

I Mina'Trentai Kuáttro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
97-34 (LS)	Dennis G. Rodriguez, Jr. Joe S. San Agustin	AN ACT TO AMEND SECTIONS 1. AND 2 OF PUBLIC LAW NO. 367-33 RELATIVE TO AN ADDITIONAL OPTION FOR EGRESS SIZING IN THE INTERNATIONAL FIRE CODE AND THE INTERNATIONAL BUILDING CODE, AND TO ADD A NEW SECTIONS 202 AND 308.6 TO THE INTERNATIONAL FIRE CODE ADOPTED ON GUAM.	5/23/17 2:19 p.m.						

I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
2017 (FIRST) Regular Session

Bill No. 97 -34 (LS)

Introduced by:

Dennis R. Rodriguez, Jr. *DR*
Joe S. San Agustin *JS*

**AN ACT TO AMEND SECTIONS 1. AND 2 OF
PUBLIC LAW NO. 367-33 RELATIVE TO AN
ADDITIONAL OPTION FOR EGRESS SIZING IN THE
INTERNATIONAL FIRE CODE AND THE
INTERNATIONAL BUILDING CODE, AND TO ADD A
NEW SECTIONS 202 AND 308.6 TO THE
INTERNATIONAL FIRE CODE ADOPTED ON
GUAM.**

2017 MAY 23 PM 2:19 *[Signature]*

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Intent. Since the enactment of Public Law No. 367-33, it has been discovered that a lack of flexibility for the Guam Fire Department and the Department of Public Works has occurred in the application of the 2015 sections of the Guam Fire Code and the Guam Building Code as adopted in that Public law. The restrictive language in Public Law No. 367-33 does not allow the flexibility to apply the updated 2015 version of the sections of the International Fire and International Building Codes specified in Public Law No. 367-33 to construction that occurred prior to December 14, 2016. For this reason, amendments need to be made to Sections 1 and 2 of Public Law No. 367-33.

Additionally, amendments need to be made to the adopted Guam Fire Code. Due to the popularity in some foreign countries and states in the United States for releasing sky lanterns with open flame to commemorate or memorialize events, it is imperative that Guam take action to define and ban this practice. The reason for this is safety concerns, to prevent wildfires and even structural fires that may start with the release of sky lanterns. The International Code Council has given the opinion that "sky lanterns contain an open flame used to heat the air inside the device to make it airborne. Once airborne, these devices are subject to winds and other atmospheric

1 conditions so that the location and landfall is completely unknown and uncontrolled
2 by the user. Obviously uncontrolled open flame devices descending out of the sky
3 have significant potential to start wildfires and structural fires."

4 Sky lanterns are now banned in thirty states, including Hawaii, as they are a
5 safety hazard. Due to Guam's frequent windy or dry weather conditions, dry vegeta-
6 tion, and wood and tin structures, sky lanterns need to be defined and banned on
7 Guam also.

8 **Section 2. Amendment of Section 1. of Public Law No. 367-33.** Section 1.
9 of Public Law No. 367-33 is amended to read:

10 "**Section 1. Means of Egress Sizing, International Fire Code (additional op-**
11 **tion).** ~~For all new construction,~~ Sections 1005 and 1030.2 of the 2009 International
12 Fire Code, as adopted by Public Law No. 30-199, may be disregarded as a whole,
13 provided they are replaced by all of Sections 1005, 604.6, 901.9 and 1031.2 of the
14 2015 International Fire Code."

15 **Section 3. Amendment of Section 2. of Public Law No. 367-33.** Section 2.
16 of Public Law No. 367-33 is amended to read:

17 "**Section 2. Means of Egress Sizing, International Building Code (additional**
18 **option).** ~~For all new construction,~~ Section 1005 and of the 2009 International Build-
19 ing Code, as adopted by Public Law No. 30-199, may be disregarded as a whole,
20 provided it is replaced by all of Section 1005 of the 2015 International Building
21 Code."

22 **Section 4. Definition of Sky Lantern.** A new definition is added to Section 202
23 of the Guam Fire Code as adopted by §73111, Chapter 73, Title 10, Guam Code An-
24 notated to read:

25 "**sky lantern.** An unmanned device with a combustible fuel source that incorpo-
26 rates an open flame in order to make the device airborne."

27 **Section 5. Prohibition on Release of Sky Lanterns.** A new Section is added to
28 the Guam Fire Code as adopted by §73111, Chapter 73, Title 10, Guam Code Anno-
29 tated to read:

1 **"308.6 Sky Lanterns.** No person shall release or cause to be released an unteth-
2 ered sky lantern. No person shall sell or import sky lanterns."

3 **Section 6. Severability.** If any provision of this Act or its application to any
4 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
5 *not* affect other provisions or applications of this Act which can be given effect with-
6 out the invalid provisions or application, and to this end the provisions of this Act are
7 severable.