CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAI'I

ORDINANCE 22-5

BILL 50 (2021)

A BILL FOR AN ORDINANCE

RELATING TO THE DISPOSAL OF WEEDS, GARBAGE, TRASH, AND WASTE FROM PROPERTY.

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

SECTION 1. Purpose. The purpose of this ordinance is to expand the application of the ordinances relating to the disposal of weeds, garbage, trash, and waste from property.

SECTION 2. Section 41-10.2, Revised Ordinances of Honolulu 1990 ("Definitions"), is amended by amending the definitions of "Property" and "Weeds," as follows:

a. ""Property" means real property and applies to:

(1) Any [~~privately or government owned vacant~~] privately owned or government-owned lot abutting either side of a [~~publicly or privately owned~~] privately owned or government-owned street that is open to the public; provided that this article [~~shall~~] does not apply to real property [~~zoned as agriculture,~~] located within the agricultural, country, [~~and~~] or preservation [~~under Chapter 21~~] zoning districts; and

(2) Privately owned [~~vacant~~] lots [~~of 15,000 square feet or less that abut~~] located within a residential zoning district and situated within 200 feet of a developed residential zoning lot [~~or residential lots~~]."

b. ""Weeds" means vegetation [~~of such nature, which~~] that has reached such a stage of growth, and that is present in such quantity, that it constitutes a substantial risk of one or more of the following hazards:

(1) The vegetation, when dry, is or will be a fire hazard[~~.~~];

(2) The vegetation is, or is naturally suited as, a sheltering or breeding place for rats, mice, mosquitoes, or other vermin or noxious [~~insects.~~] pests;

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(3) The vegetation overgrows or spreads upon or over any privately owned or government-owned road, alley, path, [~~or~~] sidewalk [~~owned or~~], beach, or park that is open to the public to [~~such extent as to obstruct, impede or interfere~~] the extent that the vegetation obstructs, impedes, or interferes with the safe or convenient use or maintenance thereof[~~.~~];

(4) The vegetation has grown or spread, or has fallen or may fall, into any privately owned or controlled stream, ditch, sewer, canal, or other waterway [~~and obstruct or narrow~~], resulting in the obstruction or narrowing of the channel [~~thereof or impede~~] or impeding the flow of water [~~therein.~~];

(5) The vegetation attracts or obscures illegal activity, such as trespassing; or

(6) The vegetation has grown or spread, or has fallen or may fall, into any adjacent privately owned or government-owned property to the extent that the vegetation obstructs, impedes, or interferes with the safe or convenient use or maintenance thereof."

SECTION 3. Section 41-10.2, Revised Ordinances of Honolulu 1990 ("Definitions"), is amended by repealing the definition of "vacant," as follows:

"[~~"Vacant" means unimproved and unoccupied.~~]"

SECTION 4. Section 41-10.3, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"**Sec. 41-10.3 Regulations for premises.** The owner of [~~vacant~~] property shall at all times maintain the premises free of weeds, garbage, trash and waste."

SECTION 5. 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.

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SECTION 6. This ordinance takes effect upon its approval.

INTRODUCED BY:

Calvin K.Y. Say

DATE OF INTRODUCTION:

DEC 22 2021
Honolulu, Hawai'i

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Kathleen Kelly
Deputy Corporation Counsel
KATHLEEN A. KELLY

APPROVED this 28th day of MARCH, 2022.

Rick Blangiardi
RICK BLANGIARDI, Mayor
City and County of Honolulu

22-5

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

BILL 50 (2021)

Introduced: 12/22/21 By: CALVIN K.Y. SAY Committee: TRANSPORTATION. SUSTAINABILITY AND HEALTH (TSH)

Title: RELATING TO THE DISPOSAL OF WEEDS, GARBAGE, TRASH, AND WASTE FROM PROPERTY.

Voting Legend: * = Aye w/Reservations

12/22/21	INTRO	Introduced.
01/26/22	CCL	Passed first reading. 9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS
02/08/22	TSH	Reported out for passage on second reading and scheduling of a public hearing. CR-12(22) 3 AYES: CORDERO, ELEFANTE, TULBA 1 EXCUSED: KIA'ĀINA
02/11/22	PUBLISH	Public hearing notice published in the Honolulu Star-Advertiser.
02/23/22	CCL/PH	Committee report adopted. Bill passed second reading, public hearing closed and referred to committee. 9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS
03/01/22	TSH	Reported out for passage on third reading. CR-42(22) 4 AYES: CORDERO, ELEFANTE, KIA'ĀINA, TULBA
03/16/22	CCL	Committee report adopted and Bill passed third reading. 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 BILL.

GLEN I. TAKAHASHI, CITY CLERK

TOMMY WATERS, CHAIR AND PRESIDING OFFICER