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I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Substitute Bill No. 201-30 (COR), "AN ACT TO *AMEND* SUBSECTION (h) AND TO *ADD* A NEW SUBSECTION (i) TO §61503 OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO EXCEPTIONS TO YARD AND AREA REGULATIONS,"** was on the 26th day of February, 2010, duly and regularly passed.

Judith T. Won Pat, Ed. D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 1 day of Mar 2010, at 5:40 o'clock P .M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 201-30 (COR)
As substituted by the Committee on Appropriations,
Taxation, Banking, Insurance, Retirement & Land,
and further amended on the Floor.

Introduced by:

R. J. Respicio
Judith P. Guthertz, DPA
T. R. Muña Barnes
T. C. Ada
F. B. Aguon, Jr.
B. J.F. Cruz
F. F. Blas, Jr.
E. J.B. Calvo
J. V. Espaldon
Adolpho B. Palacios, Sr.
v. c. pangelinan
Telo Taitague
Ray Tenorio
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* SUBSECTION (h) AND TO *ADD* A NEW SUBSECTION (i) TO §61503 OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO EXCEPTIONS TO YARD AND AREA REGULATIONS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. §61503 (h) of Chapter 61, Title 21, Guam Code Annotated, is *amended* to read:

"(h) Accessory buildings or structures *may* be located and maintained in a rear yard, except in the required ten (10) foot rear yard which is that

portion adjoining the rearmost main building on the lot. Such buildings or structures may also be located and maintained in any side yard, except in the required eight (8) foot side yards adjoining each of the side lot lines. Such buildings or structures may also be located and maintained in any front, side or rear yard when such buildings or structures are to be used for purposes relative to connections to island electric power, including for standby generators and for alternative power connections for net metering purposes, provided that such buildings or structures *shall* be located at or near the point that electric power is provided by the Guam Power Authority, and if located in a front, side or rear yard, the walls *may* be erected on the front and/or rear and/or side lot lines, and such buildings or structures *shall not exceed* three hundred twelve (312) square feet of floor space, and the roofs thereof *shall not* project beyond the lot lines and *shall* be sloped in such a manner as to prevent rain runoff from flowing to adjacent property. When such buildings or structures are to be used for standby generators, an exhaust or ventilation to the outside air must be provided. Such accessory building *shall* have an interior height of *no less than* seven (7) feet, and the overall exterior height of the structure *shall* be *no greater than* ten (10) feet, and *shall* meet building code standards. When such buildings or structures are intended as vehicle shelters, they must be fifteen (15) feet from the front lot line and may be zero (0) feet from the property line on one (1) side *only*. When such buildings or structures are intended as swimming pools and related accessory structures such as gazebos, they must be a minimum of five (5) feet from the front lot line and may be zero (0) feet from the rear or side lot line. When such buildings or structures are to be used exclusively for storage or as outdoor cooking facilities, they may be located in a side or rear yard with walls erected on the rear and/or side lot lines; provided that

such buildings or structures *shall not exceed* two hundred (200) square feet of floor space. For all structures in this Subsection (h), the roofs thereof *shall not* project beyond the rear or side lot lines and *shall* be sloped in such a manner as to prevent rain run off from flowing to adjacent property. A storage or cooking facility may *only* be constructed on residential lots which meet the yard requirements provided by §61501 of this Code."

Section 2. A new §61503 (i) is *added* to Chapter 61 of Title 21, Guam Code Annotated, to read:

"(i) Any accessory building or structure, which on the effective date of this Act was already in existence, *shall* be considered to be "grandfathered," *provided,* that the accessory building or structure is in compliance with the provisions of this §61503. If such accessory building or structure is *not* in compliance with the provisions of this §61503, the structure *shall* be either brought into compliance *or* removed."