



TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U. S. A.

EXECUTIVE ORDER NO. 96-01

RELATIVE TO ESTABLISHING A MINIMUM BASIC WINDLOAD DESIGN REQUIREMENT OF 155 MILES PER HOUR, ESTABLISHING DEFINITIONS FOR "FULLY CONCRETE HOMES" AND "TYPHOON SHUTTER" IN THE TERRITORIAL BUILDING CODE, IN ORDER TO DECREASE THE REQUIREMENT OF OBTAINING ONE HUNDRED PERCENT (100%) TYPHOON INSURANCE FOR FULLY CONCRETE HOMES WITH TYPHOON SHUTTERS AS A CONDITION FOR OBTAINING SOME TYPES OF BUILDING LOANS.

WHEREAS, on September 14, 1993, the Insurance Commissioner made revisions to Typhoon Insurance Tariffs relating to fully concrete homes; and

WHEREAS, these changes included increasing typhoon insurance rates while permitting discounts for the use of typhoon shutters; and

WHEREAS, homeowners have faced increased costs due to these revisions, triggered by the requirements of off-island re-insurers in both the insurance and financial industries; and

WHEREAS, the building of fully concrete homes with properly designed typhoon shutters has been the most effective mitigation of typhoon hazards that are experienced on Guam; and

WHEREAS, presently, some home owners are penalized for building fully concrete homes with typhoon shutters because they have to pay high insurance rates caused by the requirement that certain types of bank loans must be accompanied by One Hundred Percent (100%) typhoon insurance coverage on buildings which essentially are "typhoon-proof" from typhoon damage; and

WHEREAS, the experiences and the measurements of base data taken during Typhoon Karen in 1962 and Typhoon Pamela in 1976 established that a minimum basic windload design requirement of ability to withstand winds of 155 miles per hour results in a reasonable risk for structural design; and



WHEREAS, after Typhoon Pamela, the Naval Facilities Engineering Command established the minimum windload design criteria for building structures to be 155 miles per hour; and

WHEREAS, the Uniform Building Code adopted on Guam was amended May 1, 1992, placing Guam in a "Special Wind Region"; and

WHEREAS, the experience of Typhoon Omar in 1992 proved that the 155 miles per hour minimum basic windload design requirement was satisfactory on fully concrete structures to provide a reasonably safe structure; and

WHEREAS, Senator Elizabeth Barrett Anderson presented a report entitled Feasibility Analysis of Waiver of Typhoon Insurance on Home Mortgages (Guam), and through that report has requested the Federal Home Loan Mortgage Corporation to waive or reduce the typhoon insurance requirements currently imposed on fully concrete homes on Guam; and

WHEREAS, the implementation of a territorial requirement formally establishing a minimum basic wind speed design criteria for structures or elements of 155 miles per hour, as well as the establishment of definitions in The Building Law of Guam for the terms "fully concrete home" and "typhoon shutter", will result in the reduction of the necessity for One Hundred Percent (100%) typhoon insurance coverage as a condition for obtaining a home building loan; and

WHEREAS, the implementation of these changes will allow more persons to build fully concrete homes with typhoon shutters because the reduction in cost from the elimination of the excessive typhoon insurance requirement will bring down the cost of building and owning such a home, thereby allowing more people on Guam to obtain financing and enjoy a "typhoon-proof" home;

NOW, THEREFORE, I, CARL T. C. GUTIERREZ, Governor of Guam, by virtue of the authority vested in me by the Organic Act do order:

1. A territorial minimum basic wind speed design criteria for structures or elements is hereby established to be 155 miles per hour (MPH). In addition to concrete, this standard allows the use of wood, tin roof, or other low cost construction materials, as long as adequate design criteria are met.
2. The following definitions shall apply to "The Building Law of Guam", Chapter 66 of Title 21, Guam Code Annotated:




- a) "Fully concrete home" means "any single or multi-family structure approved as to materials and type of construction by the building official and permitted by the latest edition of the Uniform Building Code, Volume I. Roofs, floors, walls, and foundations. The type of materials used for the roof, exterior and load bearing walls and foundation shall be concrete that results from the mixture of cement, sand, gravel, and water".
- b) "Typhoon shutter" means "any window covering constructed of metal, wood, or composite material, including, but not limited to panels, accordion panels, whether hinged, track rolling, or roll-up, whether permanently attached or removable, that are designed and approved by the building official as components and cladding to buildings to protect windows and openings.

SIGNED AND PROMULGATED at Agaña, Guam this 11th day of January, 1996.



CARL T. C. GUTIERREZ
Governor of Guam

COUNTERSIGNED:



MADELEINE Z. BORDALLO
Lieutenant Governor of Guam