

**10 GCA HEALTH AND SAFETY
CH. 73 FIRE PREVENTION**

**CHAPTER 73
FIRE PREVENTION**

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§ 73101. Theaters: Prohibition.

No manager or other person shall use, or assist in, or countenance the use of, any theater, hall or other building for theatrical purposes, or for public entertainment of any kind where stage scenery and apparatus are employed, without a certificate in writing by the Fire Chief to the effect that the provisions of all existing regulations for the prevention of fires have been complied with to his satisfaction.

SOURCE: Added by P.L. 17-078:4 (Dec. 12, 1984).

§ 73102. Same: Fire Equipment.

Every manger or other person using any such building shall keep and maintain in good condition therein such fire fighting equipment as the Fire Chief, by regulation, shall prescribe.

SOURCE: Added by P.L. 17-078:4 (Dec. 12, 1984).

§ 73103. Same: Freedom from Obstruction.

Every manager or other person using any such building shall, at all times during performances, or when such building is open to the public, keep every aisle, passageway, exit, entrance, and stairway open and clear of temporary seats or other obstructions and all doors and gates in or of every such aisle, passageway, exit, entrance and stairway, unlocked and fastened so that they will open freely, and no person shall stand or remain in any such

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aisle, passageway, exit, entrance, or stairway during performances, or while such building is open.

SOURCE: Added by P.L. 17-078:4 (Dec. 12, 1984).

§ 73104. Same: Admission of Fire Department.

Every manager or person using any such building shall at all times freely admit a detail from the Guam Fire Department in every building used as a theater or place of public amusement, whenever the same shall be necessary in the discretion of the Fire Chief for the purposes of assisting in case of fire or in enforcing the provisions of this Chapter.

SOURCE: Added by P.L. 17-078:4 (Dec. 12, 1984).

§ 73105. Fire Equipment: Woodworking Establishments.

Sawmills, carpenter shops and other places where wood is sawed, planed or worked in such manner as to cause accumulations of sawdust or shavings, shall maintain in good condition therein such fire fighting equipment as the Fire Chief, by regulation, shall prescribe.

SOURCE: Added by P.L. 17-078:4 (Dec. 12, 1984).

§ 73106. Woodworking Establishments: Fire Prevention.

(a) Before a sawmill or woodworking shop is closed for the day, the floors and machinery of the same shall be swept clean of accumulations of wood, dust and shavings, which shall be placed outside the building in trash cans or in a place approved by the Fire Chief for storage of such materials.

(b) No furnace or anvil shall be used or placed nearer than twenty-five (25) feet from any saw, plane, or woodworking machine.

(c) Lumber shall be stored so as not to constitute a fire hazard.

(d) The Fire Chief or his agents may inspect any sawmill or woodworking shop at any time.

SOURCE: Added by P.L. 17-078:4 (Dec. 12, 1984).

2017 NOTE: Subsection designations added pursuant to the authority of 1 GCA § 1606.

§ 73107. Fire Equipment: Garages.

Every space maintained as a garage for taxis or for commercial repairing, cleaning, upkeep, or storage of automobiles, trucks or gasoline engines,

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shall maintain in good condition therein such fire fighting equipment as the Fire Chief, by regulation, shall prescribe.

SOURCE: Added by P.L. 17-078:4 (Dec. 12, 1984).

§ 73108. Prohibition.

It shall be unlawful for any person to remove the gasoline tank cover of any vehicle in the vicinity of a gasoline pump, while the motor of such vehicle is running.

SOURCE: Added by P.L. 17-078:4 (Dec. 12, 1984).

§ 73109. Fire Hydrant Inspection.

The Fire Chief shall have all fire hydrants inspected quarterly to see that they are maintained in good working order.

SOURCE: Added by P.L. 17-078:4 (Dec. 12, 1984).

§ 73110. Penalty.

- (a) Violation of any provision of this Chapter is a civil violation.
- (b) Each violation shall be subject to the following penalties:
 - (1) First Offense shall be subject to a penalty of up to \$100;
 - (2) Second Offense of the same fire code provision within a 12-month period shall be subject to a penalty of up to \$400 but not less than \$100;
 - (3) Third Offense of the same fire code provision within a 12-month period shall be subject to a penalty of no less than \$1,000;
 - (4) Fourth Offense of the same fire code provision within a 12-month period shall be punishable as a misdemeanor and the business license shall be suspended for up to 1 year or until the violation has been cured.
- (c) All fines shall be deposited into the Fire, Life and Medical Emergency Fund ('FLAME') pursuant to § 72106, Chapter 72, 10 GCA.

SOURCE: Added by P.L. 17-078:4 (Dec. 12, 1984). Amended by P.L. 32-005:3 (Mar. 6, 2013).

§ 73111. International Fire Code Adopted.

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The International Fire Code, 2009 edition, including Appendices B, C, D, E, F, G, H, I, as published by the International Code Council, is hereby adopted as amended.

SOURCE: Added by P.L. 17-078:4 (Dec. 12, 1984). Amended by P.L. 20-135:1 (Mar. 20, 1990), P.L. 22-082:1 (Mar. 3, 1994), P.L. 30-199:7 (Sept. 21, 2010).

2017 NOTE: Pursuant to P.L. 34-031:5 (July 13, 2017):

Section 5. Prohibition on Release of Sky Lanterns. A new Subsection 308.6 is *added* to Section 308 (Open Flames) of the 2009 International Fire Code, as adopted by § 73111 of Chapter 73, Title 10, Guam Code Annotated, to read:

“308.6 Sky Lanterns. No person shall release or cause to be released an untethered or tethered sky lantern. No person shall sell or import sky lanterns.

Pursuant to P.L. 34-031:4 (July 13, 2017):

Section 4. Definition of Sky Lantern. A new subsection is *added* to Section 202 (General Definitions) of the 2009 International Fire Code, as adopted by § 73111 of Chapter 73, Title 10, Guam Code Annotated, to read:

“SKY LANTERN. An unmanned device with a combustible fuel source that incorporates an open flame in order to make the device airborne.”

P.L. 34-031:2 (July 13, 2017) amended P.L. 33-192:1 regarding the adoption and applicability of certain provisions of the International Fire Code. *See* P.L. 34-031:2 to view the affected provisions.

Pursuant to P.L. 33-192 (Dec. 14, 2016), certain provisions of the 2009 Edition of the International Fire Code as adopted by P.L. 30-199 (Sept. 21, 2010), were amended and replaced/updated, in light of the 2015 International Fire Code. *See* P.L. 33-192:1, 3, and 5 to view the affected provisions.

§ 73112. Updating of Uniform Fire Code.

[Repealed.]

SOURCE: Added by P.L. 22-082:2 (Mar. 3, 1994). Repealed by P.L. 30-199:8 (Sept. 21, 2010).

§ 73113. Municipal Solid Waste Incinerators Prohibited.

Notwithstanding any other provision of law, it shall be unlawful for any person to construct or operate on Guam a municipal solid waste incinerator or waste-to-energy facility, as defined by the rules and regulations of the United States Environmental Protection Agency or laws of the United States of America. Nothing in this section shall be construed as prohibiting the

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construction or operation of hazardous waste incinerators or biomedical incinerators as defined by the rules and regulations of the U.S. Environmental Protection Agency or the laws of the United States of America.

SOURCE: Added by P.L. 25-175:5 (Dec, 12, 2000).
