

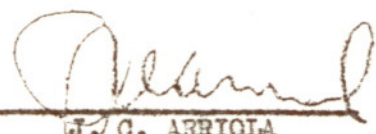
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NINTH GUAM LEGISLATURE
1968 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This certifies that Bill No. 319, "An Act to amend Sections 17002 and 17107 of the Government Code of Guam and to add a new Chapter 10 to Title 18 of the Government Code of Guam relative to the control of junk yards", was on the 16th day of January, 1968, duly and regularly passed.


J. C. ARRIOLA
Speaker

ATTESTED:


F. T. RAMIREZ
Legislative Secretary

This Act was received by the Governor this 19th
day of Jan., 1968 at 3:39 o'clock P..M.

1st Denver Dickerson
DENVER DICKERSON
Secretary of Guam

APPROVED:

1st Manuel F.E. Guerrero
MANUEL F. L. GUERRERO
Governor of Guam

DATED: Jan. 29, 1968
11:10 A.M.

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NINTH GUAM LEGISLATURE
1967 (FIRST) Regular Session

Bill No. 319

~~Title proposed amendments~~

Introduced by _____

R. F. Taitano

AN ACT TO AMEND SECTIONS 17002 AND 17107 OF
THE GOVERNMENT CODE OF GUAM AND TO ADD A NEW
CHAPTER 10 TO TITLE 18 OF THE GOVERNMENT CODE
OF GUAM RELATIVE TO THE CONTROL OF JUNK YARDS.

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

2 Section 1. Section 17002 of the Government Code of Guam is hereby
3 amended by inserting the following definition between the definition of
4 "hotel" and the definition of "lot":

5 "Junk Yard. An open area where waste, scrap metal, paper,
6 rags, or similar materials are bought, sold, exchanged, stored,
7 baled, packed, disassembled or handled, including the dismantling
8 or storing of wrecked automobiles or other vehicles, and buildings.
9 The terms 'dismantling' or 'storing' do not include the action of
10 a licensed automobile repairer or garage owner in stripping an
11 automobile or other vehicle of its usable parts as long as such
12 action is accomplished within ten (10) days of the arrival of the
13 motor vehicle being so stripped on the premises of the garage or
14 automobile repair business."

15 Section 2. Section 17107 of the Government Code of Guam is hereby
16 amended by adding the following Subsection 17107 (a) 2 thereto, Sub-
17 sections "2" and "3" being renumbered to "3" and "4":

18 "2. Junk Yards. Under the special provisions set forth in
19 Chapter 10 of this Title."

20 Section 3. A new Chapter 10 is hereby added to Title 18 of the
21 Government Code of Guam to read as follows:

22 "Chapter 10

23 Junk Yards

24 Section 17425. Permits required. No person shall establish a
25 junk yard or extend the boundaries of an existing junk yard without

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1 obtaining a permit from the Territorial Planning Commission. Junk
 2 yards which are established on the effective date of this chapter
 3 shall be governed by the provisions of Section 17430.

4 Section 17426. Improvement Standards.

5 (a) The minimum enclosed area for a junk yard shall be 40,000
 6 square feet.

7 (b) The junk yard shall be enclosed by a fence, not less
 8 than eight (8) feet in height,

9 (c) The junk yard enclosure shall be set back forty (40)
 10 feet from any public road, and twenty (20) feet from all abutting
 11 property lines.

12 (d) The exterior yards established by subparagraph (c)
 13 above shall be maintained in a sanitary and not unsightly manner.

14 Section 17427. Application required. The owner shall make
 15 application for the issuance of a permit under this chapter to the
 16 Territorial Planning Commission. Such application shall include:

17 (a) A statement of intent;

18 (b) A map of the general area, showing the subject lot and
 19 all abutting properties with name and addresses of owners; and

20 (c) A proposed site plan, showing proposed enclosure, access
 21 and egress.

22 Section 17428. Hearing Required. Within one month of the first
 23 regularly scheduled Territorial Planning Commission meeting after
 24 receipt of an application, the Territorial Planning Commission
 25 shall hold a public hearing on the proposed junk yard. The Terri-
 26 torial Planning Commission shall cause notice of such application
 27 and hearing to be sent to abutting property owners by registered
 28 mail, and advertisement of such hearing to appear in a newspaper of
 29 general circulation throughout the territory at least ten (10)
 30 days prior to the hearing.

31 Section 17429. Permit issued or denied. After such public
 32 hearing, if the Territorial Planning Commission determines that the
 33 standards set forth in Section 17451 are met, the Territorial

1 Planning Commission shall issue a permit. Any person aggrieved by
2 a decision of the Territorial Planning Commission under this
3 section shall have the right to appeal to the Island Court as
4 provided in Section 17506 of this Title.

5 Section 17430. Nonconforming Junk Yards.

6 (a) The nonconforming use of a building or premises for the
7 purpose of operating a junk yard within any Agricultural (A),
8 Residential (R1 and R2), or Commercial Zone (C and LC) shall,
9 within five (5) years after the effective date of this Chapter, be
10 discontinued and the building or premises thereafter devoted to a
11 use permitted in the zone in which such building or premises is lo-
12 cated.

13 (b) The nonconforming use of a building or premises for the
14 purpose of operating a junk yard within a Light Industrial (LI)
15 Zone may continue subject to the provisions of Chapter 7 of this
16 Title, provided that it is made to conform to the provisions of
17 Section 17426 within one (1) year of the effective date of this
18 chapter. If such action is not taken, the provisions of sub-
19 paragraph (a) shall apply."

20 Section 4. This Act shall take effect sixty (60) days after
21 signature by the Governor, and pending the said effective date, the
22 Territorial Planning Commission shall cause the owners of premises
23 likely to be affected by the provisions of this Act to be notified
24 of the pending effective date and to be advised as to whether the
25 use of their premises conforms to the provisions of this Act and,
26 if not, what needs to be done to so conform.

27 Section 5. Old Chapters 10, 11, 12, 13, 14 and 15 of Title 18
28 of the Government Code of Guam are hereby renumbered Chapters 11, 12,
29 13, 14, 15 and 16, respectively.