

SEVENTH
KOROR STATE LEGISLATURE
FOURTH REGULAR SESSION
July-October, 2003

AN ACT

To require each dog within the State of Koror to be licensed and identified by a dog tag issued by Koror State, to require the humane treatment of dogs, to repeal 12 KSC 201 and 202, and for related purposes.

INTRODUCED BY: Legislator Ideson Sumang

DATE INTRODUCED: June 06, 2003

LEGISLATIVE ACTION

FIRST READING	:	June 6, 2003
COMMITTEE REFERRED TO	:	Resources & Development
STANDING COMMITTEE REPORT	:	No. 44
ADOPTED	:	September 19, 2003
SECOND READING	:	September 19, 2003
REFERRED BY HTL	:	October 20, 2003
SECOND AND FINAL READING	:	October 23, 2003

AN ACT

To require each dog within the State of Koror to be licensed and identified by a dog tag issued by Koror State, to require the humane treatment of dogs, to repeal 12 KSC 201 and 202, and for related purposes.

THE PEOPLE OF KOROR REPRESENTED IN THE LEGISLATURE OF THE STATE OF KOROR
DO ENACT AS FOLLOWS:

Section 1. SHORT TITLE. This Act shall be known and may be cited as the "Dog Control Act of 2003."

Section 2. FINDINGS. The Seventh Koror State Legislature finds as follows:

a. The increasing number of stray dogs in Koror contribute to unsanitary conditions and health and safety problems such as dog bites, disease, traffic accidents, and noise.

b. Dogs frequently fall victim to inhumane treatment, and are left unassisted in cases of abuse, injury or illness.

c. The Seventh Koror State Legislature hereby declares that, to control the dog population, every dog in the state must be licensed, collared and identified with a dog identification tag, or may be humanely destroyed. Because of the nature of dogs and their behavior; all dogs must be licensed and must wear an identification tag at all times, so that if the dog is found in public, it may be identified.

d. It further declares that dogs are to be treated humanely.

Section 3. DEFINITIONS.

a. "dog owner" means any person who owns or keeps a dog, whether inside or outside, temporarily or long term. If a minor person owns or keeps a dog, the "dog owner" shall be deemed to be the minor's legal guardian.

b. "dog identification tag" means a dog identification tag issued by Koror State Government.

Section 4. LICENSE REQUIRED FOR ALL DOGS. All dogs within the State of Koror must be licensed in accordance with the provisions of this Act. Every dog owner shall obtain from Koror State Government a dog license and dog identification tag for his/her dog. The licensing requirements under this act shall not apply to a dog under the age of four months of age unless such

dog roams free and off the property of the dog's owner.

(a) The fee for the dog license is \$10 per dog.

(b) The \$10 fee shall be waived if the dog owner presents to Koror State, at the time of

licensing, a certificate from a veterinarian establishing that the dog has been spayed or neutered.

(c) Dog licenses shall expire on December 31st of each year.

(d) Dog licenses must be obtained and/or renewed prior to December 31st of each year.

Section 5. DOG COLLAR REQUIRED FOR ALL DOGS. Every dog within the State of

Koror shall be required to wear a collar around its neck at all times. At the time of licensing, Koror

State shall issue one free collar to each dog being licensed.

Section 6. DOG IDENTIFICATION TAG REQUIRED FOR ALL DOGS. Every dog within

the State of Koror shall be required to wear a dog identification tag affixed to the dog's collar at all

times. Koror State shall issue one dog identification tag to each dog being licensed.

The color of the

dog identification tag shall change each year to facilitate the identification of properly licensed dogs.

Section 7. PROHIBITION AGAINST TRANSFER OR REMOVAL OF DOG IDENTIFICATION TAG; REPLACEMENT OF DOG IDENTIFICATION TAGS. It shall be unlawful for any person to transfer a dog license or a dog identification tag from one dog to another.

It shall be unlawful to remove any dog identification tag from a dog or from a collar by any person

other than the dog owner. In the event a dog identification tag becomes lost, stolen or broken prior

to year-end, it shall be the responsibility of the dog owner to obtain a replacement dog

identification tag from Koror State for a fee of \$5.00.

Section 8. IMPOUNDMENT OF DOGS WITHOUT DOG IDENTIFICATION TAG.

Any dog found within the State of Koror which is not licensed or which does not have a collar around its neck with a current dog identification tag affixed thereto may be impounded by the Governor of Koror State or his designated representatives.

(a) Every impounded dog shall be retained by Koror State for a period of seventy-two (72) hours, and if unclaimed, such dog shall be humanely destroyed.

(b) A dog may be reclaimed at the Koror State pound upon the timely presentation of the

following:

1. Valid and lawfully issued dog license from Koror State; and
2. Dog collar; and
3. Valid and lawfully issued dog identification tag; and
4. Payment of \$10 impounding fee.

(c) Notwithstanding the above, any impounded dog may be adopted; should a dog be identified as wanted for adoption, it may be adopted at the end of the seventy-two hour impounding period provided if:

1. The dog remains unclaimed; and
2. The adopting person presents at the pound, the following:
 - a. A valid and lawfully issued dog license from Koror State; and
 - b. A dog collar; and
 - c. A valid and lawfully issued dog identification tag; and
 - d. Payment of \$10 impounding fee

Section 9. PROHIBITION AGAINST INHUMANE TREATMENT OF DOGS.

(a) It is unlawful for any person to treat a dog inhumanely. For purposes of this section, inhumane treatment includes, but is not limited to, physical abuse such as torturing, beating, drowning, abandoning in dumps, poisoning, or starving, a dog.

(b) The Governor or his designated representatives may take all reasonable measures to rescue; assist, treat, and/or humanely destroy dogs which he or they reasonably believe to be suffering from inhumane treatment or serious injury or illness.

Section 10. PENALTIES. The commission of any of the following acts shall, upon admission to act, or failure to contest the act, or adjudication of liability for the act, result in a \$100 fine per act:

(a) removing a dog identification tag from the collar of a dog without the permission of the dog owner;

(b) placing a dog identification tag on the collar of a dog without first obtaining a valid dog

license for that particular dog;

(c) inhumane treatment of a dog;

(d) intentional interference with efforts to aid dogs as permitted under Section 9(b);

(e) violating any regulation promulgated for the implementation and enforcement of this Act.

Section 11. REGULATIONS. The Governor shall promulgate Regulations for the implementation and administration of this Act, which shall have the force and effect of law. Any person who violates any applicable regulations shall be fined in the amount of \$100.00 for each separate violation.

Section 12. EARMARKING, AUTHORIZATION, AND APPROPRIATION OF FUNDS.

All funds generated under this Act other than criminal fines and penalties, in addition to any funds received from grants or charitable organizations for the purpose of implementing an animal control program ("funds-), shall be earmarked for and are hereby authorized and appropriated to an account for the implementation and administration of this Act. The funds shall be used for: traps, animal control equipment, carrying cages, dog collars, dog ID tag machine, ID tags and rings, construction and maintenance of a pound or kennel, vehicle(s), dog food, medicine, veterinary and para-veterinary services, staff salaries and related items and services.

Section 13. TERMINATION DATE. This Act shall expire on December 31, 2008.

Section 14. REPEAL OF SECTIONS 201 AND 202 OF TITLE 12 OF THE KOROR STATE

CODE. 12 KSC 201 and 202, as adopted by section 201 of Ord. 19-61; 49-69 §1b(1), is hereby repealed in its entirety.

Section 15. SEVER-ABILITY. In the event that a court of competent jurisdiction determines that any part or portion of this Act is invalid or otherwise unenforceable, then the offending part or portions may be stricken, and the remaining portions shall continue in full force and effect.

Section 16. EFFECTIVE DATE. This Act shall take effect on January 1, 2004, but the implementation of the impounding of dogs shall not commence until May 1, 2004 to allow for the education, training and/or readiness of veterinarian and para-vet personnel.

PASSED: October 23, 2003

CERTIFIED BY:

ATTESTED TO BY:

/s/ _____
Yositaka Adachi, Speaker
Seventh Koror State Legislature

/s/ _____
Charlyne Uong, Clerk
Seventh Koror State
Legislature

Approved this 27th day of October, 2003.

/s/ _____
John C. Gibbons, Governor
Koror State

Approved this 28th day of October, 2003.

/s/ _____
Ibedul Y. M. Gibbons
House of Traditional Leaders