

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
175-38 (COR)	V. Anthony Ada	AN ACT TO <i>AMEND</i> §§ 61541(b), (c) & (f); 61546 & 61547 OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO MAKING PRACTICABLE IMPROVEMENTS TO GUAM'S SIGN LAWS.	7/16/25 10:41 a.m. ^8/7/25 3:48 p.m.						

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 175-38 (COR)

Introduced by:

V. Anthony Ada 

**AN ACT TO *AMEND* §§ 61541(b), (c) & (f); 61546 & 61547
OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED,
RELATIVE TO MAKING PRACTICABLE
IMPROVEMENTS TO GUAM'S SIGN LAWS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Paragraphs (b) and (c) of § 61541 of Chapter 61, Title 21, Guam
Code Annotated are *amended* to read as follows:

“(b) In Commercial zones, no exterior signs shall be erected displayed
or maintained except the following:

(1) Non-digital signs ~~Signs~~ indicating the name of a person or the
type of business occupying the premises or the name of the building,
provided that:

~~(A) Individual signs shall be non-flashing and non-~~
~~moving.~~

~~(B)~~ (A) Individual signs shall be placed flat on the building
wall, shall not be higher than the roof line of the building, and
shall project no further than eighteen (18) inches from the wall
to which they are attached.

~~(C)~~ (B) Individual signs shall not cover an area in excess
of ten percent (10%) of the surface of the wall to which they are
attached.

1 (2) Non-digital free ~~Free~~ standing, doubled faced signs indicating
2 the name of a person or the type of business occupying the premises or
3 the name of the building, provided that:

4 (A) such signs shall not exceed forty (40) square feet in
5 area on each face nor twelve (12) feet in height;

6 (B) such structure shall not be placed closer than ten (10)
7 feet to any street or high way right-of-way; and

8 (C) one such sign shall be permitted for each premises or
9 building.

10 (3) Non-digital political ~~Political~~ signs that advocate voting for
11 or against candidates, or other matters to be considered by the
12 electorate; provided, that such signs shall only be posted on private
13 property.

14 (A) If such private property is adjacent to any roadway,
15 political signs shall be at least eight (8) feet from the paved
16 portion of the roadway, and posted in such a manner that would
17 not impede traffic or a driver's visibility.

18 (B) "Political sign" means

19 (i) all free-standing billboards, posters, banners,

20 or

21 (ii) displays that advocate a candidate for
22 political office or

23 (iii) any matter to be presented to the electorate
24 for vote, and

25 (iv) all items put on property to erect or secure
26 the billboard, poster, banner, or display in place,
27 including rebars and wires.

1 (4) Digital signs in conformance with § 61547 of this Subarticle.

2 (c) In Industrial zones no exterior signs shall be erected, displayed
3 or maintained except the following:

4 (1) Non-digital signs Signs indicating the name of a person, or
5 the type of industry occupying the premises or the name of the
6 building, provided that:

7 ~~(A) Individual signs shall be non-flashing and non-~~
8 ~~moving.~~

9 ~~(B)~~ (A) Individual signs shall be placed flat on the building
10 wall, shall not be higher than the roof line of the building, and
11 shall project no further than eighteen (18) inches from the wall
12 to which they are attached.

13 ~~(C)~~ (B) Individual signs shall not cover an area in excess
14 of ten percent (10%) of the surface of the wall to which they are
15 attached.

16 (2) Free standing non-digital signs identifying the name of the
17 owner or occupant of the premises, or advertising goods manufactured
18 or produced, or services rendered, on the premises, provided that:

19 (A) Such sign shall not exceed sixty (60) square feet in
20 area nor twelve feet (12) in height.

21 (B) Such structure shall not be placed closer than ten (10)
22 feet to any street or high way right of way.

23 (C) Such signs shall be non-moving and non-flashing.

24 (D) One (1) such sign shall be allowed for each industrial
25 structure, or complex or structures housing a single industrial
26 user.

1 (3) Non-digital political ~~Political~~ signs that advocate voting
2 for or against candidates, or other matters to be considered by the
3 electorate; provided, that such signs shall only be posted on private
4 property.

5 (A) If such private property is adjacent to any roadway,
6 political signs shall be at least eight (8) feet from the paved
7 portion of the roadway, and posted in such a manner that would
8 not impede traffic or a driver's visibility.

9 (B) "Political sign" means

10 (i) all free-standing billboards, posters, banners, or
11 displays that advocate a candidate for political office or

12 (ii) displays that advocate a candidate for political
13 office or

14 (iii) any matter to be presented to the electoral for
15 vote, and

16 (iv) all items put on property to erect or secure the
17 billboard, poster, banner, or display in place, including
18 rebars and wires.

19 (4) Digital signs in conformance with § 61547 of this Subarticle."

20 **Section 2.** Paragraph (f) of § 61541 of Chapter 61, Title 21, Guam Code
21 Annotated is *amended* to read as follows:

22 “(f) In the *Tumon Bay* H Resort-Hotel Zone, signs shall comply with §§
23 61541(b)(2)-(3), 61543, ~~and~~ 61544 and 61547 of this Subarticle. No non-
24 digital exterior signs shall be erected, displayed or maintained, except for
25 signs indicating the name of a person, the type of business occupying the
26 premises, or the name of the building, or signs displaying messages

1 appurtenant to the use of, products sold on, or the sale or lease of, the property
2 on which it is displayed, and for public service announcements; provided, that:

3 (1) Signs shall be placed along on the building wall or behind a
4 window or clear covering on the building wall, shall not be higher than
5 the roof line of the building, and shall protrude no farther than eighteen
6 (18) inches from the wall to which they are attached.

7 (2) Except for electronic or other signs authorized by law or a
8 Guam Land Use Commission variance prior to the enactment of this
9 Act, individual non-digital signs shall not cover an area in excess of ten
10 percent (10%) of the surface of the wall to which they are attached.

11 (3) Violations. Any person in violation of Subsections 61541(f)-
12 (f)(2) of Chapter 61, Title 21, Guam Code Annotated, shall pay a civil
13 penalty not to exceed One Thousand Dollars (\$1,000) for each
14 violation. If violation(s) are not corrected within ten (10) business days
15 of receipt of a Notice of Violation from the Department of Public
16 Works, such person shall be subject to an additional late action civil
17 penalty not to exceed Three Hundred Dollars (\$300) per day for each
18 remaining violation. Failure to pay penalties and to rectify the
19 violations may result in the termination or non-renewal of the digital
20 sign permit. The Director of Public Works shall have the authority to
21 waive parts or all of the late action penalty should the violator
22 demonstrate a good faith effort to address the violation in a timely
23 manner; provided, that such waiver is limited to no more than thirty
24 (30) calendar days. All penalties recovered in any such action shall be
25 paid into the General Fund.”

26 **Section 3.** § 61546 of Chapter 61, Title 21, Guam Code Annotated is *amended*
27 to read as follows:

1 **“§ 61546. Signs on School Bus Stop Shelters.**

2 Notwithstanding any law in this Chapter to the contrary, it shall not be illegal
3 for the Department of Education to place a non-digital sign on any school bus stop
4 shelter to identify and commemorate a public business or individual who contributed
5 money to provide for the erection and maintenance of such shelters. Such signs shall
6 be non-moving and non-flashing and not larger than the dimensions of the bus stop
7 shelter.”

8 **Section 4.** § 61547 of Chapter 61, Title 21, Guam Code Annotated is *amended*
9 to read as follows:

10 **“§ 61547. Regulation of Digital Signs.**

11 (a) Notwithstanding any other provision of law, the statutory provisions
12 set forth in this section shall govern all matters related to the regulation,
13 operation, installation, permitting, enforcement, and maintenance of digital
14 signs.

15 ~~(a)~~ (b) Definitions.

16 (1) “Animated sign” means a sign employing actual motion, the
17 illusion of motion, or light and/or color changes achieved through
18 mechanical, electrical, or electronic means. Animated signs, which are
19 differentiated from changeable signs as defined and regulated by this
20 Section, include the following types:

21 (A) environmentally activated animated signs or devices
22 are motivated by wind, thermal changes, or other natural
23 environmental input, such as spinners, pinwheels, pennant
24 strings, and/or other devices or displays that respond to naturally
25 occurring external motivation;

26 (B) mechanically activated animated signs are
27 characterized by repetitive motion and/or rotation activated by a

1 mechanical system powered by electric motors or other
2 mechanically induced means;

3 (C) electrically activated animated signs produce the
4 illusion of movement by means of electronic, electrical, or
5 electromechanical input and/or illumination capable of
6 simulating movement through employment of the characteristics
7 of one (1) or both of the classifications noted below:

8 (i) flashing - animated signs or animated portions of
9 signs whose illumination is characterized by a repetitive
10 cycle in which the period of illumination is either the same
11 as or less than the period of non-illumination. A cyclical
12 period between on-off phases of illumination exceeding
13 four (4) seconds shall not constitute flashing;

14 (ii) patterned illusionary movement - animated
15 signs or animated portions of signs whose illumination is
16 characterized by simulated movement through alternate or
17 sequential activation of various illuminated elements for
18 the purpose of producing repetitive light patterns designed
19 to appear in some form of constant motion.

20 (2) "Changeable sign" means a sign with the capability of content
21 change by means of manual or remote input, including the following
22 types:

23 (A) manually activated - changeable sign whose message
24 copy or content can be changed manually on a display surface;

25 (B) electrically activated - changeable sign whose message
26 copy or content can be changed by means of remote electrically
27 energized on-off switching combinations of alphabetic or

1 pictographic components arranged on a display surface.
2 Illumination may be integral to the components, such as
3 characterized by lamps or other light-emitting devices; or it may
4 be from an external light source designed to reflect off the
5 changeable component display.

6 (3) “Digital sign” means an ~~on-premise~~ electrically activated
7 animated sign, changeable sign, illuminated sign, or Electronic
8 Message Center sign ~~located in the Tumon Bay H Resort Hotel Zone.~~
9 ~~Digital signs are not environmentally or mechanically activated~~
10 ~~flashing animated signs or devices.~~

11 (4) “Electronic Message Center (EMC) sign” means an
12 electrically activated changeable sign whose variable message and/or
13 graphic presentation capability can be electronically programmed by
14 computer from a remote location. EMCs typically use light emitting
15 diodes (LEDs) as a lighting source. Terms principally associated with
16 an EMC are:

17 (A) display time - the amount of time a message and/or
18 graphic is displayed.

19 (B) dissolve - a mode of message transition accomplished
20 by varying the light intensity or pattern, in which the first
21 message gradually appears to dissipate and lose legibility with
22 the gradual appearance and legibility of the second message.

23 (C) fade - a mode of message transition accomplished by
24 varying the light intensity, where the first message gradually
25 reduces intensity to the point of not being legible and the
26 subsequent message gradually increases intensity to the point of
27 legibility.

1 (D) dynamic frame effect - a frame effect in which the
2 illusion of motion and/or animation is used.

3 (E) frame - a complete, static display screen.

4 (F) frame Effect - a visual effect applied to a single frame.

5 (G) scroll - a mode of message transition in which the
6 message appears to move vertically across the display surface.

7 (H) transition - a visual effect used to change from one
8 message to another.

9 (I) travel - a mode of message transition in which the
10 message appears to move horizontally across the display surface.

11 (5) "Illuminance" means the amount of light falling upon a real
12 or imaginary surface, commonly "light level" or "illumination,"
13 measured in foot candles (lumens/square foot) in the English System,
14 and lux (lumens/square meter) in the SI (metric) system.

15 (6) "Luminance" means the light that is emitted by or reflected
16 from a surface, measured in units of luminous intensity (candelas) per
17 unit area (square meters in SI measurement units or square feet in
18 English measurement units).

19 (7) "Multiple-faced sign" means a sign containing two (2) or
20 more faces.

21 (8) "Off-premise business information" means commercial or
22 noncommercial messages not appurtenant to the use of, products sold
23 on, or the sale or lease of, the property on which it is displayed.

24 (9) "On-premise sign" means a sign erected, maintained or used
25 in the outdoor environment, or visible from the outside environment,
26 for the purpose of the display of messages appurtenant to the use of,
27 products sold on, or the sale or lease of, the property on which it is

1 displayed, and for public service announcements. For purposes of this
2 Subsection, public service announcements are limited to factual
3 information about public health and public safety as determined by the
4 Department of Public Health and Social Services, the Guam Police
5 Department, or the Office of Civil Defense.

6 (10) “Sign” means a device visible from a public place, whose
7 essential purpose and design are to convey either commercial or
8 noncommercial messages by means of graphic presentation of
9 alphabetic or pictorial symbols or representations.

10 (11) “Sign copy” means the physical sign message, including any
11 words, letters, numbers, pictures, and symbols.

12 (12) “Sign face” means the surface upon, against or through which
13 the sign copy is displayed or illustrated, not including structural
14 supports, architectural features of a building or sign structure,
15 nonstructural thematic or decorative trim, or any areas that are
16 separated from the background surface upon which the sign copy is
17 displayed by a distinct delineation, such as a reveal or border.

18 (A) In the case of panel or cabinet type signs, the sign face
19 shall include the entire area of the sign panel, cabinet or face
20 substrate upon which the sign copy is displayed or illustrated, but
21 not open space between separate panels or cabinets.

22 (B) In the case of signs painted on a building, or individual
23 letters or graphic elements affixed to a building or structure, the
24 sign face shall comprise the sum of the geometric figures or
25 combination of regular geometric figures drawn closest to the
26 edge of the letters or separate graphic elements comprising the

1 sign copy, but not the open space between separate groupings of
2 sign copy on the same building or structure.

3 (C) In the case of sign copy enclosed within a painted or
4 illuminated border or displayed on a background contrasting in
5 color with the color of the building or structure, the sign face shall
6 comprise the area within the contrasting background, or within the
7 painted or illuminated border.

8 ~~(b)~~ (c) Restrictions.

9 (1) Digital signs are authorized only ~~in the Tumon Bay H Resort-~~
10 ~~Hotel Zone~~ as allowed by law, and shall be subject to the provisions set
11 forth in this Section.

12 (2) The Department of Public Works shall promulgate rules and
13 regulations for digital sign permits in the *Tumon Bay H Resort-Hotel*
14 *Zone*.

15 (3) Digital signs, as identified in this Section, shall be subject to
16 the Department of Public Works digital sign permit process and may be
17 erected and operated only after a building permit and an occupancy
18 permit are issued.

19 ~~(4) It shall be unlawful to display off-premise business~~
20 ~~information on a digital sign.~~

21 ~~(5) It shall be unlawful to erect a flashing digital sign.~~

22 (4) ~~(6)~~ Digital signs shall be properly maintained. The Building
23 Official of the Department of Public Works shall issue a Notice of
24 Violation to the permittee for any digital sign that is damaged or non-
25 functional. The permittee shall make necessary repairs within ninety
26 (90) days of notice.

~~(7) Digital signs shall be placed along on the building wall or behind a window or clear covering on the building wall, shall not be higher than the roof line of the building, and shall protrude no farther than eighteen (18) inches from the wall to which they are attached.~~

~~(8)~~(5) A digital sign authorized under this Section for placement in the Tumon Bay H Resort-Hotel Zone shall only be placed on any building wall along Pale San Vitores Road or Gun Beach Road that faces the road. Such digital sign shall not illuminate or shed light onto the beach or ocean.

~~(9)~~(6) Any permitted digital sign under this Section may be illuminated at night.

~~(10)~~(7) ~~On-premise digital~~ Digital signs do not constitute a form of outdoor lighting at night and are exempt from any other outdoor lighting regulations that the Department of Public Works has adopted.

~~(11) Digital signs that are illuminated at night may not exceed a maximum luminance level of seventy (70) foot candles, regardless of the method of illumination.~~

~~(12)~~(8) Digital signs that have external illumination, whether the lighting is mounted above or below the sign face or panel, shall have lighting fixtures or luminaries that are fully shielded.

~~(13) All illuminated digital signs must comply with the maximum luminance level of sixty-five (65) foot candles at least one-half (1/2) hour before Apparent Sunset, as determined by the National Oceanic and Atmospheric Administration (NOAA) of the U.S. Department of Commerce, for the specific geographic location and date. All illuminated digital signs must comply with this maximum luminance level throughout the night, if the digital sign is energized, until~~

1 ~~Apparent Sunrise, as determined by the NOAA, at which time the~~
2 ~~digital sign may resume luminance levels appropriate for daylight~~
3 ~~conditions, when required or appropriate.~~

4 ~~(14) A digital sign shall not have a sign face exceeding twenty~~
5 ~~percent (20%) of the allowable signage area on the façade of the~~
6 ~~building, as prescribed by law or by a variance from the Guam Land~~
7 ~~Use Commission, except that in no case shall digital signage area~~
8 ~~exceed two (2) signs of one hundred sixty-five (165) square feet each.~~

9 ~~(15)~~(9) Digital sign emissions are prohibited. No digital sign
10 which emits smoke, flames, visible vapors, particles, sound, or odor
11 shall be permitted.

12 ~~(16)~~(10) Digital signs are prohibited from promoting obscene
13 material, as defined in 9 GCA § 28.90.

14 ~~(17)~~(11) The Department of Public Works shall promulgate a fee
15 schedule for digital sign permits based on its size.

16 ~~(c) Statutory Interpretation. A digital sign shall be considered and deemed~~
17 ~~prohibited if it is not explicitly allowed in this Section.~~

18 ~~(d)The Guam Land Use Commission shall not grant a variance for electronic~~
19 ~~signs that exceed the size limits and the lumens in this Act, and shall not allow for~~
20 ~~audible digital signs.”~~