

**CHAPTER 3**  
**ANIMAL CONTROL**

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Article 1  
Zoonosis Control Section Dog Control

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**NOTE:** Rule-making authority cited for formulation of regulations for the Zoonosis Control Section of the Department of Public Health and Social Services by the Director of Public Health and Social Services, 10 GCA §34119.

Rule-making authority cited for formulation of regulations relative to entry to, release from and duration of quarantine for dogs and cats entering Guam by the Department of Agriculture, 10 GCA §34109.

Enforcement of these regulations is the responsibility of the Zoonosis Control Section of the Department of Public Health and Social Services as provided in 10 GCA Chapter 34, Article 1.

Rules and regulations on requirements for the introduction of all species of animals into the territory of Guam and on the control of animals and animal diseases within the territory of Guam can be found earlier in this Title. The official government of Guam regulations relative to the entry to, release from and duration of quarantine for dogs and cats entering Guam can be found also in this.

The regulations for the shooting of stray dogs were formulated apart from the original Zoonosis Control Section regulations. However, due to the subject matter of these regulations, the regulations for the shooting of stray dogs were incorporated into the original regulations of the Zoonosis Control Section regulations.

9 GAR ANIMAL REGULATIONS  
DIV. 1 - CARE & CONSERVATION OF ANIMALS

For the purpose of uniformity and ease of use, a new system of numbering has been adopted by the Compiler. The numerical designation of the originally filed regulations is to be found in brackets [ ] following the new designation.

Recently, the Guam Animals In Need (GAIN) organization has taken over operation and control of the Animal Shelter in Yigo, which the Dept. Of Corrections picks up stray and dead animals when their resources permit. (3/19/2004)

**§3100. Definitions.** (a) *Officer* as used in the Dog Control Law shall include, but is not necessarily limited to all persons assigned to the Zoonosis Control Section.

(b) *Director* means the Director of Public Health and Social Services.

**§3101. Premises Suitable for Impoundment.** Premises suitable for impoundment as required by Public Law 10-41 include:

(a) The Dog Pound, Mangilao.

(b) Facilities on the premises of a qualified veterinarian which have been approved by the Chief, Zoonosis Control Section.

(c) The fenced yard, house or secure animal cage on private premises owned or tenanted by the owner of the animal involved and approved by the Chief, Zoonosis Control Section.

**§3102. Premises Suitable for Quarantine.** Premises suitable for *quarantine* as required by Public Law 10-41 include:

(a) Animal Quarantine Station, Yigo.

(b) Facilities on the premises of a qualified veterinarian which have been approved by the Director.

(c) Commercial animal kennel facilities which have been approved by the Director and which, in addition, have furnished to the government of Guam a bond in the sum of Two Thousand Five Hundred Dollars (\$2,500.00) as guarantee that:

(1) All animals quarantined in such facilities shall be subject to all applicable provisions of Regulation 10 of the Department of Agriculture

regarding duration of, entry to and release from quarantine.

(2) All animals quarantined in such facilities will remain isolated from all other animals.

(3) All animals quarantined in such facilities will remain, at all times, in cages or other enclosures that have been approved by the Director except when temporarily removed for sanitation, grooming, exercise or other special purposes. Animals quarantined in such facilities shall in no case be removed from approved premises without the permission of the Chief, Zoonosis Control Section.

(4) The Chief, Zoonosis Control Section or his designated agent shall be permitted to inspect the facilities at any reasonable time.

(d) Violation of any of the above conditions shall constitute grounds for forfeiture of bond, impoundment of quarantined animals and cancellation of approval of the use of such facilities for official quarantine purposes.

**§3103. Dog License.** Vaccination requirements for licensing of dogs are as follows:

(a) **Type of Vaccine.** Acceptable rabies vaccine shall be modified live virus vaccine for dogs and phenolized inactivated vaccine for all other species. Only those vaccines approved by the United States Department of Agriculture will be acceptable.

(b) **Quantity of Vaccine.** The quantity of vaccine shall be that recommended by the manufacturer for the species involved.

(c) Rabies vaccination clinics will be provided when feasible to assure maximum vaccination of pets in areas not readily accessible to other veterinary services.

**§3104. Rabies Examination.** Any impounded or quarantined dog which dies or develops clinical signs suggestive of rabies during the required observation period shall be submitted to the Department of Public Health and Social Services laboratory for rabies examination. Examination shall consist of fluorescent antibody examination of brain tissue and submission

of representative tissue samples to the Communicable Disease Center, Atlanta, Georgia or other recognized diagnostic laboratory for confirmation of results when deemed necessary by the Director.

**§3105. Control of Animals Running at Large.**

Live-capture methods shall be used to apprehend dogs running at large when such capture is practical. When the Director shall determine through the use of stray animals surveys, the number of citizen complaints or other methods at his disposal that live-capture has been inadequate to control the number of animals running at large, he may authorize the use of poison baits. Such poisoning shall be carried out within the guidelines set forth in the Dog Control Law and only under the direct supervision of a representative of the Director.

**§3106. Home Impoundment of Biting Dogs.**

Animals which have bitten a person or persons may, at the discretion of the Director or his designated representative, be confined for observation on the premises of the owner of such animal. Permission for such confinement shall be granted only when confinement at the Dog Pound will be impractical, detrimental to the safety of Pound employees or the health of the animal involved, or when such other circumstances may prevail as the Director or his designated representative may deem sufficient. Biting dogs and cats vaccinated and licensed in accordance with provisions of the Dog Control Law may, with the permission of the victim or his guardian, be permitted to undergo home impoundment if the owner of such dog or cat furnishes an affidavit stating that he will observe the following:

(a) The animal will remain confined to the premises specified by the Director and isolated from contact with any other animal susceptible to the disease of rabies.

(b) The animal shall be made available for examination by a representative of the Director at any reasonable time.

(c) The owner must agree to accept sole liability for any legal actions arising out of incidents which occur during, and are a result of such home impoundment.

(d) The failure to abide by any of the provisions of this regulation shall be grounds for immediate seizure and impoundment of the animal involved.

**§3107. Rabies-Free Areas.** Areas recognized by the Director as being rabies-free are: Australia, Bahama Islands, Bermuda Islands, Fiji, Iceland, Eire (Ireland), Jamaica, New Zealand, Norway, Sweden, Great Britain and Hawaii. Areas may be added to or removed from this list by the Director at any time based on current information available to him.

**§3108. Importation of Dogs and Cats From Rabies-Free Areas.** Dogs and cats entering Guam from rabies-free areas may be exempted from quarantine requirements provided that, in addition to meeting all other requirements applicable to dogs and cats, they are imported in compliance with the following:

(a) Each such dog or cat is accompanied by a sworn statement in the form of an affidavit, executed by the owner or consignor of the animal in the presence of a Notary Public, recognized Public Health or Livestock Sanitary Officer of the rabies-free area of origin, stating that it has not been imported from outside of, or removed from, such rabies-free area during the four-month period immediately preceding the date of shipment to Guam.

(b) That each such dog or cat is accompanied by a statement in the form of an affidavit, signed by the commanding officer or senior station official of each carrier which shall transport such dog or cat during any segment of its trip to Guam, attesting to the following:

(1) A complete and accurate identification of each such carrier;

(2) An identification of the port of origin and all ports visited by such carrier including port of termination;

(3) That such dog or cat was not exposed by direct contact to any other animal not of similar origin and health status while in the custody of such carrier.

**§3109. Shooting of Stray Dogs.** Under and by virtue of the provisions of §9640.21, Public Law 15-96

(Environmental Health Act), rules and regulations relative to Shooting of Dogs are promulgated herein.

**§3110. Same: Authorization and Approval.** (a) Personnel from the Animal Control Section shall be designated by the Director of Public Health and Social Services to shoot dogs. The Director of Public Safety shall qualify such personnel as expert marksmen. They must also possess a valid firearms identification card pursuant to Public Law 12-107.

(b) Authorization of these personnel to shoot dogs is restricted to official duties and only when authorized by appropriate officials.

**§3111. Same: Initial Procedures Prior to Shooting of Stray Dogs.** (a) Shooting must be scheduled in advance, indicating the date, time and duration, location and names of personnel involved. The schedule must be prepared and submitted at least twenty-four (24) hours in advance by the Administrator, Division of Environmental Health, to the Director of Public Health and Social Services, Director of Public Safety, and respective village commissioners and must be approved by them before implementation of the shooting schedule.

(b) No shooting will be conducted when schedules are changed until such changes are resubmitted in accordance with §31011(a) 3 GAR.

**§3112. Same: Firearms and Safety Procedures.** (a) Only registered .22 calibre rifles or handguns with silencers and scopes using a .22 calibre short spatterproof ammunition are authorized. The Administrator, Division of Environmental Health, shall designate a custodian for all weapons and ammunition and such custodian shall maintain a log book, check weapons in and out, and make sure that weapons and ammunition are securely locked if not in use. Additionally, all ammunition shall be accounted for.

(b) Shooting is permitted during daylight or night time hours only after all precautionary measures are taken.

(c) Only short range shooting is permitted and at a downward position. Attempts must be made to

avoid shooting fast-running strays to prevent missing the animals or unnecessarily maiming the animals.

(d) Shooting is permitted in public areas where there are no people within close proximity of danger or in private property with the prior written consent of the property owner and only in clear terrain where animals are not visibly obstructed by vegetation or other objects.

(e) A log book must be kept to record the date of shooting, name of personnel shooting, number killed, number missed and number disposed at the landfill.

(f) The Animal Control Supervisor shall supervise all shooting missions and shall be responsible for taking all precautions.

(g) Personnel authorized to shoot dogs shall be periodically trained in marksmanship and firearms safety.

(h) Firearms safety must be strictly adhered to at all times. Included, but not entirely inclusive of all safety precautions, the following must be complied with:

(1) Firearms and ammunition are lethal weapons and must be seriously handled and controlled accordingly.

(2) Rifles and handguns are intended for shooting of stray dogs only and not for other types of animals or purposes unless otherwise directed by the Director of Public Health and Social Services or the Environmental Health Administrator.

(3) Rifles or handguns are not permitted to be transported to and from the shooting sites when loaded. Loading must be done upon arrival at the shooting location. Ammunition must be completely expended at location site, or unloaded for transfer to Animal Shelter for storage.

(4) Shooting will not be conducted if any hazardous condition exists, e.g., people and houses nearby, heavy rain to obstruct visibility, obstruction from vegetation, junks, dilapidated buildings, etc.

(5) Carrying of rifles must either be at "port arms" (pointing skyward) or pointing towards the ground.

(6) Each rifle handler is responsible for cleaning and maintaining his weapon.

**§3113. Same: Disciplinary or Criminal Action.**

Personnel violating this established procedure are subject to disciplinary action by the Director of Public Health and Social Services in accordance with the Civil Service Commission rules and regulations regarding demotion, suspension, dismissal and appeal of such adverse action. Personnel are also subject to criminal action if gross negligence is alleged.