



A BILL FOR AN ORDINANCE

RELATING TO PARKING.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to make changes to the restricted parking program established by ROH Chapter 15, Article 29, to refine the program and enhance community participation and support in the creation of areas with restricted parking.

SECTION 2. Chapter 15, Article 29, Revised Ordinances of Honolulu 1990 ("Restricted Parking Zones Program"), is amended to read as follows:

**"Article 29. Restricted Parking Zones and Residential Permit Parking Zones
Program**

Sec. 15-29.1 Definitions.

For the purposes of this article, unless otherwise indicated, the following definitions apply:

"Department" means the department of transportation services.

"Director" means the director of transportation services or the director's designee.

"Dwelling unit" means the same as defined in Section 21-10.1. Each unit of a multiple-unit dwelling is considered a separate dwelling unit.

"Family" means persons related by blood, adoption, or marriage.

"Resident" means any of the following persons residing in a dwelling unit that is located in a restricted parking zone[:] or residential permit parking zone:

- (1) The owner of the dwelling unit and family members of the owner; or
- (2) The renter of the dwelling unit under a lease of 30 days or more, and family members of the renter.

"Residential permit parking zone" or "RPPZ" means a designated area in a residential-zoned district that meets RPZ criteria as defined in this article where vehicles properly displaying a permit or other authorization pursuant to this article are exempt from the posted parking zone restrictions and are permitted to park within designated



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hours between 6:00 p.m. and 6:00 a.m., as provided on the permit and as posted on signs provided by the department. An RPPZ is a type of RPZ.

"Restricted parking zone" or "RPZ" means an area ~~[of at least]~~ that includes four contiguous blocks in a residential- or apartment-zoned district where vehicles properly displaying a permit or other authorization pursuant to this article are exempt from the posted parking zone restrictions.

"Residential permit parking zone permit" means a card, decal, or other identification issued to an eligible person to be placed on a vehicle that enables it to be parked in a residential permit parking zone.

"Restricted parking zone permit" means a card, decal, or other identification issued to an eligible person to be placed on a vehicle that enables it to be parked in a restricted parking zone.

"Visitor" means a person temporarily visiting residents or temporarily having business with residents who are eligible for restricted parking zone or residential permit parking zone permits.

Sec. 15-29.2 Administration of restricted and residential permit parking zones.

- (a) Signage: A restricted parking zone or residential permit parking zone must be appropriately signed or marked.
- (b) Program components and permit use:
 - (1) A restricted parking zone or residential permit parking zone may have one or more of the following components:
 - (A) Parking on the street is reserved for the exclusive use of those vehicles displaying a valid RPZ or RPPZ permit or other identification issued by the director as part of the RPZ or RPPZ program;
 - (B) Parking in the street is reserved during certain posted hours for exclusive use of those vehicles displaying a valid RPZ or RPPZ permit or other identification issued by the director as part of the RPZ or RPPZ program; or



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- (C) Time limits are established for parking in the street that apply to all vehicles, except vehicles with a valid RPZ or RPPZ permit or other identification issued by the director as part of the RPZ or RPPZ program.
- (2) The director may issue permits or other means of identification, maintain lists of vehicles owned or used by ~~[permit]~~ holders of a valid RPZ or RPPZ permit or other identification issued by the director as part of the RPZ or RPPZ program, or adopt any other reasonable means of distinguishing vehicles that are validly parked in a restricted parking zone from other vehicles. The permit or other means of identification must include the license plate number of the permitted motor vehicle.
- (3) A permit does not guarantee or reserve to the holder an on-street parking space within the designated restricted parking zone~~[-]~~ or residential permit parking zone.
- (4) The director shall issue RPZ or RPPZ permits or other means of identification as part of the RPZ or RPPZ program on an annual basis.
- (5) The director shall provide an annual report to the council, no later than 20 days before the end of the fiscal year, on the progress of the RPZ or RPPZ program established under this article, including a list of the residents participating in the RPZ or RPPZ program over the last fiscal year and the rate of change in the number of participants over the course of the fiscal year, any problems or obstacles in implementation and enforcement of the RPZ or RPPZ program, and any suggested amendments to the ordinance that will facilitate RPZ or RPPZ program implementation and enforcement.
- (c) Application: In order to obtain an RPZ or RPPZ permit, an applicant must present proof of residency in the RPZ or RPPZ, in addition to submittal of a completed application to the director. An applicant must also present proof that the address of vehicle registration matches the applicant's dwelling unit address, or otherwise present proof of residence within the RPZ~~[-]~~ or RPPZ.
- (d) Permit limit: Each eligible dwelling unit is entitled to have no more than four annual RPZ or RPPZ permits at any one time.
- (e) Exception: Restricted hours of the restricted parking zone or the residential permit parking zone shall not apply to commercial vehicles during active delivery or service to a property within the RPZ~~[-]~~ or RPPZ.



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(f) **Violations:**

- (1) Except as provided in subsection (3), the registered owner of a vehicle not properly displaying a permit or other authorization pursuant to this article and parked within a restricted parking zone or residential permit parking zone shall be subject to a fine of \$35.00. Every hour a vehicle remains parked in violation of this subdivision shall constitute a separate violation.
- (2) A person misusing a permit, including but not limited to selling, counterfeiting, improperly using, or stealing a permit, or as otherwise determined by the director, shall be subject to a fine of \$55.00. Every day a permit is improperly used shall constitute a separate violation.
- (3) A driver of a motor vehicle who has a disability as defined under the Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101, et seq., as amended, and displays on the motor vehicle a valid windshield placard or special license plate for persons with disabilities issued in accordance with HRS Chapter 291, Part III, may park in an RPZ or RPPZ without ~~having~~ displaying an RPZ or RPPZ permit.

Sec. 15-29.3 Establishment of restricted and residential permit parking zones.

- (a) The director shall consider recommending to the ~~[Council]~~ council the establishment of an RPZ or RPPZ upon receipt of a petition signed by a majority of the residents in the area specified in the petition for the RPZ~~[-]~~ or RPPZ.
- (b) Upon receipt of a petition meeting the requirements of subsection (a), the director ~~[shall]~~ may engage affected and interested community stakeholders through a public information and involvement program that may include department presentations to business and community associations or organizations, information distribution through the city's web site, news releases and related media, direct mailings of informational materials, facilitated meetings, sounding boards, walking tours, surveys, and other means of outreach and information gathering.



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- (c) In determining whether to recommend the establishment of the RPZ[;] or RPPZ, the director shall consider the following:
- (1) Whether 75 percent or more of the capacity of the streets in the proposed RPZ or RPPZ is generally occupied, and more than 35 percent of the vehicles parked on the street in the proposed RPZ or RPPZ are not owned by residents of the designated area;
 - (2) Whether there is an identifiable traffic generator;
 - (3) Whether there has been a strong and effective community engagement effort indicating that stakeholders in the designated area support an RPZ[;] or RPPZ;
 - (4) Whether an RPZ or RPPZ would promote certain benefits or would result in adverse impacts[;]:
 - (A) Benefits include[;] but are not limited to: increased access for area residents, reduced traffic congestion, increased traffic or pedestrian safety, reduced air or noise pollution, reduced commuter parking in neighborhoods, prevention of blighted areas, and promotion of the use of alternative modes of transportation[;]; and
 - (B) Adverse impacts include[;] but are not limited to: transferring a parking problem to a different area, inability to effectively enforce program restrictions, lack of alternative transportation modes, and availability of simpler, cheaper, or more effective solutions; and
 - (5) Whether the public interest would be served.
- (d) If the director determines that an RPZ or RPPZ should be established, the director [~~shall~~] may submit a written recommendation to the council to establish the RPZ or RPPZ by ordinance. The recommendation, at a minimum, must include the reasons an RPZ or RPPZ is needed, the boundaries of the RPZ[;] or RPPZ, the terms and conditions of the RPZ[;] or RPPZ, and the anticipated commencement date of the RPZ[;] or RPPZ.



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- (e) Upon establishment of an RPZ or RPPZ by the council by ordinance, the ~~[director]~~ council ~~[shall]~~ may establish a community ~~[steering]~~ advisory group for the RPZ~~[-]~~ or RPPZ. RPZ or RPPZ community ~~[steering]~~ advisory groups shall ~~[be responsible for working with the department on implementation of the RPZ and on community security issues.]~~ work with the council and the department towards the implementation of an RPZ or RPPZ that addresses community security issues."

Sec. 15-29.4 Expanding, reducing, or dissolving restricted parking and residential permit parking zones.

If the director wishes to recommend that the ~~[Council]~~ council expand, reduce, or dissolve an existing RPZ~~[-]~~ or RPPZ, the director shall engage the community in the same manner as for the establishment of an RPZ or RPPZ under Section 15-29.3(b) and, if the director determines that the expansion, reduction, or dissolution will be in the public interest, the director shall submit a written recommendation to the council to expand, reduce, or dissolve the RPZ or RPPZ by enactment of an appropriate revision or repeal of the existing ordinance. The recommendation, at a minimum, must include the reasons for the recommended action, the new boundaries as applicable, any changes to the terms and conditions of the ~~[restricted parking zone,]~~ RPZ or RPPZ, and the anticipated commencement date of the recommended action.

Sec. 15-29.5 Fees for restricted parking zone and residential permit parking zone permits—Waiver or reduction of fees.

- (a) The fees to be collected by the department for restricted parking zone or residential permit parking zone permits for resident parking, visitor parking with resident permit, and single-day visitor parking in a restricted parking zone or residential permit parking zone must be set forth in the ordinance establishing the restricted parking zone~~[-]~~ or residential permit parking zone.
- (b) The director is authorized to cap the number of single-day visitor permits issued per restricted parking zone~~[-]~~ or residential permit parking zone.
- (c) The director may waive or reduce a restricted parking zone or residential permit parking zone fee whenever:
- (1) The waiver or reduction is in the overall public interest due to extraordinary facts or circumstance;
 - (2) The waiver or reduction is consistent with the goals of the restricted parking zone program;



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- (3) The waiver or reduction is due to a finding by the director that the rates are too high for a particular geographic area; or
- (4) The waiver or reduction is due to a finding by the director that the rate would cause an undue financial hardship on affected residents.
- (d) The director, pursuant to HRS Chapter 91, may adopt rules to implement the provisions of this article."

SECTION 3. Ordinance material to be repealed is bracketed and stricken. New ordinance material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring.



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SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

Carol Fukumasa

DATE OF INTRODUCTION:

APR 29 2021

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

RICK BLANGIARDI, Mayor
City and County of Honolulu