



RESOLUTION

URGING THE HAWAII STATE LEGISLATURE TO ADDRESS RESIDENTIAL HIGH-RISE CONDOMINIUM/CO-OPERATIVE INSURANCE ISSUES ASSOCIATED WITH IMPLEMENTATION OF FIRE SAFETY MEASURES IN EXISTING HIGH-RISE RESIDENTIAL BUILDINGS.

WHEREAS, Section 46-1.5 (13), Hawaii Revised Statutes, authorizes the City and County of Honolulu ("City") to enact ordinances deemed necessary to protect health, life, and property, and to preserve the order and security of the City; and

WHEREAS, Ordinance 18-14, enacted on May 3, 2018, amended the City Fire Code to require that existing high-rise residential buildings built in Honolulu before 1975 that were not protected throughout by an automatic fire sprinkler system shall be subject to a building fire and life safety evaluation ("LSE") code assessment, which is an assessment of building safety features and fire systems in accordance with the City's Fire Code and Building Code; and

WHEREAS, Ordinance 19-14, enacted on May 2, 2019, among other things, further amended the City Fire Code to clarify that compliance shall be by either installing an automatic fire sprinkler throughout the building or by making improvements to alternative fire prevention and fire safety systems; and

WHEREAS, Ordinance 18-4 and Ordinance 19-4 established time periods and deadlines for residential high-rise buildings to come into compliance with the requirements for installation of an automatic fire sprinkler system throughout the building or making improvements to alternative fire prevention and fire safety systems; and

WHEREAS, the Permitted Interaction Group Draft Report of the Committee on Public Infrastructure and Technology Relating to Compliance with Fire Safety Ordinances in Residential High-Rise Buildings (CC-43) and Summary of Meeting of the Permitted Interaction Group relating to compliance with fire safety ordinances in residential high-rise buildings on February 16, 2022 (CC-49) identified the following issues and concerns from residential condo/co-op managers, association board members, unit owners, design professionals and industry advocates:



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- Insurance premium increases of 30 percent or more were reported by associations that are not subject to the Life Safety Evaluation (LSE) requirements of Ordinance 19-4 due to their smaller size or exterior hallways;
- Insurance premiums increased substantially for a residential condominium association that achieved an 'acceptable' LSE score despite the implementation of fire safety improvements sufficient to achieve a passing Life Safety Evaluation (LSE) score;
- Rapidly-rising insurance costs are an unanticipated financial burden that makes compliance with Ordinance 19-4 fire safety requirements even more difficult to achieve for residents in older high-rises – many of whom are also retired and on fixed incomes, and less able to undertake new loans and obligations; and

WHEREAS, Section 514B-148, Hawaii Revised Statutes, which governs condominium replacement reserve requirements, currently requires condominium associations to plan for long-term maintenance and improvements through cash flow plans and budgets projected within a 20-year timeline for the upkeep, repair, or replacement of those parts of the property that the associations are obligated to maintain, including but not limited to roofs, walls, decks, paving, and equipment; and

WHEREAS, residential high-rise condominium and co-operative insurance issues are more appropriately addressed within the Hawaii State Legislature; now therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Hawai'i State Legislature is urged to address residential high-rise condominium/co-operative maintenance and reserve issues and insurance premiums that affect the implementation of City fire sprinkler and fire safety upgrades; and

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Governor of the State of Hawai'i, the President of the Hawai'i State Senate, and the Speaker of the Hawai'i State House of Representatives.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

22-40

No. _____

RESOLUTION

INTRODUCED BY:

David Fukuoka

DATE OF INTRODUCTION:

FEB 24 2022

Honolulu, Hawai'i

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 22-40

Introduced: 02/24/22 By: CAROL FUKUNAGA

Committee: PUBLIC INFRASTRUCTURE AND
TECHNOLOGY (PIT)

Title: URGING THE HAWAII STATE LEGISLATURE TO ADDRESS RESIDENTIAL HIGH-RISE CONDOMINIUM/CO-
OPERATIVE INSURANCE ISSUES ASSOCIATED WITH IMPLEMENTATION OF FIRE SAFETY MEASURES IN EXISTING
HIGH-RISE RESIDENTIAL BUILDINGS.

Voting Legend: * = Aye w/Reservations

02/24/22	INTRO	Introduced.
03/02/22	PIT	Reported out for adoption.
		CR-45
		4 AYES: ELEFANTE, FUKUNAGA, TSUNEYOSHI, TUPOLA
03/16/22	CCL	Committee report and Resolution were adopted.
		9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this
RESOLUTION.



GLEN I. TAKAHASHI, CITY CLERK



TOMMY WATERS, CHAIR AND PRESIDING OFFICER