

**10 GCA HEALTH AND SAFETY  
CH. 33 SOLID WASTE**

**CHAPTER 33  
SOLID WASTE**

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**ARTICLE 1  
SOLID WASTE**

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**§ 33101. Definitions.**

As used in this Chapter:

(a) *Garbage* means the solid or semi-solid but reusable animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods, including cans, bottles and cartons, in which it was received and wrapping in which it may have been placed for disposal;

(b) *Rubbish* means nonputrescible solid waste, including ashes, consisting of both combustible and noncombustible waste such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery and broken or rejected matter or litter of any kind;

(c) *Dump* means any area, whether on public or private property, where garbage, trash, refuse, junk, debris or other broken and rejected material is deposited, other than in legal trash or garbage receptacles or other authorized disposal sites; and

(d) *Premises* means any vacant lot or any private property on which is located one (1) or more of the following: home, apartment, hotel or commercial or manufacturing establishment but does not include a dump.

**SOURCE:** GC § 9630.

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**§ 33102. Prohibition.**

No person shall have on his premises any garbage or rubbish except as provided in this Chapter.

**SOURCE:** GC § 9630.1.

**§ 33103. Storage.**

All garbage and rubbish shall be stored and maintained in durable receptacles which shall have close fitting covers, unless otherwise prescribed in the rules and regulations promulgated under this Chapter.

**SOURCE:** GC § 9630.2.

**§ 33104. Residence.**

Each person shall provide adequate containers for the storage of all garbage and rubbish prior to collection on the premises where he resides except that where there are multiple dwelling units confined to one (1) property and consisting of five (5) or more units, the owner shall provide adequate containers for all tenants.

**SOURCE:** GC § 9630.3.

**§ 33105. Commercial Establishments.**

The owner or operator of any business establishments or commercial operation shall provide adequate containers for the storage of garbage or rubbish that is generated in the course of operating his business or commercial enterprise.

**SOURCE:** GC § 9630.4.

**§ 33106. Removal.**

Garbage and rubbish shall be removed from all premises at regular intervals as may be established by regulation, but under no circumstances shall garbage or rubbish accumulate for a period exceeding seven (7) days.

**SOURCE:** GC § 9630.5.

**§ 33107. Dumps.**

No person shall maintain or permit the establishment of a dump on their premises unless as otherwise permitted by law.

**SOURCE:** GC § 9630.6.

**§ 33108. Edible Garbage.**

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The Director is authorized to prescribe by regulation such processing and limitations with respect to the use of garbage as animal feed or other use as he may deem necessary for the public health. No garbage shall be sold or disposed of as food for human consumption.

**SOURCE:** GC § 9630.7.

**§ 33109. Vehicles.**

Vehicles used for conveying garbage or rubbish shall not be used for the transportation or conveyance of any food or drink that will or may be used for human consumption.

**SOURCE:** GC § 9630.8.

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**ARTICLE 2  
SWMF HEALTH MONITORING AND COMPENSATION.**

**SOURCE:** This article was added by P.L. 24-181:1.

§ 33201. Legislative Finding and Intent.

§ 33202. Title.

§ 33203. Additional Definitions to this Chapter.

§ 33204. Monitoring.

§ 33205. Standing to Sue; Injunction.

**§ 33201. Legislative Finding and Intent.**

Solid Waste Management Facilities ('SWMF') have byproducts that if exposed repeatedly, or consumed in finite amount, can be detrimental to good health. The community where the SWMF is processing municipal solid waste should be compensated for accepting a facility (incinerator, landfill, WTEF, combustion, plasma, processing) which is essential for the Islands' health and welfare, but inherently exposes that village with not only noxious and eyesore surroundings, but perhaps imposes respiratory disease, infection disorders, cancer ailments and other disorders more than the expected distribution for such illnesses. It is therefore imperative that the monitoring of people, since the facilities and the environment are being monitored already by the Guam Environmental Protection Agency ('GEPA') and the Department of Public Health and Social Services ('DPHSS'), be established and also logically that we should compensate villages.