maintain a dog control unit. The dog
11 control unit shall maintain a dog pound, provide and carry
12 out a territory-wide plan to collect and impound all dogs
13 running at large, and upon request to collect and dispose
14 of humanely any sick, aged, or unwanted dog. The Com-
15 missioners of Guam shall have the responsibility within
16 their respective jurisdictions of collecting all dogs
17 running at large and turning them over to the dog control
18 unit.

19 Section 9620.19. Dogs running at large.

20 (a) All dogs over three months old running at large
21 shall be impounded.

22 (b) The owner of any licensed dog that has been
23 impounded under this section, as shown on the license, shall
24 be notified in writing of such impounding, and that if the dog
25 is not claimed within fifteen (15) days, such dog shall be sold
26 or destroyed, and any costs for care and keep will be
27 charged against the owner. Such notice may be delivered
28 personally to such owner, or left at his place of residence
29 in Guam or sent by regular mail to his last known address, as
30 shown in the license. At the end of fifteen (15) days any
31 such dog not claimed shall be sold or destroyed.

32 (c) Any unlicensed dog that has been impounded shall be
33 kept for five (5) days, and may be claimed by the owner

1 by obtaining a license as provided in this Subchapter and
2 paying for the costs of care and keep. At the end of five
3 (5) days any such dog not claimed shall be sold or destroyed.

4 (d) A fee of twenty-five cents (\$0.25) per day for care
5 and keep shall be charged and collected for every day or
6 part thereof any dog is kept in the pound.

7 (e) Any dog that is not claimed may be destroyed, or
8 sold for the cost of care and keep incurred at the pound, and
9 in the case of an unlicensed dog, upon payment of the license
10 fee and cost of rabies vaccination.

11 Section 9620.20. Redemption of dog after sale. The
12 owner of any dog which has been seized and sold as provided
13 in this Subchapter, may, at any time within thirty (30) days
14 after such sale, redeem the same from such purchaser by
15 paying to him the amount of the purchase price paid by the
16 purchaser and the sum of fifty cents (\$0.50) per day for the
17 number of days from the date of the sale to and including
18 the day of redemption. All sales made as provided in this
19 Subchapter convey a good and valid title to the purchaser, and
20 unless redeemed, the owner of the dog so sold shall there-
21 after be barred from all rights to recover the same.

22 Section 9620.21. Wrongful interference with officers.
23 Any person resisting or obstructing an officer in the exercise
24 of his duties as provided in this Subchapter shall be guilty
25 of a misdemeanor and punished as prescribed in Section 9500.14
26 of this Chapter.

27 Section 9620.22. Disposition of moneys collected. All
28 moneys collected under the provisions of this Subchapter shall
29 be covered into the General Fund."

30 Section 2. Section 12129, Government Code of Guam, is hereby
31 repealed.

32 Section 3. Subsection (1) of Section 369 of the Penal Code

1 of Guam is hereby repealed.

2 Section 4. Section 9630 of Subchapter N, Chapter 6, Title X,
3 Government Code of Guam, is hereby amended to read as follows:

4 "Section 9630. Confinement of animals. No pigs, goats,
5 sheep, horses, cattle, carabao, or other domestic animals,
6 other than fowl and cats, shall be allowed to run loose or be
7 at large in Agaña or in any village or urban area. All such
8 animals must be confined by fencing, or be kept properly
9 secured by tying or staking. All animals allowed to run
10 loose or be at large in violation of this section shall be
11 impounded by the Department of Public Safety."

12 Section 5. This Act shall take effect on the first day of
13 the first month after approval by the Governor, provided that no
14 license under this Act shall be required with respect to any dog
15 properly licensed on such date under prior existing law until the
16 expiration of the license year under this Act.