

**TITLE 170: LOCAL RULES AND REGULATIONS; TINIAN AND AGUIGUAN  
(SECOND SENATORIAL DISTRICT)**

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**CHAPTER 170-20  
OFFICE OF THE MAYOR MUNICIPALITY OF TINIAN AND  
AGUIGUAN**

**SUBCHAPTER 170-20.1  
CONTROL OF STRAY AND FERAL DOGS REGULATIONS**

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Subchapter Authority: Tinian Local Law 12-1, 10 CMC §§ 2801-2806.

Subchapter History: Emergency and Proposed 28 Com. Reg. 26191 (Oct. 30, 2006) (effective for 120 days from Oct. 17, 2006); Adopted 28 Com. Reg. 25882 (June 19, 2006); Proposed 28 Com. Reg. 25707 (May 19, 2006).

Commission Comment: The Commission created the part titles for this subchapter.

1 CMC § 5101 creates offices of the mayors within the Commonwealth government, composed of the duly-elected mayors of Saipan, Rota, Tinian and Aguiguan and the Northern Islands. The mayors are authorized to promulgate regulations on local matters as provided by law. See 1 CMC § 5106(e). Tinian Local Law (TLL) 12-1, Tinian and Aguiguan Islands Dog Control Act, codified as 10 CMC §§ 2801-2806, became effective on December 13, 2001. The Act, having been adopted pursuant to 1 CMC §§ 1401 et. seq., authorizes the Municipality of Tinian and Aguiguan Islands “to adopt rules and regulations for the regulation, control and licensing of dogs on the islands of Tinian and Aguiguan.” 10 CMC § 2804. TLL 12-1 requires that the regulations provide for “the licensing of all dogs, licensing fees, storage and handling fees for any dogs picked up by the municipality, a minimum holding period before disposal of unclaimed dogs” and “capture of stray and unlicensed dogs, charging of fees and disposal of unclaimed dogs.” 10 CMC § 2804(a) and (b).

In June 2006, the Mayor of Tinian and Aguiguan adopted the regulations set forth in this subchapter to “insure the protection of dogs that are kept as pets and properly cared for as well as provide funding for the caging and disposal of stray, feral and unwanted dogs.” 28 Com. Reg. 25709 (May 19, 2006).

**Part 001 - General Provisions**

**§ 170-20.1-001 Authority**

The regulations in this subchapter are promulgated by the Mayor of Tinian and Aguiguan pursuant to the authority granted by Tinian Local Law 12-1.

Modified, 1 CMC § 3806(d).

History: Adopted 28 Com. Reg. 25882 (June 19, 2006); Proposed 28 Com. Reg. 25707 (May 19, 2006).

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**§ 170-20.1-005      Purpose**

The regulations in this subchapter are intended to provide a process to license properly owned and cared for dogs that are kept as pets on the islands of Tinian and Aguiguan; to control and cull feral dogs that may be damaging to the environment, dangerous to persons or to endangered species or a public nuisance on the islands of Tinian and Aguiguan; to cage stray unlicensed and/or feral dogs and to establish a humane manner of disposal of those dogs which remain unclaimed.

Modified, 1 CMC § 3806(d).

History: Adopted 28 Com. Reg. 25882 (June 19, 2006); Proposed 28 Com. Reg. 25707 (May 19, 2006).

Commission Comment: The Commission created the title for part 001.

**§ 170-20.1-010      Definitions**

- (a) “Dog” means any animal of the genus canis.
- (b) “Stray dog” means any unlicensed dog.
- (c) “Feral dogs” mean dogs that have become wild, have no license or home, and who primarily live off the land or in populated areas from garbage and handouts.
- (d) “License” means a visible tag on a collar affixed to a dog’s neck and acquired from DLNR upon proper application and payment.
- (e) “Humane disposal” means any method of euthanasia of a dog that is painless and lacking in cruelty.
- (f) “Cage or caging” means the control of unlicensed dogs by placing in a cage or other place of confinement.

Modified, 1 CMC § 3806(f), (g).

History: Emergency and Proposed 28 Com. Reg. 26191 (Oct. 30, 2006) (effective for 120 days from Oct. 17, 2006); Adopted 28 Com. Reg. 25882 (June 19, 2006); Proposed 28 Com. Reg. 25707 (May 19, 2006).

Commission Comment: The Commission removed the colon and added the quotation marks around each definition in all subsections. The Commission changed “Feral dog: means dogs” to ““Feral dogs’ mean dogs” to correct manifest errors in subsection (c). The Commission inserted a comma after the word “home” in subsection (c) pursuant to 1 CMC § 3806(g).

**Part 100 -      Process for Licensed and Unlicensed Dogs; Fees**

**§ 170-20.1-101      Licensing**

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(a) All dogs that are kept as pets by any persons or persons on the islands of Tinian and Aguiguan shall be licensed by DLNR. Such license may be acquired from the office of DLNR on Tinian upon filling out an application that shall include:

- (1) The name,
- (2) Breed and/or description of the dog, including name, sex, and color,
- (3) The name of the dog's owner, and
- (4) The mailing address, and
- (5) Telephone number, if any, as well as
- (6) The dog and owner's physical location on the island.

(b) DLNR shall issue a metal tag which shall have stamped on it the name of the dog and its owner and the telephone number, if any, of the owner. If no telephone, the tag shall have the owner's mailing address stamped thereupon. Such tags shall be affixed to the dog by means of a collar on the dog's neck.

(c) The fee for such license shall be \$7.50, paid either by check, money order, or cash. If check or money order, it shall be made out to the Tinian Municipal Treasurer. The license shall be renewed annually, twelve months from date of issue. The annual renewal fee shall be \$5.00.

Modified, 1 CMC § 3806(e), (g).

History: Emergency and Proposed 28 Com. Reg. 26191 (Oct. 30, 2006) (effective for 120 days from Oct. 17, 2006); Adopted 28 Com. Reg. 25882 (June 19, 2006); Proposed 28 Com. Reg. 25707 (May 19, 2006).

Commission Comment: The Commission designated subsections (a), (a)(1)-(6), (b), and (c), which were not designated in the original. The Commission removed the comma from the first sentence and inserted the colon in subsection (a). The Commission inserted the commas in subsections (a)(3), and (a)(4). The Commission changed "it's" to "its" in subsection (b). The Commission inserted a comma after the word "order" in subsection (c) pursuant to 1 CMC § 3806(g).

The Commission created the title for part 100.

**§ 170-20.1-105            Caging and Manner of Claiming Unlicensed Dogs**

All dogs, not licensed within three months of the date of execution of the regulations in this subchapter shall be captured by DLNR, caged, and held at an appropriate location. The dog's description and the place of capture shall be prominently posted at the caging location for five calendar days. If a person wishes to claim any such caged dog within that period, they may do so upon paying the licensing fee and otherwise complying with this subchapter. DLNR shall feed and water caged dogs in a proper and healthful manner.

Modified, 1 CMC § 3806(d), (e).

History: Emergency and Proposed 28 Com. Reg. 26191 (Oct. 30, 2006) (effective for 120 days from Oct. 17, 2006); Adopted 28 Com. Reg. 25882 (June 19, 2006); Proposed 28 Com. Reg. 25707 (May 19, 2006).

Commission Comment: The Commission inserted a comma after the word "caged" pursuant to 1 CMC § 3806(g).

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**§ 170-20.1-110            Disposal of Unclaimed Dogs**

All dogs which remain unclaimed shall be disposed of by DLNR in a humane manner approved by PAWS or by the Human Society of America.

History: Emergency and Proposed 28 Com. Reg. 26191 (Oct. 30, 2006) (effective for 120 days from Oct. 17, 2006); Adopted 28 Com. Reg. 25882 (June 19, 2006); Proposed 28 Com. Reg. 25707 (May 19, 2006).

**§ 170-20.1-115            Disposition of Fees**

All monies collected for licensing by DLNR shall be transmitted to the Tinian municipal treasurer who shall maintain such funds in a separate account and shall be appropriated and used solely for the expenses associated with the regulations in this subchapter by DLNR. Such funds shall be available without fiscal year limitation.

Modified, 1 CMC § 3806(d), (f).

History: Emergency and Proposed 28 Com. Reg. 26191 (Oct. 30, 2006) (effective for 120 days from Oct. 17, 2006); Adopted 28 Com. Reg. 25882 (June 19, 2006); Proposed 28 Com. Reg. 25707 (May 19, 2006).

**Part 200 -        Miscellaneous Provisions**

**§ 170-20.1-201            Severability**

If any provision of this subchapter is held invalid by a court of competent jurisdiction, the validity of the remainder of the regulations shall not be affected thereby.

Modified, 1 CMC § 3806(d).

History: Emergency and Proposed 28 Com. Reg. 26191 (Oct. 30, 2006) (effective for 120 days from Oct. 17, 2006); Adopted 28 Com. Reg. 25882 (June 19, 2006); Proposed 28 Com. Reg. 25707 (May 19, 2006).

Commission Comment: The Commission created the title for part 200.