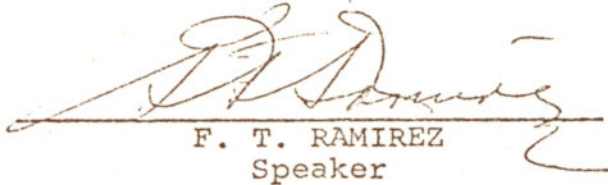


ELEVENTH GUAM LEGISLATURE
1971 (FIRST) Regular Session

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CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Bill No. 188, "An Act to add Sections 9671 through 9671.8, inclusive, to the Government Code of Guam to authorize installment payment for sewage connections", was on the 23rd day of June, 1971, duly and regularly passed.


F. T. RAMIREZ
Speaker


ATTESTED:


G. M. BAMBA
Legislative Secretary

This Act was received by the Governor this 2nd day
of July, 1971 at 3:45 o'clock P. M.


VINCENT T. PEREZ
Attorney General of Guam

APPROVED:


CARLOS G. CAMACHO
Governor of Guam

DATED: JUL 14 1971
10:03 A.M.

Public Law
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ELEVENTH GUAM LEGISLATURE
1971 (FIRST) Regular Session

Bill No. 188
Substitute Bill as
resubstituted by sponsors.

Introduced by _____

V. D. Ada
C. C. Barrett
P. M. Calvo
T. R. Santos
P. D. Perez
T. S. Tanaka
G. M. Bamba
P. J. Bordallo
J. B. Butler
T. C. Charfauros
O. L. Delfin
J. R. Duenas
F. G. Lujan
L. S. N. Paulino
F. T. Ramirez
A. C. Sanchez
F. R. Santos
A. A. Sekt

AN ACT TO ADD SECTIONS 9671 THROUGH 9671.8,
INCLUSIVE, TO THE GOVERNMENT CODE OF GUAM TO
AUTHORIZE INSTALLMENT PAYMENT FOR SEWAGE
CONNECTIONS.

- 1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
2 Section 1. Sections 9671 through 9671.8 inclusive are
3 hereby added to the Government Code of Guam to read as follows:
4 "Section 9671. Definitions. As used in Sections
5 9671 through 9671.8 inclusive:
6 (a) 'Agency' shall mean the Public Utility
7 Agency;
8 (b) 'Fund' shall mean the Public Utility
9 Agency Fund;
10 (c) 'Homeowners' shall mean persons owning
11 private single family residences in
12 which they reside;
13 (d) 'Adjacent homeowners' shall mean home-
14 owners whose residences are adjacent to
15 to and abut a road, street or other way
16 or easement on which a sewer is installed.

1 Section 9671.1. Installation of connecting lines
2 to public sewers. The Public Utility Agency of Guam is
3 hereby authorized to install or cause to be installed
4 connection lines to public sewers from the residences of
5 adjacent homeowners and subject to the provisions of this
6 Subchapter to charge therefor on an installment basis.

7 Any such adjacent homeowner who, pursuant to Section
8 9670.3 of the Government Code, is required to connect
9 toilet facilities to said public sewer, may make appli-
10 cation to the Agency for installation of said sewer
11 connection and for repayment of the cost thereof on an
12 installment basis as provided herein.

13 Section 9671.2. Notice to homeowners. The Chief
14 Officer of the Agency or his authorized representative
15 shall inform, by written notice, all adjacent homeowners
16 that said homeowner may make application for installation
17 of connecting lines and payment of the cost thereof on an
18 installment basis as provided in this Subchapter. This
19 notice shall be given to such homeowners within thirty
20 (30) days from the date the public sewer first becomes
21 available to them and shall contain a form for making
22 application.

23 Within ninety (90) days from the effective date of
24 this Act the Public Utility Agency shall give the notice
25 provided herein to all such persons who presently own
26 homes abutting a road, street or other way or easement
27 in which a public sewer is currently located, and who
28 have not yet connected their toilet facilities to the
29 sewer.

30 Section 9671.3. Application of homeowners. The
31 adjacent homeowners desiring to have connecting sewer

1 lines installed by the Public Utility Agency and to pay
2 therefor on the installment basis shall, within thirty
3 (30) days from receipt of the notice specified in
4 Section 9671.2, file application for connection and
5 installment payment with the Agency upon forms provided
6 by the Agency.

7 Section 9671.4. Installation of connecting lines.
8 The Agency shall install or cause to be installed
9 connections from the residence of each such adjacent
10 homeowner to the public sewer and shall commence such
11 installation as soon as possible in order to comply
12 with the time provisions of Section 9670.3 of this
13 Subchapter. This work may be done by contractors on
14 public bid pursuant to the provisions of Section
15 10001.6 of the Government Code.

16 If an adjacent homeowner has made application in
17 accordance with the provisions contained herein and
18 within the time provided in Section 9671.3, the time
19 limitations contained in Section 9670.3 of this Sub-
20 chapter shall be waived while connection lines are
21 being installed by or under the supervision of the
22 Agency.

23 Section 9671.5. Fund.

24 (a) There is hereby established a fund
25 to be known as the 'Public Utility Agency
26 Sewer Connection Fund', which fund shall
27 be maintained separate and apart from any
28 other funds of the government of Guam,
29 and independent records shall be maintained
30 in connection therewith.

31 (b) All monies received by the Agency from
32 homeowners in payment of sewer connection

1 line installation charges shall be
2 deposited with the Treasurer of Guam and
3 credited to the Fund and applied to the
4 account of each homeowner making payment.

5 (c) All debts, liabilities, obligations,
6 operating expenses, and installation
7 costs and expenses arising from the
8 installation of connecting lines pursuant
9 to the provisions of this Section are
10 hereby authorized to be paid from said
11 Fund by the Treasurer of Guam upon
12 vouchers properly certified to by the
13 Certifying Officer of the Agency.

14 (d) The Chief Officer of the Agency shall
15 quarterly render to the Governor a
16 statement reflecting the financial
17 condition of the Fund.

18 Section 9671.6. Repayment of installments. The
19 cost of the installation of connection lines to the public
20 sewer shall be borne by each individual homeowner, and the
21 cost thereof shall be repaid to the Fund on an install-
22 ment basis, in equal installments over a period not to
23 exceed five (5) years from the date the sewer connection
24 shall have been completed.

25 Section 9671.7. Installment contract. The signature
26 of the adjacent homeowner, and acceptance by the Public
27 Utility Agency of the application form provided for in
28 Section 9671.3, shall constitute a contract between the
29 homeowner and the government of Guam. The contract shall
30 provide for the monthly amount of installment payments to
31 be made thereunder. Payments shall commence within
32 sixty (60) days from the date of completion of the

1 installation of the connecting line.

2 Such contract shall provide for payment of interest
3 to be at the rate of six per cent (6%) per annum on the
4 installment amounts due and payable. Such contract shall
5 further provide that the entire balance shall become
6 immediately due and payable upon default in the payment
7 of any installment of more than sixty (60) days. If
8 during the duration of any installment contract a single
9 family residence is converted into income producing
10 property or a multiple family dwelling, all unpaid
11 installment shall become immediately due and payable.
12 All unpaid installments shall constitute a lien upon
13 the property for which the connection was made. Upon
14 sale of the property by the contracting homeowner, all
15 unpaid installments shall immediately become due and
16 payable, unless the buyer of the property shall, by
17 written agreement with the Public Utility Agency, assume
18 such installment contract.

19 Section 9671.8. Powers. The Public Utility Agency
20 shall have the power, duty and responsibility for the
21 operation, administration and enforcement of this Section,
22 and shall maintain all necessary records. Such power
23 shall include the authority to make rules and regulations
24 necessary to carry out the provisions contained herein,
25 all in accordance with Section 21207 of the Government
26 Code of Guam, and the authority to enforce collection
27 of payments to be made by homeowners hereunder. The
28 Agency shall obtain from the Attorney General approval
29 of the general form of installment contract which is to
30 be entered into by homeowners hereunder, and approval
31 of the general form of the assumption agreement to be
32 entered into hereunder by subsequent purchasers."