


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

2010 JUL  
AM 9:31  
Eron

Bill No. 433-30 (LS)

Introduced by:

T.C. Ada 

**AN ACT TO AMEND SECTION 9 AND SECTION 11 OF P.L.  
30-25 RELATIVE TO THE IMPLEMENTATION DATE OF  
THE 2009 INTERNATIONAL BUILDING CODE (IBC 09)  
AND THE ADOPTION OF THE REFERENCED CODES.**

**1 BE IT ENACTED BY THE PEOPLE OF GUAM:**

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that  
3 P.L. 30-84 established June 30, 2010 as the effective date for the adoption of the 2009  
4 International Building Code (IBC 09) and, *the codes listed in Sections 101.4.1 through*  
5 *101.4.6* [International Fuel Gas Code, International Mechanical Code, International  
6 Plumbing Code, International Property Maintenance Code, International Fire Code,  
7 International Energy Conservation Code] *and referenced elsewhere in* [the IBC 09] *to be*  
8 *part of the requirements of* [the IBC 09] *to the prescribed extent of each such reference”*  
9 cannot be satisfactorily met as was projected by the implementing agencies, the  
10 Department of Public Works (DPW) and the Guam Fire Department (GFD).

11           *I Liheslatura* further finds that the requirement to “review and adopt specifically,  
12 but *not limited to, the codes listed in Sections 101.4.1 through 101.4.6* [International Fuel  
13 Gas Code, International Mechanical Code, International Plumbing Code, International  
14 Property Maintenance Code, International Fire Code, International Energy Conservation  
15 Code] *and referenced elsewhere in* [the IBC 09]” as part of the requirements of [the IBC

1 09] to the prescribed extent of each such reference has not been accomplished as required  
2 by Section 3 of P.L. 30-84.

3 *I Liheslatura* further finds that procurement and receipt of required reference  
4 resources, e.g. Code manuals are either pending availability of funds or awaiting delivery.  
5 Consequently, review of Plans and Designs will be hampered by the lack of the reference  
6 materials and related resources.

7 *I Liheslatura* therefore intends to postpone for the third time the effective date for  
8 implementation of the IBC 09 in order to allow more time for the implementing agencies  
9 to complete necessary preliminary administrative tasks. And to provide another public  
10 forum to concerned citizens to voice their views and recommendations.

11 **Section 2.** Section 9 of Public Law 30-25 as amended by Public Law 30-84 is  
12 further amended to read as follows:

13 **“Section 9. Effective Date.** This act shall be effective on ~~June 30, 2010,~~  
14 October 1, 2010 after which a transitional period *shall* be instituted wherein either the  
15 UBC 94 or the IBC 09 standards *shall* be applicable, as designated by the applicant, for a  
16 period of *no more than* ninety (90) days for projects submitted during the transition  
17 period. Following completion of the transitional period, *only* the IBC 09 *shall* be  
18 applicable.”

19 **Section 3.** Section 11 of Public Law 30-25 as amended by Public Law 30-84 is  
20 hereby further amended to read as follows:

21 **“Section 11. Adoption of Referenced Codes.** Pursuant to the adoption of  
22 the IBC 2009, associated codes referenced in the IBC 2009, and subsequent  
23 updates to the IBC 2009, are hereby adopted in whole, or in part, as deemed

1 appropriate for Guam, subject to review and determination ~~of the PEALS Board~~  
2 by the Director of the Department of Public Works (DPW) [S]specifically, but not  
3 limited to, the codes listed in Sections 101.4.1 through 101.4.4 and Section  
4 101.4.6 [International Fuel Gas Code, International Mechanical Code,  
5 International Plumbing Code, International Property Maintenance Code,  
6 International Energy Conservation Code] and subject to the review and  
7 determination, by the Chief of the Guam Fire Department (GFD), of Section  
8 101.4.5 [the International Fire Code (IFC)].

9 **Section 4. Public Outreach.** The Director of DPW, in conjunction with the  
10 Chief of the Guam Fire Department, shall conduct a public forum to provide citizens of  
11 this community an opportunity to provide their recommendations and concerns related to  
12 the adoption of the IBC 09 and the referenced Codes. The public forum shall be  
13 conducted within forty-five (45) days after enactment of the law.

14 **Section 5. Severability.** If any of the provisions of this law or its application to  
15 any person or circumstance is found to be invalid or contrary to law, such invalidity shall  
16 not affect other provisions or applications of this law which can be given effect without  
17 the invalid provisions or application, and to this end the provisions of this law are  
18 severable.