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I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

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

This is to certify that Substitute Bill No. 263-31 (COR), "AN ACT TO *AMEND* SUBSECTION (d) OF §61103 OF ARTICLE 1; AND TO AMEND SUBSECTIONS (d), (e), (f), (g) AND (h) OF §61531, TO *REPEAL* §61531.1, AND TO *AMEND* SUBSECTION (d)(1) OF §61532 OF PART 4 OF ARTICLE 5, ALL OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PARKING REGULATIONS", was on the 26th day of November 2012, 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 28th day of Nov., 2012, at 11:10 o'clock A.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 263-31 (COR)
As substituted by the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement & Land; further substituted by the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement & Land; and amended on the Floor.

Introduced by: Aline A. Yamashita, Ph.D.
T. C. Ada
V. A. Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
J. P. Guthertz, DPA
Sam A. Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
V. C. Pangelinan
R. J. Respicio
Dennis G. Rodriguez, Jr.
M. Silva Taijeron
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* SUBSECTION (d) OF §61103 OF ARTICLE 1; AND TO AMEND SUBSECTIONS (d), (e), (f), (g) AND (h) OF §61531, TO *REPEAL* §61531.1, AND TO *AMEND* SUBSECTION (d)(1) OF §61532 OF PART 4 OF ARTICLE 5, ALL OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PARKING REGULATIONS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that

Public Law No. 12-142 mandated that "every automobile parking space shall contain a minimum of one hundred eighty (180) square feet and shall have adequate access to the public right of way." *I Liheslatura* further finds that subsequent laws amended Guam zoning laws allowing for a majority of parking stalls to be designated for compact automobiles. At the time the past laws were passed, local consumers may have been purchasing compact automobiles. It is evident that there is a large majority of standard-sized vehicles on Guam roads.

I Liheslatura, therefore, intends to amend public law to allow for safe and convenient vehicular access to Guam's residences, businesses and public services and places of public assembly by readdressing the minimum dimensions for parking spaces.

Section 2. §61103(d) of Article 1, Chapter 61 of Title 21, Guam Code Annotated, is hereby *amended* to read:

"(d) *Automobile Parking Area, Public.* An open area, other than a street or private automobile parking area, designed to be used for the parking of two (2) or more automobiles.

(1) *Standard-sized automobile.* An automobile whose gross area for parking purposes is one hundred eighty (180) square feet or less."

Section 3. Subsections (d), (e), (f), (g) and (h) of §61531 of Part 4, Article 5 of Chapter 61, Title 21, Guam Code Annotated, are hereby *amended* to read:

"(d) For places of assembly, such as restaurants or night clubs without fixed seating facilities, one (1) parking space for each one hundred (100) square feet of customer area in such use, and one (1) parking space for each one hundred twenty-five (125) square feet of customer area in such use for each facility that was built prior to or for which building permit was issued prior to December 31, 2012;

(e) For retail sales of building materials, and goods requiring extensive display areas, industrial buildings and warehouses, one (1) parking space for each eight hundred (800) square feet of area in such use, exclusive of loading requirements, and one (1) parking space for each one thousand (1000) square feet of customer area in such use for each facility that was built prior to or for which building permit was issued prior to December 31, 2012;

(f) For retail and wholesale sales and services, exclusive of warehouse activity, at least one (1) space for each one hundred (100) square feet or portion thereof of usable commercial floor area, and one (1) parking space for each one hundred twenty-five (125) square feet of customer area in such use for each facility that was built prior to or for which building permit was issued prior to December 31, 2012;

(g) For professional and business offices, and public administration offices, one (1) parking space for each four hundred (400) square feet or portion thereof of floor area, and one (1) parking space for each five hundred (500) square feet of customer area in such use for each facility that was built prior to or for which building permit was issued prior to December 31, 2012;

(h) For offices and clinics of healing arts, at least four (4) spaces for each practitioner;"

Section 4. §61531.1 of Part 4, Article 5 of Chapter 61, Title 21, Guam Code Annotated, is hereby *repealed.*

Section 5. Subsection (d)(1) of §61532 of Part 4, Article 5 of Chapter 61, Title 21, Guam Code Annotated, is hereby *amended* to read:

"(1) Standard-sized automobile parking spaces *shall* be at least nineteen feet (19') in length and nine and one-half feet (9 ½') in width, with parallel spaces at least twenty-two feet (22') in length."

Section 6. This Act *shall* be effective one (1) year from enactment. The

Department of Public Works will evaluate the establishments for compliance and the Department of Public Works may revoke occupancy permits from those establishments or structures who fail to comply. Permits will be reinstated when compliance is met.

Section 7. Severability. *If* any provision of this Law or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity *shall not* affect other provisions or applications of this Law which can be given effect without the invalid provisions or application, and to this end the provisions of this Law are severable.