

I MINA'BENTE NUEBI NA LIHESLATURAN GUAHAN
(TWENTY-NINTH GUAM LEGISLATURE)
2005 (FIRST) REGULAR SESSION

Bill No. 81(LS)
Introduced by:

A. B. PALACIOS, SR.

AN ACT RELATIVE TO THE ADOPTION OF THE PROPOSED RULES AND REGULATIONS FOR NON-EMERGENCY USE OF AMBULATORY SERVICE FOR STAND-BY SUPPORT; FOR CONDUCTING BUILDING INSPECTIONS AND FOR THE REVIEW OF BUILDING PLANS AND ISSUANCE OF PERMITS APPLICABLE TO THE PROPER COMPLIANCE AND ENFORCEMENT OF THE UNIFORM FIRE CODE BY THE GUAM FIRE DEPARTMENT; AND DIRECTING THE SPECIFIC USE OF THE REVENUES GENERATED FOR FUNDING TRAINING OF GUAM'S FIREFIGHTERS, THE PURCHASE OF ESSENTIAL EMERGENCY RESCUE AND LIFE SUPPORT EQUIPMENT, AND PROCURING MEDICAL SUPPLIES.

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1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent.

3 I Liheslaturan Guahan finds that the Guam Fire Department for more
4 than a decade has been in the process of pursuing the adoption of its
5 proposed rules and regulations which will provide guidelines and establish
6 service fees for the use of its non-emergency ambulance, building
7 inspection, and fire prevention services. The schedule of fees and fines that
8 will be established through the passage of the rules and regulations would
9 be applicable to the provision of non-emergency service assistance, and
10 would not apply to the regular emergency life-saving and fire-prevention

1 services provided by the Guam Fire Department. Revenues generated as a
2 result of the provision of these non-emergency-related services to the
3 community will be allocated to the Guam Fire Department for the express
4 purposes of procuring necessary supplies, equipment, and materials for the
5 department's firefighters.

6 I Liheslaturan Guahan further finds that it is critical to ensure that the
7 primary mission of the Guam Fire Department on providing necessary life-
8 saving and fire-fighting services continue as a public service to the island
9 community.

10 Although efforts have been made to procure some firefighter
11 equipment over the years, I Liheslaturan Guahan also finds that due to the
12 financial limitations of the government of Guam the Guam Fire
13 Department has not received sufficient necessary funds for the purchase of
14 much-needed firefighting and life-saving equipment and supplies to
15 properly equip every uniformed firefighter with the tools and supplies
16 necessary to effectively carry out their critical services for the people of
17 Guam. The eventual adoption of segments of the Guam Fire Department's
18 rules and regulations would allow for the deposit of necessary fees and
19 fines into the "Fire, Life and Medical Emergency Fund (FLAME)" that
20 would be applied directly toward the procurement of much-needed
21 materials, supplies and equipment for Guam's firefighters. Any additional
22 equipment and supplies for the uniformed firefighters would certainly
23 reinforce the firefighters' ability to save lives, to include their own.

24 Therefore, it is the intent of I Liheslaturan Guahan to insure the
25 timely adoption of relevant portions of the rules and regulations proposed

1 by the Guam Fire Department and enable the department to further
2 concentrate on its primary mission of providing life-saving emergency and
3 fire protection services; and continuing its efforts to extend its non-
4 emergency support to the community at a nominal fee. Any revenues
5 generated from the application of these non-emergency fees will be re-
6 invested into the Guam Fire Department to better equip its firefighters with
7 necessary firefighting and life-saving equipment and supplies, thus
8 enhancing the Department's ability to provide the best possible service to
9 the people of Guam.

10 **Section 2. Guam Fire Department Rules and Regulations.**

11 The following provisions on the Rules and Regulations for the Guam
12 Fire Department are hereby adopted to read as follows:

13 **“(a) Guam Fire Department Rules and Regulations.**

14 §72106 of Title 10, Guam Code Annotated, authorizes the Guam Fire
15 Department to promulgate rules or regulations for a schedule of fees for (1)
16 non-emergency use of an ambulance primarily for transportation, (2)
17 conducting building inspections, reviewing building plans, and (3)
18 issuance of permits. Section 73112 of Title 10, Guam Code Annotated,
19 authorizes the Guam Fire Department to promulgate rules setting forth
20 grace periods within which parties in violation of the Uniform Fire Code
21 shall bring their premises up to code.

22 In order to keep within the spirit of Public Law 22-51, requiring the
23 department, agencies, and instrumentalities of the government of Guam to
24 “periodically review all fees which are charged by the actual cost of
25 delivering such services,” the fees contained in Subsection (c) of this

1 Section are implemented as if part of the rule-making process under the
2 Administrative Adjudication Law, and as authorized by statute.

3 **(b) Approval of fees for services provided by the Guam Fire**
4 **Department.** The following rules and regulations establishing the fees for
5 the services listed below are hereby approved:

6
7 **“GUAM FIRE DEPARTMENT RULES AND REGULATIONS**
8 **ARTICLE I**
9 **AMBULANCE SERVICES (NON-EMERGENCY)**
10 **CHAPTER 1 - GENERAL PROVISIONS**

11
12 **A. SCOPE.** To establish the Guam Fire Department’s policy, rules
13 and regulations, and fee Schedule for the non-emergency use of
14 Ambulance Services.

15 **B. DEFINITION.** For the purpose of this Chapter, the following
16 definitions apply:

17 **1.** *Ambulance Services* is the use or temporary deployment
18 of the department’s ambulance or its attending E.M.T. or its
19 attending E.M.T. personnel to treat or transport sick or injured
20 persons, ambulatory or non-ambulatory, to or from a medical facility;
21 or remain on alert status at events, concerts, games, races,
22 promotions, functions, or activities requiring the same presence.

23 **2.** *Non-emergency Service* is that which does not fall under the
24 definition of “Emergency Service” as defined below by the American
25 College of Emergency Physicians.

1 The following examples would demonstrate the need for
2 urgent or unscheduled medical care in the prudent layperson's
3 opinion based on an average knowledge of medicine and health.
4 This list is not intended to be all encompassing for all medical
5 conditions or situations that may arise and should be used only to
6 conceptually embrace of an unlimited number of medical
7 abnormalities that could constitute an emergent situation based on
8 the person's current physical or mental condition.

9 Examples of these services (Emergency Services) would include
10 the following:

11 Evaluation or management of:

- 12 · Acute or Significant pain.
- 13 · Any trauma (less than 72 hours from time of incident) and/or
14 complications of trauma (regardless of time).
- 15 · Acute infection or sepsis.
- 16 · Shock or impending shock.
- 17 · Obstetrical crisis and/or labor
- 18 · Bleeding or threats of hemorrhage.
- 19 · Any condition resulting in admission of the patient to a
20 hospital or nursing home within 24 hours.
- 21 · Suspected abuse or neglect of any person could result in
22 temporary or permanent physical or psychological harm.
- 23 · Any illness or injury that would cause loss or impairment of the
24 following systems: integumentary, musculoskeletal, HEENT,

1 respiratory, gastrointestinal, genitourinary, nervous, or
2 cardiovascular.

- 3 · Congenital defects or abnormalities in an infant.
- 4 · A patient suspected to be suffering from a mental illness
5 and/or posing an apparent danger to the safety of himself, herself
6 and others.
- 7 · Any Acute or significant symptom(s) that might indicate a
8 condition that constitutes a threat to the patient's or family's
9 physical or psychological well-being requiring prompt medical
10 attention preventing possible deterioration, disability or death.

11 **C. SCHEDULING, STAND-BY SERVICES.**

12 1. Persons requesting for an ambulance stand-by Service must
13 call the E.M.S./Rescue Bureau Office at least two weeks (14 days) in
14 advance. The following information must be provided:

- 5 **a.** Name of person requesting.
- 6 **b.** Type of Activity being conducted.
- 7 **c.** Location of "Stand-By Service."
- 8 **d.** Time and duration of request.
- 9 **e.** Name of organization requesting.
- 0 **f.** Name of contact person and telephone number.
- 1 **g.** Complete mailing address.

2 2. The caller requesting the service will be given a Stand-By Service
3 Request Number which will be used for future reference.

1 3. The Guam Fire Department will contact the person requesting the Stand-
2 By Service at least one week or seven (7) days prior to the activity date for
3 confirmation.

4 4. Stand-By Services may be cancelled by calling the E.M.S./Rescue Bureau
5 at least twenty-four (24) hours prior to the stand-by. If a service is not cancelled
6 accordingly, the minimum first hour charge will be assessed.

7 5. Fees for Stand-By Services shall not be assessed for government
8 sponsored activities, i.e. school sports, etc., unless the event is being coordinated
9 and sponsored by an entity outside of the government of Guam and generating
0 funds therein during the event while utilizing government facilities and
1 premises.

2 See Chapter 2 of Article 1: Fee Schedule for Stand-By Services and Non-
3 Emergency Patient Transport Services.

4 **D. FEES, "STAND-BY SERVICES."**

5 1. A minimum one (1) hour fee will be charged for all Stand-By Services.
6 After the first hour, hourly fees will be charged for each additional hour or each
7 fifteen (15) minutes (one-fourth the hourly rate) portions thereof of ambulance
8 Stand-By Services.

9 2. Fees will be charged from the time a unit arrives at a stand-by until the
0 time the unit leaves the scene.

1 3. Adjustments will be made to the charges should G.F.D. be unable to
2 meet the scheduled time or must remove a unit from a stand-by.

3 4. A Stand-by Service which is not cancelled prior to the required twenty-
4 four (24) hour notice, will be billed for one (1) hour of service.

1 See Chapter 2 of Article 1: Fee Schedule for Stand-By Services and Non-
2 Emergency Patient Transport Services.

3 **E. GUAM FIRE DEPARTMENT'S RESPONSIBILITY.**

4 1. The Guam Fire Department's primary medical mission is to emergency
5 patients. Therefore, no ambulance can be said to be dedicated to a Stand-By
6 Service. The Guam Fire Department will do its best to have its unit arrive
7 promptly and remain at the location for the time duration requested. If a unit
8 must be pulled from a Stand-By Service to respond to an Emergency, the G.F.D.
9 will do its best to replace that unit within fifteen (15) minutes. If this is not
0 possible, appropriate adjustments will be made to the stand-by charges based on
1 the time a unit returns to the scene.

2 2. The Guam Fire Department will schedule an ambulance for each
3 Stand-By Service Requested, however, at the time of the service, if an ambulance
4 is not immediately available because of an emergency, the department has the
5 option to temporarily replace the unit with another patient transport. An
6 ambulance will be placed at the scene as soon as possible upon availability.

7 2. Should an ambulance unit not be available at all for the entire
8 duration of the Stand-By Service due to shortage of ambulances, other units
9 manned by Emergency Medical Technicians such as Engine Companies and
0 Rescue Units may be utilized for such Stand-By services.

1 **F. COLLECTION OF FEES, NON-EMERGENCY AND OTHERS.**

2 1. The Guam Fire Department shall prepare an invoice immediately upon the
3 request for service and present it to the individual or organization requesting the
4 service. Payment shall be requested prior to the provision of such services.

1 Should payment be received, an appropriate written receipt shall be rendered to
2 the individual or organization representative requesting the service.

3 The Fire Chief shall provide for a central location for the filing of any and
4 all requests for the use of Guam Fire Department non-emergency services,
5 whereupon payment can be received and properly accounted for at all times.
6 Should there be any transaction activity for the day, a written accounting of all
7 forms of payment(s) received shall be conducted prior to the conclusion of the
8 day, and appropriate arrangements be made for immediate and daily rendering
9 of such funds to the Department of Administration for deposit into the special
0 fund.

1 Copies of all documents reflecting the request for services and the forms of
2 payment shall be maintained by the Guam Fire Department.

3 2. Should payment not be received upon the rendering of such services, a
4 copy of the invoice shall be mailed to the requesting organization or individual
5 within five (5) days of the service provided. Payment shall be due no later than
6 thirty (30) days of the statement date.

7 2. All payment shall be remitted to the Treasurer of Guam, who shall deposit
8 these collections in the Guam Fire Department's Capital Outlay Revolving Fund.

9 3. Penalty charges shall be assessed on delinquent accounts. Subsequent
0 reminder notices shall reflect such charges, which are due within fifteen (15)
1 days of the date of the issuance.

2 See Chapter 2 Article 1: Fee Schedule for Stand-By Services and Non-
3 Emergency Patient Transport Services.

4 **G. FIRE SERVICES APPEAL.**

1 Any person seeking relief from a decision, action or inaction of a member of the
2 Guam Fire Department on matters concerning this article shall present, in writing, an
3 appeal and recommended solution to the Fire Chief. The Fire Chief shall investigate
4 the matter, and accordingly, determine the course of action. Written appeals require
5 that the Fire Chief notify the appellant in writing of the Fire Chief's decision.

6
7 **CHAPTER 2 - FEE SCHEDULE**

8 **AMBULANCE/OTHER UNITS NON-EMERGENCY SERVICES**

9
0 **(1) Service Fees:**

1 **Ambulance**

| | |
|------------------------|---------|
| 2 First Hour | \$25.00 |
| 3 Each additional hour | \$15.00 |

4 **Other Guam Fire Department Units**

| | |
|------------------------|---------|
| 5 First Hour | \$25.00 |
| 6 Each additional hour | \$15.00 |

7 **(2) Cancellation Service Fees:**

| | |
|--|---------|
| 8 Less than twenty-four (24) hours | |
| 9 Or no notice of cancelled "Stand-By Service Fee" | \$25.00 |

0
1 **ARTICLE II**

2 **INSPECTION AND CITATION PROGRAM**

3 **CHAPTER 1 - FEE SCHEDULE**

4 **INSPECTIONS AND STAND-BYS**

5 (Other than Occupancy Clearance Inspection)

- 1 1. Initial Inspection. Included in permit fee.
- 2 2. All subsequent inspections \$30.00
- 3 3. Cancelled or Rescheduled inspection, \$20.00
- 4 when notice is given less than twenty-four
- 5 (24) hours to the Fire Prevention Bureau.
- 6 4. Stand-by Personnel for authorized \$25.00 per hour
- 7 Guam Fire Department services at public
- 8 assemblies, two (2) personnel, as required
- 9 by Fire Chief and authorized by
- 0 U.F.C. Section 2501.19.

CHAPTER 2. - PERMIT FEE SCHEDULE

(Chapter 2 is attached as Appendix A.)

**CHAPTER 3 - FEE SCHEDULE FOR OCCUPANCY CLEARANCE
BASED ON MONETARY VALUE OF FACILITY**

| <u>Monetary Value of Facility</u> | <u>Occupancy Permit Fee</u> |
|-----------------------------------|-----------------------------|
| \$1.00 - \$50,000.00 | \$25.00 |
| \$50,001.00 - \$100,000.00 | \$35.00 |
| \$100,001.00 - \$250,000.00 | \$45.00 |
| \$250,001.00 - \$500,000.00 | \$55.00 |
| \$500,001.00 - \$750,000.00 | \$100.00 |
| \$750,001.00 - \$1,000,000.00 | \$300.00 |
| \$1,000,001.00 - \$10,000,000.00 | \$500.00 |
| \$10,000,001.00 - \$20,000,000.00 | \$700.00 |

1 \$20,000,001.00 – Above

\$900.00

2
3 **CHAPTER 4 - ASSESSMENT AND COLLECTION OF FEES/FINES.**

4 1. Payment. Permits may be obtained and fees paid at the One-Stop Permit
5 Center. Any and all fines imposed shall be paid at the Traffic Violations Bureau of the
6 Superior Court of Guam.

7 2. To Schedule inspections contact GFD Fire Prevention Bureau

8 3. Information to be provided by applicant. Please bring the following items:

9 a. Inspection reports. (if applicable)

0 b. Driver's License or an acceptable identification card.

1 4. Outstanding fees. The department shall implement necessary measures to
2 collect on outstanding fees, to include the following:

3 a. Written notification to Business License Branch, Department of Revenue
4 and Taxation.

5 b. Non-issuance of permit.

6 c. Refer matter for collection to the Office of the Attorney General.

7
8 **CHAPTER 5 - BUILDING AND FACILITY**

9 **FIRE SAFETY INSPECTIONS.**

0 The Guam Fire Department (GFD) shall implement reasonable measures
1 necessary to ensure the proper and continuous compliance with fire code
2 requirements, to include times other than permit renewal dates or notification of
3 possible inspections; protect the integrity of the Fire Prevention Program; and address
4 other citizen concerns or complaints.

5 **The following provides the procedures for:**

6 A. Inspections for Occupancy Clearance.

- 1 B. Inspections for New Permits.
- 2 C. Inspections for Permit Renewals
- 3 D. Unannounced Inspections for Existing Permit Holders.
- 4 E. Unannounced Inspections for other regulations in the U.F.C.

5 **First Inspection.** The inspector shall conduct the inspection for code compliance. If
6 code compliance has not been achieved, except for new permit applicants, the
7 following may result: inspection fee assessed and/or a citation issued. Re-inspections
8 shall be made until code compliance has been obtained, providing reasonable time,
9 dependent on the hazard and danger created by the violation and the complexity of
0 the work to be done. In all cases, an inspection report shall be filled out and a copy
1 given to the responsible person.

2 **Re-Inspection(s).** The inspector shall conduct the inspection for code compliance and
3 assess a re-inspection fee. If code compliance has not been achieved, re-inspections
4 will be made after providing reasonable time, dependent on the hazard and danger
5 created by the violation and the complexity of the work to be done, until code
6 compliance has been obtained. A citation may also be issued and/or the establishment
7 closed. In all cases, an inspection report shall be filled out and a copy given to the
8 responsible person.

9 **A. INSPECTIONS FOR OCCUPANCY CLEARANCE**

0 Inspections for Occupancy Clearance will be conducted after completion of
1 construction of new or renovated buildings. This inspection is not considered a First
2 Inspection and does not include a permit fee. (See Fee Schedule for Permits). Fees for
3 inspections for Occupancy Clearance include Plan Review and inspections up to
4 issuance of Fire Safety Certificate. (See Fee Schedule for Occupancy Clearance on
5 Chapter 3).

1 The Uniform Fire Code authorizes the Fire Chief to issue “**Conditional**
2 **Clearance**” for Occupancy Clearance. Conditional Clearances are granted with a
3 specified time frame given for applicant to come into full compliance with the Fire
4 Code. Inspections conducted upon full compliance of the code or expiration of
5 conditional clearance, whichever occurs first, will be assessed a re-inspection fee.

6 **B. INSPECTIONS FOR NEW PERMITS.**

7 New permits must be preceded by an inspection for code compliance. There is
8 no charge for this First Inspection, it is included in the permit fee which must be
9 received by the G.F.D. at the One Stop Building Permit/Business Service Center,
0 before a permit is issued. See Fee schedule for Permit.

1 If code compliance cannot be achieved during this inspection, the inspector shall
2 schedule a re-inspection, providing reasonable time, dependant on the hazard and
3 danger created by the violation and the complexity of the work to be done, until code
4 compliance has been obtained. A fee will be charged for each re-inspection. See Fee
5 Payment Schedule for Inspections.

6 **C. INSPECTIONS FOR PERMIT RENEWALS.**

7 All permit renewals must be preceded by an inspection for code compliance. If
8 not in compliance, the inspector shall schedule a re-inspection, providing reasonable
9 time, dependant on the hazard and danger created by the violation and the complexity
0 of the work to be done, until code compliance has been obtained. A fee will be charged
1 for each re-inspection. See Fee Payment Schedule for Inspections.

2 A citation may be issued for imminent life hazards and/or repeat violations
3 within the past two (2) years. A citation normally will not be issued on the First
4 Inspection. Citations for violations will generally be issued upon re-inspection(s).
5 Exception: Citations issued for violations which present imminent life hazards such as

1 trespassing in a closed area, smoking in closed or restricted areas, failure to obey the
2 lawful orders of a fire inspector, faulty equipment or procedures, repeat violations,
3 and violations of a similar nature will not require prior notice.

4 There is no charge for the First Inspection, it is included in the permit fee, which
5 must be received by the G.F.D. at the One Stop Building Permit/Business License
6 Service Center before a permit is renewed. (See Fee Schedule for Permits).

7 In all cases, an inspection report shall be filled out and a copy given to the
8 responsible person.

9 **D. UNANNOUNCED INSPECTIONS FOR EXISTING PERMIT HOLDERS.**

0 Unannounced inspections may be conducted for code compliance by any
1 designated official of GFD on any building and premises, business, activity,
2 engagement, or function regulated by the applicable code at reasonable times.

3 If not in compliance, the inspector shall schedule a re-inspection, providing
4 reasonable time, dependent on the hazard and danger created by the violation and the
5 complexity of the work to be done, until code compliance has been obtained. A fee
6 will be charged for this inspection (only if a violation is noted) and each re-inspection.
7 Citation may also be issued for imminent life hazards and/or repeat violations within
8 the Past two (2) years.

9 Citations normally will not be issued on the First Inspection. Citations for
0 violations will generally be issued upon re-inspection(s). EXEMPTION: Citations
1 Issued for violations which present imminent life hazards such as trespassing in a
2 closed area, smoking in closed or restricted areas, failure to obey the lawful orders of a
3 fire inspector, faulty equipment or procedures, repeat violations, and violations of a
4 similar nature shall not require prior notice.

5 In all cases, an inspection report shall be filled out and a copy given to the

1 responsible person.

2 **E. UNANNOUNCED INSPECTIONS FOR OTHERS REGULATED BY THE UFC.**

3 Unannounced inspections may be conducted by any designated official of GFD
4 on any building and premises, business, activity, engagement, or function regulated by
5 the applicable code at all reasonable times.

6 If not in compliance, the inspector shall schedule a re-inspection after providing
7 reasonable time, dependent on the hazard and danger created by the violation and the
8 complexity of the work to be done, until code compliance has been obtained. A fee
9 will be charged for this inspection (only if a violation is noted) and each re-inspection.
0 Citation may also be issued for imminent life hazards and/or repeated violations
1 within the past two (2) years.

2 Citations normally will not be issued on the First Inspection. Citations for
3 violations will generally be issued upon re-inspection(s). EXCEPTIONS: Citation
4 issued for violations which present imminent life hazards such as trespassing in a
5 closed area, smoking in closed or restricted areas, failure to obey the lawful orders of a
6 fire inspector, faulty equipment or procedures, repeat violations, and violations of a
7 similar nature will not require prior notice.

8 In all cases, an inspection report shall be filled out and a copy given to the
9 responsible person.

0 **ARTICLE III**

1 **CHAPTER 1 - PERMISSIBLE TIMEFRAMES**

2 **FOR COMPLIANCE WITH THE UNIFORM FIRE CODE.**

3 Section §73112 of Title 10, Guam Code Annotated, authorizes the Guam Fire
4 Department to promulgate rules setting forth permissible timeframes within which
5 parties not in conformance with Uniform Fire Code shall bring their premises up to

1 code. The following grace periods have been established within which existing
2 buildings shall be brought to conformance with the Uniform Fire Code.

3 **A. Life-Safety Requirements for Existing Buildings, Other Than High Rise**
4 **Structures.**

5 Within 12 months after the owner of an existing building or facility, other than a
6 high rise structure, has been notified of life-safety violations, plans for eventual
7 compliance shall be submitted and approved by the Guam Fire Department, and
8 within 18 months thereafter the work shall be completed or the building shall be
9 vacated until made to conform.

0 **B. Life-Safety Requirements for Existing High Rise Buildings.**

1 Plans and specifications requiring necessary alterations for compliance with the
2 UFC shall be filed with the Fire Chief within 12 months of being notified of any life-
3 safety violations. Should the provided timeframe for appropriate correction of no
4 more than 18 months be physically impractical or pose an undue hardship, an
5 extension of time for compliance may be granted beyond 18 months upon the
6 submission of specific plans for complete resolution, and any extension shall be based
7 upon the showing of good cause and subject to the filing of an acceptable systematic
8 progressive plan of correction with the Chief.

9 **C. Appeals on Uniform Fire Code Compliance Requirements.**

0 Appeals on the determination and decisions of the Fire Chief in applying the
1 provisions of this code may be made through a written appeal directly with the Board
2 of Appeals as established by Sections 103.4. of the Uniform Fire Code.

3 **Section 3. Application of Revenues Generated to Provide Direct Support for**
4 **the Purchase of Necessary Firefighting Tools, Supplies, Life-Saving Medical**
5 **Equipment, and for Required Firefighter Certification Training .**

1 Any funds generated through the enforcement and application of the provisions
2 contained herein shall be deposited into the "Fire, Life and Medical Emergency Fund
3 (FLAME) as established through §72106 of Chapter 72, Title 10, Guam Code
4 Annotated, for the express purposes of funding the purchase of essential emergency
5 rescue and firefighting vehicles, emergency life support and medical equipment,
6 supplies and equipment necessary for the proper enforcement of fire-safety permits
7 and the Uniform Fire Code, and training for uniformed firefighter personnel within the
8 Guam Fire Department.

9 **Section 4. Severability.**

0 If any provision of this Law or its application to any person or circumstance is
1 found to be invalid or contrary to law, such invalidity shall not affect other provisions
2 or applications of this Law which can be given effect without the invalid provisions or
3 application, and to this end the provisions of this Law are severable.

APPENDIX A.

| TYPE OF PERMIT | FEE/DURATION | GOV'T. CODE SECTION |
|---|---|--|
| AEROSOL PRODUCTS To store an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 lbs. Net weight. | \$35.00 Annual Renewal | Title 10 GCA §7311 UFC Article 88 |
| AIRCRAFT REFUELING VEHICLES To operate aircraft refueling vehicles (per vehicle) | \$35.00 Annual Renewal | Title 10 GCA §7311 UFC Article 24 |
| AIRCRAFT REPAIR HANGER To use any structure as an aircraft hangar for the purpose of servicing or repairing aircraft | \$35.00 Annual Renewal | Title 10 GCA §7311 UFC Article 24 |
| ASBESTOS REMOVAL To conduct asbestos removal operations regulated by Article 87. Exception: <ol style="list-style-type: none"> 1. Pumps, valves, gaskets and similar equipment 2. Pipes, ducts, girders or beams which have a length less than 21 linear feet. 3. Wall or ceiling panels which have an area of less than 10 square feet or a dimension of less than 10 linear feet. 4. Floor tiles when the duration of work can be completed in less than four hours. 5. Group R, Division 3 Occupancies | \$35.00 Annual Renewal \$20.00 Each Occurrence | Title 10 GCA §73111 UFC Article 87 |
| AUTOMOBILE WRECKING YARD To operate an automobile wrecking yard. | \$35.00 Annual Renewal | Title 10 GCA §73111 UFC Article 34 |
| BATTERY SYSTEM To install or operate stationary lead-acid battery systems having a liquid capacity of more than 100 gallons. (Plans Required) | \$35.00 Annual Renewal | Title 10 GCA §73111 UFC Article 64 |
| BOWLING PIN OR ALLEY REFINISHING To conduct a bowling pin refinishing or bowling alley resurfacing operation involving use and application of flammable liquids or materials. | \$35.00 Annual Renewal | Title 10 GCA §73111 UFC Article 26 |
| | | |

| | | |
|--|---|---|
| <p>CARNIVALS AND FAIRS</p> <p>To conduct a carnival fair</p> <p>To conduct a concession booth</p> | <p>\$35.00 Each Occurrence</p> <p>\$20.00 Each Occurrence</p> | <p>Title 10 GCA</p> <p>§73111 UFC</p> <p>Article 25</p> |
| <p>CELLULOSE NITRATE FILM</p> <p>Exception: Film having a cellulose acetate or other slow-burning base, referred to as "safety film".</p> <p>To store, handle, use or display.</p> | <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA</p> <p>§73111 UFC</p> <p>Article 33</p> |
| <p>CELLULOSE NITRATE STORAGE OR HANDLING</p> <p>To store or handle more than 25 lbs. Of cellulose nitrate (pyroxylin) for the manufacturing or assembly of articles or parts of articles containing cellulose nitrate plastics (pyroxylin).</p> | <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA</p> <p>§73111 UFC</p> <p>Article 27</p> |
| <p>COMBUSTIBLE FIBER</p> <p>To store or handle combustible fibers more that 100 cu.ft.</p> <p>Exception: Exterior storage of hay, straw and similar agricultural materials</p> | <p>\$35.00 Until Revoked</p> | <p>Title 10 GCA</p> <p>§73111 UFC</p> <p>Article 28</p> |
| <p>COMBUSTIBLE MATERIAL</p> <p>To store more than 2,500 cu.ft. gross volume of combustible empty packing cases, boxes, barrels or similar containers, or rubber or cork, or other similarly combustible material.</p> | <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA</p> <p>§73111 UFC</p> <p>Article 11</p> |
| <p>COMMERCIAL RUBBISH-HANDLING OPERATION</p> <p>To operate a commercial Rubbish-Handling operations.</p> | <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA</p> <p>§73111 UFC</p> <p>Article 11</p> |

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| <p>COMPRESSED GAS</p> <p>If compressed gas is in excess of amounts listed in UFC Table 105-A</p> <p>Note: Additional requirements and exceptions in UFC Articles 49, 52, 63, 74, 80 and 82. Permit applicant shall apply for approval to close storage, use or handling facilities at least 30 days prior to the termination of the storage, use or handling of compressed or liquefied gases. Such application shall include any change or alteration of the facility closure plan filed pursuant to Section 8001.13.</p> <p>To store, transport on site, dispense, use or handle. To install, repair, abandon, remove, place temporarily out of service, close or substantially modify a compress gas system.</p> | | <p>Title 10 GCA §73111 UFC Article 74, 80 and 82</p> |
| <p>CORROSIVE - more than 200 cu. ft.</p> | <p>\$35.00 Annual Renewal</p> | |
| <p>FLAMMABLE - more than 200 cu. ft. Except: cryogenic fluids and liquefied petroleum gases</p> | <p>\$35.00 Annual Renewal</p> | |
| <p>HIGHLY TOXIC - any amount</p> | <p>\$35.00 Annual Renewal</p> | |
| <p>INERT AND SIMPLE ASPHYXIANT - more than 5,000 cu. ft.</p> | <p>\$35.00 Annual Renewal</p> | |
| <p>IRRITANT - more than 200 cu. ft.</p> | <p>\$35.00 Annual Renewal</p> | |
| <p>OTHER HEALTH HAZARDS - more than 650 cu. ft.</p> | <p>\$35.00 Annual Renewal</p> | |
| <p>OXIDIZING (including oxygen) - more than 504 cu. ft.</p> | <p>\$35.00 Annual Renewal</p> | |
| <p>PYROPHORIC - any amount</p> | <p>\$35.00 Annual Renewal</p> | |
| <p>RADIOACTIVE - any amount</p> | <p>\$35.00 Annual Renewal</p> | |
| <p>SENSITIZER - more than 200 cu. ft.</p> | <p>\$35.00 Annual Renewal</p> | |
| <p>TOXIC - any amount</p> | <p>\$35.00 Annual Renewal</p> | |
| <p>UNSTABLE (reactive) - any amount</p> | <p>\$35.00 Annual Renewal</p> | |

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| <p>CRYOGEN FLUID STORAGE, HANDLING OR TRANSPORT:</p> <p>Exceptions:</p> <ol style="list-style-type: none"> 1. Where Federal or Guam regulations apply. 2. Vehicle fuel systems 3. fluids within an approved closed cycle refrigeration system complying with the Mechanical Code . See UFC Article 63. <p>To produce, store or handle cryogen in excess of the following amounts:</p> <p>CORROSIVE:</p> <p>-Over 1 gallon inside building</p> <p>-Over 1 gallon outside building</p> <p>FLAMMABLE:</p> <p>-Over 1 gallon inside building</p> <p>-Over 60 gallon outside building</p> <p>HIGHLY TOXIC:</p> <p>-Over 1 gallon inside building</p> <p>-Over 1 gallon outside building</p> <p>NONFLAMMABLE:</p> <p>-Over 60 gallon inside building</p> <p>-Over 500 gallon outside building</p> <p>OXIDIZER:</p> <p>-Over 10 gallon inside building</p> <p>-Over 50 gallon outside building</p> | <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA §73111 UFC Article 75</p> |
| <p>DRY CLEANING PLANT</p> <p>To engage in the business of dry cleaning</p> <p>To change to a more hazardous cleaning solvent</p> | <p>\$35.00 Annual Renewal</p> <p>\$35.00 Each Occurrence</p> | <p>Title 10 GCA §73111 UFC Article 36</p> |

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| <p>DUST PRODUCING OPERATIONS</p> <p>To operate a grain elevator, flour starch mill, or plant pulverizing aluminum, coal, cocoa, magnesium, spices, sugar, or other operation producing combustible dusts as defined in Article 9. See Articles 30 and 76</p> | <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA §73111 UFC Article 30</p> |
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EXPLOSIVES OR BLASTING AGENTS

(Certificate of Fitness Required)

**Title 10 GCA
§73111 UFC
Article 77**

Exceptions:

1. The armed forces of the United States, Coast Guard or National Guard.
2. Explosives in forms prescribed by the official United States Pharmacopoeia.
3. The sale possession or use of fire works 1.4G (Class C Common fireworks).
4. The possession, transportation, storage and use of small arms ammunition when packaged in accordance with DOT packaging requirements.
5. The possession, storage, transportation and use of not more than 5 pound (2.27kg) of commercially manufactured sporting black powder, 20 pounds (9.07 kg) of smokeless powder and 10,000 small arms primers for hand loading of small arms ammunition for personal consumption.
6. The transportation and use of explosive materials by the United States Bureau of Mines, and federal, state and local law enforcement and fire agencies acting in their official capacities.
7. Special industrial explosive devices which in the aggregate contain less than 50 pounds (22.7kg) of explosive materials.
8. The possession, transportation, storage and use of blank industrial power load cartridges when packaged in accordance with DOT packaging regulations.
9. When preempted by federal regulations.
10. The use and handling of fireworks 1.3G (Class B fireworks) as set forth in Article 78.

Note: Additional requirements and exceptions in UFC Article 80

PERMIT SHALL BE OBTAINED:

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| To manufacture, possess, store, sell, display or otherwise dispose of explosive materials at any location. | \$35.00 Annual Renewal |
| To transport explosive materials. | \$35.00 Annual Renewal |
| To use or handle explosive materials. | \$35.00 Annual Renewal |
| To operate a terminal for handling explosive materials. | \$35.00 Annual Renewal |

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| <p align="center">FIRE HYDRANT AND WATER CONTROL VALVES</p> <p>A permit is required to use or operate fire suppression purposes which are installed on water systems and accessible to public highways, alleys or private ways open to or generally used by the public. (Joint approval with Guam Waterworks Authority)</p> <p>EXCEPTION: Persons employed and authorized by the water company which supplies the system to use or operate fire hydrants and valves.</p> | <p align="center">\$35.00 Each Occurrence</p> | <p align="center">Title 10 GCA §73111 UFC Article 9</p> |
| <p>FIRE WORKS</p> <p>Bond or certificate of insurance and Pyrotechnic Operator required. Application must be submitted 14 days prior to the scheduled date of event.</p> <p>To conduct fireworks display</p> | <p align="center">\$35.00 Each Occurrence</p> | <p align="center">Title 10 GCA §73111 UFC Article 78</p> |

FLAMMABLE AND COMBUSTIBLE LIQUIDS

EXCEPTIONS:

1. As otherwise provided in other laws or regulations.
2. Alcoholic beverages in retail sales or storage uses, provided the liquids are packaged in individual containers not exceeding 4 liters.
3. Medicines, foodstuffs and cosmetics containing not more than 50 percent by volume of water miscible liquids with the remainder of the solution not being flammable in retail sales or storage uses when packaged in individual containers not exceeding 4 liters.
4. Storage and use of fuel-oil tanks and containers connected to oil-burning equipment. Such storage and use shall be in accordance with Article 61 and the Mechanical Code. For abandonment of tanks, Article 79 shall apply.
5. Refrigerant liquids and refrigerant oils within an approved closed-cycle refrigeration system complying with the Mechanical Code. See Article 63.
6. Storage and display of aerosol products. See Article 88
7. Materials which are solid at 100°F (37.8°C) or above.
8. Storage of liquids that have no fire point when tested in accordance with nationally recognized standards. See Section 9003, Standard a.4.5.
9. Liquids without flash points that can be flammable under some conditions, such as certain halogenated hydrocarbons.

Title 10 GCA
§73111 UFC
Article 79

Title 10 GCA
§73111 UFC
Article 79

PERMITS SHALL BE OBTAINED:

To use or operate, install, repair or modify a pipeline for the transportation of flammable or combustible liquids.

\$35.00 Annual Renewal

To store, handle or use Class I Liquids

-More than 5 gallons in a building.

- I. MINOR HAZARD
Liquids: 0 - 54 gals. In excess of permit amount
- II. MODERATE HAZARD
Liquids: 55-550 gals. In excess of Permit Amount.
- III. MAJOR HAZARD
Liquids: 551-2,750 gals. In excess of Permit Amount.

\$35.00 Annual Renewal

\$65.00 Annual Renewal

\$95.00 Annual Renewal

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| <p>FRUIT RIPENING PROCESSES</p> <p>In heated rooms and ripening processes where ethylene gas is introduced into the room to assist the ripening process.</p> <p>To operate a fruit ripening process</p> | <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA §73111 UFC Article 46</p> |
| <p>FUMIGATION OR THERMAL INSECTICIDAL FOGGING</p> <p>Note: See Article 80 for additional requirements and exceptions.</p> <p>To operate a business of fumigation or thermal insecticidal fogging</p> <p>To maintain a fumigation room, vault or chamber in which a toxic or flammable fumigant is used</p> | <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA §73111 UFC Article 47</p> |
| <p>HAZARDOUS FIRE AREAS, SUPPRESSION AND CONTROL OF</p> <p>To enter or occupy hazardous fire areas</p> <p>Exceptions:</p> <p>(I) Resident and owners of private property within hazardous fire areas and their invitees and guests going to or being upon their lands.</p> <p>(II) Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of the G.F.D. and members of the United States Forest Service.</p> <p>NOTE: Permits are suspended when areas are declared "CLOSED FOR ENTRY".</p> | <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA §73111 UFC Appendix II-A</p> |

HAZARDOUS MATERIALS

Note: Permittee shall apply for approval to close storage, use or handling facilities at least 30 days prior to the termination of the storage, use or handling of hazardous materials.

PERMIT SHALL BE OBTAINED:

To store, dispense, use or handle hazardous material in excess of quantities specified in Section 105. permit h.1

To install, repair, abandon, remove, place temporarily out of service, close or substantially modify a storage facility or other are regulated by Article 80

Note: The hazardous material that exceeds the permit amount shall be used in determining the hazard classification. If more than one hazardous material involved, the material that falls within the highest hazard classification described herein shall be used. The measurement method used in the UFC for the respective hazardous material shall be applicable.

I. MINOR HAZARD

Solids: 0 - 499 lbs. in excess of Permit Amount

\$35.00 Annual Renewal

Liquids: 0 - 54 gals. In excess of Permit Amount

\$35.00 Annual Renewal

Gases: 0 - 199 cu. ft. in excess of Permit Amount

\$35.00 Annual Renewal

II. MODERATE HAZARD

Solids: 500 - 5,000 lbs. in excess of Permit Amount

\$65.00 Annual Renewal

Liquids: 55 - 550 gals. In excess of Permit Amount

\$65.00 Annual Renewal

Gases: 200 - 2,000 cu. ft. in excess of Permit Amount

\$65.00 Annual Renewal

III. MAJOR HAZARD

Solids: 5,000 - 25,000 lbs. in excess of Permit Amount

\$95.00 Annual Renewal

\$95.00 Annual Renewal

Title 10 GCA
§73111
UFC Article 80

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| <p>HIGH-PILED COMBUSTIBLE STORAGE</p> <p>To use any building or portion thereof as a high-piled storage area exceeding 500 sq. ft. (Plans Required)</p> | <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA §73111 UFC Article 81</p> |
| <p>HOT-WORK OPERATIONS</p> <p>Permits are required for hot work including, but not limited to:</p> <p>Public exhibitions and demonstrations where hot work is conducted.</p> <p>Use of portable hot-work equipment inside a structure.</p> <p>EXCEPTION: Work that is conducted under a construction permit issued by the building official.</p> <p>Fixed-site hot-work equipment such as welding booths.</p> <p>Hot-work conducted within a Hazardous Fire Area</p> | <p>\$35.00 Annual Renewal \$20.00 Each Occurrence</p> <p>\$35.00 Annual Renewal \$20.00 Each Occurrence</p> <p>\$35.00 Annual Renewal \$20.00 Each Occurrence</p> <p>\$35.00 Annual Renewal \$20.00 Each Occurrence</p> | <p>Title 10 GCA §73111 UFC Article 49</p> <p>Title 10 GCA §73111 UFC Article 49</p> |

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| <p>LIQUEFIED PETROLEUM GAS</p> <p>To store, use, handle or dispense LP-Gas</p> <p>Portable containers equal to or more than 125 gallon aggregate water capacity but not more than 4,000 gallon aggregate water capacity nor a container more than 2,000 gallon water capacity.</p> <p>Containers over 4,000 gallon aggregate water capacity or a container more than 2,000 gallon water capacity.</p> <p>To install or maintain LP-Gas</p> <p>Portable containers equal to or more than 125 gallon aggregate water capacity but not more than 4,000 gallon aggregate water capacity nor a container more than 2,000 gallon water capacity.</p> <p>Containers over 4,000 gallon aggregate water capacity or a container more than 2,000 gallon water capacity. (PLANS REQUIRED)</p> <p>Note: Distributors shall not fill an LP-Gas container for which a permit is required unless a permit for installation has been issued for that location by the Fire Chief.</p> <p>NOTE: Installers shall maintain a record of installations for which a permit is required by Section 105 and have such record available for inspection by the Chief.</p> <p>EXCEPTION: Installation of gas-burning appliances and replacement of portable cylinders.</p> | <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA §73111 UFC Article 82</p> |
| <p>OVENS, INDUSTRIAL BAKING OR DRYING</p> <p>Industrial baking and drying ovens which are heated with oil or gas fuel or which during operation contain flammable vapors from the products being baked or dried.</p> <p>PERMIT SHALL BE OBTAINED:</p> <p>To operate an industrial baking or drying oven. Plans of details and calculations required.</p> | <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA §73111 UFC Article 62</p> |

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| <p>PARADE FLOATS To use a parade float for public performance, presentation, spectacle, entertainment, or parade. Each Float</p> | <p>\$10.00 Each Occurrence</p> | <p>Title 10 GCA §73111 UFC Article 80</p> |
| <p>PLACES OF ASSEMBLY, 50 OR MORE PERSONS Note: May require standby personnel, UFC Section 2501.18</p> <p>Occupant Load 50 - 300</p> <p>Occupant Load 301 - 1,000</p> <p>Occupant Load 1,001 - 5,000</p> <p>Occupant Load Over 5,000</p> | <p>\$20.00 Annual Renewal \$10.00 Each Occurrence</p> <p>\$35.00 Annual Renewal \$18.00 Each Occurrence</p> <p>\$65.00 Annual Renewal \$33.00 Each Occurrence</p> <p>\$95.00 Annual Renewal \$49.00 Each Occurrence</p> | <p>Title 10 GCA §73111 UFC Article 25</p> <p>Title 10 GCA §73111 UFC Article 25</p> |
| <p>PROTECTED ABOVEGROUND TANKS FOR MOTOR VEHICLE FUEL-DISPENSING STATIONS OUTSIDE BUILDING Note: Such operations shall include both public accessible and private operations, automotive, marine and aircraft motor vehicle fuel-dispensing stations.</p> <p>To install, operate, repair or modify protected aboveground tanks (outside of buildings) used for storage and dispensing of flammable or combustible liquid motor fuels. Plans and specifications required.</p> | <p>\$25.00 Annual Renewal \$35.00 Each Occurrence</p> | <p>Title 10 GCA §73111 UFC Appendix II-F</p> |
| <p>RADIOACTIVE MATERIALS To store or handle at any installation more than 1 microcurie (37,000 becquerel) of radioactive material not contained in a sealed source or more than 1 millicurie (37,000 becquerel) or radioactive material in a sealed source or sources, or any amount of radioactive material for which a specific license from the Nuclear Regulatory Commission is required. See Article 80</p> | <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA §73111 UFC Article 80</p> |

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| <p>REFRIGERATION EQUIPMENT</p> <p>Refrigeration unit and system installations having a refrigerant circuit containing more than 220 pounds (100 kg) of Group A1 or 30 pounds (13.6kg) of any other group refrigerant.</p> <p>PERMIT SHALL BE OBTAINED:</p> <p>To install a mechanical refrigeration unit or system. Plans and specifications required.</p> <p>To operate a mechanical refrigeration unit or system.</p> | <p>\$35.00 Each Occurrence</p> <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA §73111 UFC Article 63</p> |
| <p>REPAIR GARAGES</p> <p>To use a structure as a place of business for servicing or repairing motor vehicles.</p> | <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA §73111 UFC Article 29</p> |
| <p>RIFLE RANGES</p> <p>To establish, maintain or operate a rifle range.</p> <p>NOTE: Application must be referred to the Guam Police Department for approval.</p> | <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA §73111 UFC Appendix II-D</p> |
| <p>SPRAYING OR DIPPING</p> <p>To conduct a spraying or dipping operation utilizing flammable or combustible liquids of the application of combustible powders.</p> | <p>\$35.00 Annual Renewal</p> | <p>Title 10 GCA §73111 UFC Article 45</p> |
| <p>TEMPORARY MEMBRANE STRUCTURES, TENTS, AND CANOPIES FOR THE PURPOSE OF COMMERCIAL USE OR STORAGE</p> <p>To erect or operate a tent or air-supported temporary membrane structure or a canopy.</p> <p>EXCEPTIONS: For purposes of camping, parties, funeral services and garage sales. Does include canopies erected at a licensed flea market/swap meets.</p> <ul style="list-style-type: none"> - Tent or air-supported membrane more than 200 sq. ft. - Canopy over 400 sq. ft. | <p>\$20.00 Each Occurrence</p> <p>\$25.00 Each Occurrence</p> | <p>Title 10 GCA §73111 UFC Article 32</p> |
| <p>TIRE STORAGE (outdoor)</p> <p>To use an open are or portion thereof to store tires in excess of 1,000 cu. ft. Plans Required</p> | <p>\$35.00 Annual Renewal \$20.00 Each Occurrence</p> | <p>Title 10 GCA §73111 UFC Article 11</p> |

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| WOOD PRODUCTS To store chips, hogged material, lumber or plywood in excess of 200 cu. ft. | \$35.00 Annual Renwal \$20.00 Each Occurrence | Title 10 GCA §73111 UFC Article 30 |
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OTHER FEES

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| Photo copy of Ambulance Report Form | \$5.00 per copy |
| Fire Certification (Fire Report) | \$5.00 per certification |
| Rescue Boat towing service | \$50.00 per towing service* |
| Flushing of Traffic Accident Debris | \$25.00 per incident |
| Flushing Service Requested by the Public | \$50.00 per incident |

* Towing associated with Rescue Service