



A BILL FOR AN ORDINANCE

RELATING TO PUBLIC PARKS.

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

SECTION 1. The purpose of this ordinance is to address the enforcement of park laws and rules.

SECTION 2. Section 10-1.6, Revised Ordinances of Honolulu 1990 ("Violation – Penalty"), is amended by amending subsections (a) and (b) to read as follows:

"(a) Powers of Arrest or Citation. Police officers and any other officer ~~[se]~~ authorized by the director shall issue a citation for any violation of ~~[the provisions of]~~ this article or of any rule adopted by the director to administer, implement, or enforce ~~[the provisions of]~~ this article, except ~~[they]~~ police officers may arrest for instances when:

- (1) The alleged violator refuses to provide the police officer or other officer authorized by the director with ~~[such]~~ the person's name and address and any proof thereof as may be reasonably available to the alleged violator[-];
- (2) When the alleged violator refuses to cease ~~[such]~~ the person's illegal activity after being issued a citation[-]; or
- (3) The alleged violator has previously been issued a citation for the same offense within a one-year period.

(b) Citation.

- (1) There ~~[shall]~~ must be provided for use by ~~[authorized]~~ police officers[-] and any other officer authorized by the director a form of citation for use in citing violators of this article for instances ~~[which]~~ that do not mandate the physical arrest of such violators. The form and content of such citation ~~[shall]~~ must be as adopted or prescribed by the administrative judge of the district court and ~~[shall]~~ must be printed on a form commensurate with the form of other citations used in modern methods of arrest, so designed to include all necessary information to make the ~~[same]~~ citation valid within the laws and rules of the State of Hawaii and the City and County of Honolulu.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____
BILL 47 (2021)

A BILL FOR AN ORDINANCE

- (2) In every case when a citation is issued, a copy of the ~~[same shall]~~ citation must be given to the violator, or in the case of a parking, standing, or stopping violation, a copy of the ~~[same shall]~~ citation must be affixed to ~~[said] the vehicle[:];~~, as provided in ~~[paragraph]~~ subdivision (5) ~~[of this subsection]~~.
- (3) Every citation ~~[shall]~~ must be consecutively numbered and each carbon copy ~~[shall]~~ must bear the number of its respective original.
- (4) Whenever a motor vehicle is in violation of ~~[any provision,]~~ this article, other than a parking, standing, or stopping ~~[provision,]~~ violation of this article, any police officer and any other officer ~~[se]~~ authorized by the director shall take the name, address, and driver's license number of the alleged violator and the license plate number or vehicle identification number of the motor vehicle involved, and shall issue to ~~[such]~~ the alleged violator in writing a citation, notifying the alleged violator to answer to the complaint to be entered against ~~[such]~~ the person at a place and at a time provided in ~~[said]~~ the citation.
- (5) Whenever any motor vehicle is parked, standing, or stopped in violation of this article, the police officer and any other officer ~~[se]~~ authorized by the director finding ~~[such]~~ the vehicle to be in violation of a parking, standing, or stopping violation of this article shall conspicuously affix to ~~[such]~~ the vehicle a citation. The citation ~~[shall]~~ must be addressed to the registered owner of the vehicle, but need not identify the registered owner by name. The registered owner may be unnamed ~~[, so long as;]~~ provided that the citation identifies the vehicle by its license plate number or vehicle identification number. The citation ~~[shall]~~ must instruct the registered owner to answer to the charge against ~~[such]~~ the registered owner at a time and place specified in the citation. The registered owner of a vehicle shall be responsible and accountable for the illegal parking, standing, or stopping of the vehicle when:
- (A) The registered owner committed the illegal parking, standing, or stopping of the vehicle; or
- (B) Another person committed the illegal parking, standing, or stopping of the vehicle, but the registered owner gave the person explicit or implicit permission to use the vehicle at the time of the violation. In any proceeding for ~~[violation of]~~ a parking, standing, or stopping ~~[provision]~~ violation of this article, the license plate number or vehicle identification number of the parked, standing, or stopped



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

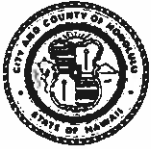
ORDINANCE _____
BILL 47 (2021)

A BILL FOR AN ORDINANCE

vehicle [~~shall constitute~~] constitutes prima facie evidence that the registered owner of the vehicle was responsible and accountable for the illegal parking, standing, or stopping of the vehicle.

- (6) If a person cited for violating [~~any provision under~~] this article does not appear in response to a citation, a penal summons [~~shall~~] must be issued ordering [~~such~~] the person's appearance in court."

SECTION 3. Ordinance material to be repealed is bracketed and stricken. New 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.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE
BILL 47 (2021)

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SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

Tony Wata

DATE OF INTRODUCTION:

NOV 24 2021

Honolulu, Hawai'i

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

RICK BLANGIARDI, Mayor
City and County of Honolulu

FILED
NOV 24 2023
PURSUANT TO ROH Sec. 1-2.4

Filed With Bill 47 (2021)

IN THE MATTER OF
CITY COUNCIL PUBLIC HEARING


STATE OF HAWAII

City and County of Honolulu


Doc. Date: MAR 04 2022 # Pages: 1

Notary Name: COLLEEN E. SORANAKA First Judicial Circuit

Doc. Description: Affidavit of
Publication

 MAR 04 2022

Notary Signature Date



Lisa Sakakida being duly sworn, deposes and says that she is a clerk, duly authorized to execute this affidavit of Oahu Publications, Inc. publisher of The Honolulu Star-Advertiser, MidWeek, The Garden Island, West Hawaii Today, and Hawaii Tribune-Herald, that said newspapers are newspapers of general circulation in the State of Hawaii, and that the attached notice is true notice as was published in the

Honolulu Star-Advertiser 1 times on:

03/04/2022

MidWeek 0 times on:

The Garden Island 0 times on:

Hawaii Tribune-Herald	0	times on:
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West Hawaii Today 0 times on:

Other Publications: 0 times on:

And that affiant is not a party to or in any way interested in the above entitled matter.

Lisa Sakakida

Subscribed to and sworn before me this 4th day of March A.D. 2022

Colleen E. Soranaka, Notary Public of the First Judicial Circuit, State of Hawaii
My commission expires: Jan 06 2024

Ad # 0001362774

CITY COUNCIL
PUBLIC HEARING

DATE: WEDNESDAY, MARCH 16, 2022

PLACE: HONOLULU HALE

CITY COUNCIL CHAMBER

TIME: 10:00 AM

The items listed below have been published in anticipation of the action to be taken by the City Council Standing Committees; and therefore, the City Council may or may not take action on the items or any amendments proposed thereto.

1. Bill 47 (2021) - and any amendments proposed thereto by the Committee on Parks and Community Services - Relating to public parks. (Addressing the enforcement of park laws and rules.)
2. Bill 8 - and any amendments proposed thereto by the Committee on Zoning and Planning - Relating to administrative enforcement of certain codes. (Addressing the administrative enforcement of certain codes in the Revised Ordinances of Honolulu 1990.)
3. CR-46 - Recommendations on the review and evaluation of the Zoning Board of Appeals pursuant to Ordinance 17-44.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to Act 220, Session Laws of Hawaii 2021, and Governor David Ige's Emergency Proclamation Related to COVID-19 (Omicron Variant), issued on January 26, 2022, in order to allow public participation in a manner consistent with safe practices, this meeting will be conducted as a remote meeting by Interactive conference technology, with the following procedures in effect for the meeting:

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

Members of the public will not be allowed into the meeting room, but may view the meeting on a live broadcast. The meeting will be viewable: (1) by internet live streaming through <https://www.honolulucitycouncil.org/meetings> or olelo.org and (2) by televised live broadcast on 'Olelo TV Channel 54.

After the meeting, the meeting will be viewable on demand at <https://www.honolulucitycouncil.org/meetings>. Copies of older meeting videos may be requested by calling the City Clerk's Office at (808) 768-5822, charges may apply.

Some Councilmembers may be participating in the meeting by interactive conference technology from remote locations.

ORAL TESTIMONY

Oral testimony will be permitted on all items on the agenda, subject to the following restrictions:

1. Persons may submit oral testimony remotely through the Zoom video conferencing platform. To participate, persons should visit www.zoom.us, click "Join," enter ID 96078709981, and complete the registration process. Registrants will receive an email that contains links and information on joining the meeting by either phone or video conference. Zoom testifiers are strongly encouraged to register at least 24 hours before the start of the meeting. Remote testimony will be taken at the start of the agenda and then closed.
2. To audio conference on the day of the meeting call +1-253-21-8782, enter ID 96078709981 and Passcode 692704 .
3. Each speaker may not have anyone else read their statement and is limited to:
 - a. A three-minute presentation on Public Hearing and New Business Items; and
 - b. A one minute presentation on all other items.

WRITTEN TESTIMONY

Written testimony may be faxed to (808) 768-3826 or transmitted via the Internet at <http://www.honolulu.gov/cc-testimony-form.html> or mailed to Office of the City Clerk, Attention: Information Section, 530 South King Street, Room 100, Honolulu, HI 96813. If submitted, written testimonies, including the testifier's address, e-mail address, and phone number, will be available to the public at <https://hnlcd.ohawaii.gov>. Written testimony will not be accepted in person at the meeting.

Should you have any questions, please call (808) 768-3814 or send an email to jamane1@honolulu.gov.

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet" under HRS Section 92-7.5) are accessible at <https://hnlidoc.hawaii.gov/hnlidoc/browse/agendas> by clicking on the appropriate Council meeting.

Accommodations are available upon request to persons with disabilities. Please call (808) 768-3814 or send an email to jyamane1@honolulu.gov at least three working days prior to the meeting.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
TOMMY WATERS, CHAIR

(SA1362774 3/4/22)

AFFIDAVIT OF PUBLICATION

IN THE MATTER OF
NOTICE

STATE OF HAWAII

City and County of Honolulu

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Doc. Date: MAR 23 2022 **# Pages:** 1

Notary Name: COLLEEN E. SORANAKA **First Judicial Circuit**

Doc. Description: Affidavit of
Publication

[Signature] **MAR 23 2022**
Notary Signature Date

COLLEEN E. SORANAKA
NOTARY PUBLIC
No. 90-263
STATE OF HAWAII

Lisa Sakakida being duly sworn, deposes and says that she is a clerk, duly authorized to execute this affidavit of Oahu Publications, Inc. publisher of The Honolulu Star-Advertiser, MidWeek, The Garden Island, West Hawaii Today, and Hawaii Tribune-Herald, that said newspapers are newspapers of general circulation in the State of Hawaii, and that the attached notice is true notice as was published in the

Honolulu Star-Advertiser 1 times on:
03/23/2022

MidWeek 0 times on:

The Garden Island 0 times on:

Hawaii Tribune-Herald 0 times on:

West Hawaii Today 0 times on:

Other Publications: 0 times on:

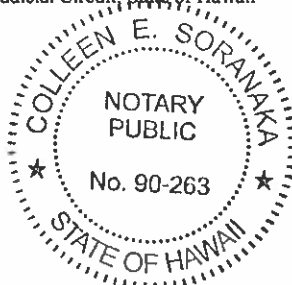
And that affiant is not a party to or in any way interested in the above entitled matter.

[Signature]
Lisa Sakakida

Subscribed to and sworn before me this 23rd day of March A.D. 2022

[Signature]
Colleen E. Soranaka, Notary Public of the First Judicial Circuit, State of Hawaii
My commission expires: Jan 06 2024

Ad # 0001365603



NOTICE

The COUNCIL OF THE CITY AND COUNTY OF HONOLULU at its meeting held on March 16, 2022, passed the following bills on Second Reading by the votes indicated:

Bill 47 (2021) - Relating to public parks.
9 AYES: Cordero, Elefante, Fukunaga, Kila'elina, Say, Tsuneyoshi, Tuiba, Tupola, Waters.

Bill 8 (2022), CD1 - Relating to administrative enforcement of certain codes.
9 AYES: Cordero, Elefante, Fukunaga, Kila'elina, Say, Tsuneyoshi, Tuiba, Tupola, Waters.

Copies of the foregoing bills are available for use and examination by the public during regular business hours at the City Clerk's office, Room 203, Honolulu Hale and are also available on-line at <https://hnlidoc.hawaii.gov/hnlidoc/>. Should you have any questions, please call 768-5822.

GLEN I. TAKAHASHI, City Clerk

(SA1365603 3/23/22)

ICSP NO.: _____