

22 GCA BUSINESS REGULATIONS
CH. 52 PARK VENDORS

**CHAPTER 52
PARK VENDORS**

- § 52101. Legislative Intent.
- § 52102. Definitions.
- § 52103. Touting.
- § 52104. Violations.
- § 52105. Vendor's Appeal.

§ 52101. Legislative Intent.

The tourism industry is very important to the economic development of the territory of Guam. Although tourism has benefitted many people in the territory certain business practices within the industry have kept the small vendor from effectively competing against other vendors who solicit business from the tourists who visit the territory's parks. In the interest of promoting competition and fair business practices within the tourism industry, it is the intent of the Legislature to give small park vendors an equal chance of obtaining business from visitors to the territory.

SOURCE: GC 26013.1; enacted by P.L. 19-5:102.

§ 52102. Definitions.

As used in this Chapter:

(a) *Tout* means the act of making payment to or receiving payment from a person or entity either directly or indirectly with the intent of having that person or entity direct customers to and/or detract customers from a particular vendor.

(b) *Park vendor* means any person or entity lawfully authorized by the Department of Parks and Recreation to engage in the sale of goods, food and beverages, or services within the parks and recreational grounds under the jurisdiction of the Department of Parks and Recreation.

SOURCE: GC §26013.2 added by P.L. 19-5:103.

§ 52103. Touting.

It is unlawful for any person or business entity to engage in touting with another person or business entity for the purpose of directing customers to and/or detracting customers from a particular vendor within any of the parks and recreation areas administered by the Department of

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SOURCE: GC §26013.3 added by P.L. 19-5:104.

§ 52104. Violations.

If a park vendor is found by the Department of Parks and Recreation to be in violation of § 52103 of this Code, the Department may revoke the permit of the vendor to operate within its authorized vendor spot after service of a written notice upon the vendor of the violation and after the vendor is given a reasonable opportunity to respond to the written notice.

SOURCE: GC §26013.4 enacted by P.L. 19-5:105.

§ 52105. Appeal by Vendor.

A park vendor who has lost the right to operate within its authorized spot of a park or recreational area for violation of § 52103 of the Government Code may appeal to the Parks and Recreation Commission, who shall conduct a hearing pursuant to administrative adjudication procedures under the Administrative Adjudication Law.

SOURCE: GC §26013.5 enacted by P.L. 19-5:106.
