

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

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MWA

Bill No. 391-30 (COR)

Introduced by:

v.c. pangelinan



AN ACT TO AMEND §61619 AND §61633 OF
ARTICLE 6, CHAPTER 61, TITLE 21 GUAM
CODE ANNOTATED RELATIVE TO HEARING
DATE-NOTICE

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 Section 1. §61619 of Article 6, Chapter 61, Title 21 Guam Code
2 Annotated is hereby amended to read:

3 “Upon the filing of variance application the Commission shall fix a
4 reasonable time for hearing the same and shall give notice thereof to the
5 applicant and may give notice to any other parties in interest. All hearings
6 shall be conducted in the affected municipality and shall be in accordance
7 with the rules established by the commission, but any party in interest may
8 appear in person, or by designated attorney or agent. At least one such
9 hearing shall be conducted after six o'clock p.m.

10 In addition, the commission shall require the applicant to erect a sign
11 on the subject location, no smaller than four feet (4') by eight feet (8') in
12 height and width, displayed to make the following information available to
13 the general public in a reasonable manner:

14 (1) a Statement of Public Notice that an application for a variance has
15 been filed with the Commission;

1 (2) the title of the application as filed, containing the name of the
2 owner, the name of the developer, the lot number, and the proposed
3 variance; and

4 (3) the date, time, and place of each public hearing and Commission
5 meeting where public comments can be presented.

6 The sign shall be erected and displayed in a visible and prominent
7 place on the subject site no less than (5) days after an application is filed
8 with the Commission and shall be removed after the Commission renders a
9 final decision on the application or the applicant officially withdraws the
10 application

11 The Commission shall not render a decision in favor of any applicant
12 that fails to comply with both this sign requirement and any other public
13 notice requirement that is prescribed by law, rule or regulation. Failure to
14 meet the notice requirements as provided herein renders any approval by the
15 commission null and void.”

16 **Section 2. §61633 of Article 6, Chapter 61, Title 21 Guam Code**
17 **Annotated is hereby amended to read:**

18 “Upon the filing of an application for a change of zone, the
19 Commission shall hold at least one hearing thereon in the municipal district
20 where the property to be rezoned is located, as such districts are described in
21 Chapter 40, 5 GCA Government Operations, notice of time and place of
22 which shall be given at least one publication in a newspaper of the general
23 circulation, at least ten (10) days before the day of said hearing, and by mail
24 to the Commissioner of the municipal district concerned, and to those
25 landowners owning land within five hundred (500) feet of the property for
26 which rezoning is requested, the mailing addresses for such landowners to
27 be in the Real Tax records.