

MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

Bill No. 305-32 (COR)

Introduced by:


Brant T. McCreadie 

**AN ACT TO AMEND § 58108 AND TO ADD A NEW
§ 58108.1 TO CHAPTER 58, TITLE 10 GUAM CODE
ANNOTATED RELATIVE TO THE DUTIES OF THE
GUAM FIRE DEPARTMENT AND THE GUAM
WATERWORKS AUTHORITY WITH RESPECT TO
FIRE HYDRANTS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that
3 there is ambiguity in current Guam law as to who is responsible for the maintenance,
4 repair and replacement of fire hydrants throughout Guam. *I Liheslaturan Guåhan*
5 further finds that many fire hydrants are in need of replacement, and that some of
6 Guam's current fire hydrants are not designed for Guam's firefighting needs.
7 Currently, the Guam Fire Department conducts inspection of fire hydrants and
8 performs peripheral maintenance for the purposes of pre-fire response planning, but
9 does not have the capability or resources to conduct full repairs and/or replacements
10 of fire hydrants. Lastly, *I Liheslaturan Guåhan* finds that the responsibility of repair
11 and replacement of fire hydrants should fall on the Guam Waterworks Authority.

12 Therefore, it is the intent of *I Liheslaturan Guåhan* to properly identify both the
13 Guam Fire Department's and the Guam Waterworks Authority's respective duties
14 regarding inspection, repair and replacement of fire hydrants by amending § 58108 of

2014 APR - 7 AM 10: 23


1 Chapter 58, Title 10 Guam Code Annotated and by adding a new § 58108.1 of
2 Chapter 58, Title 10 Guam Code Annotated.

3 **Section 2.** § 58108 of Chapter 58, Title 10 Guam Code Annotated is hereby
4 *amended* to read:

5 **“§ 58108. Fire Hydrant Inspection by the Guam Fire Department.**

6 1) The Fire Chief shall have all fire hydrants inspected bi-annually to
7 see that they are maintained in good working order. for the following:

8 a) to ensure that the area surrounding the fire hydrant is clear
9 of any obstruction; and

10 b) to conduct general inspection for rust or any condition that
11 may deem the fire hydrant inoperable.

12 2) The Fire Chief shall have the authority to issue permits to qualified
13 contractors or engineers to conduct testing for the purpose of hydraulic
14 calculations or fire flow determination for new and existing occupancies.

15 3) The Fire Chief shall maintain the authority to issue fees and fines
16 for the improper use of fire hydrants to responsible parties.

17 4) In the case where the Fire Chief determines that a fire hydrant is
18 inoperable, written notification shall be sent to the Guam Waterworks Authority
19 requesting timely repair, and/or replacement of the defective hydrant.

20 **Section 3.** § 58108.1 of Chapter 58, Title 10 Guam Code Annotated is hereby
21 *added* to read:

22 **“§ 58108.1. Fire Hydrants; Duties and Responsibilities of the Guam**
23 **Waterworks Authority.**

24 1) Seeing that fire hydrants are part and parcel of Guam’s water system,
25 the Guam Waterworks Authority shall have the following responsibilities:

1 a) to conduct any and all fire hydrant repairs not performed by
2 the Guam Fire Department;

3 b) to replace any and all fire hydrants deemed inoperable by
4 either the Guam Waterworks Authority or the Guam Fire Department;

5 c) to coordinate with the Guam Fire Department any and all
6 future plans/programs for fire hydrant development; and

7 d) to inform the Guam Fire Department and route for approval
8 when applications are submitted to connect to fire hydrants for purposes
9 other than Firefighting or Fire Operations.

10 **Section 4. Effective Date.** This act shall be effective immediately upon
11 enactment.

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