



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 22-257

## RESOLUTION

URGING THE HAWAII STATE LEGISLATURE TO AMEND CHAPTER 107 OF THE HAWAII REVISED STATUTES TO REQUIRE THAT THE COUNTIES ADOPT THE HAWAII STATE BUILDING CODES, WITH OR WITHOUT LOCAL MODIFICATIONS, WITHIN SIX YEARS, AS OPPOSED TO WITHIN TWO YEARS, OF THE ADOPTION OF THOSE CODES BY THE STATE BUILDING CODE COUNCIL.

WHEREAS, Chapter 107, Part II, Hawaii Revised Statutes ("HRS") governs the adoption of the Hawai'i state building codes (which include, among other things, the State Fire, Plumbing, Energy, and Building codes); and

WHEREAS, HRS Section 107-22 establishes a State Building Code Council ("SBCC") to, among other things, establish the Hawai'i state building codes; and

WHEREAS, pursuant to HRS Section 107-25, the Hawai'i state building codes are based upon, among other things, the State Fire Code, as adopted by the State Fire Council; the Uniform Plumbing Code, as copyrighted and published by the International Association of Plumbing and Mechanical Officials, including its appendices; the International Building Code, International Residential Code, and the International Energy Conservation Code, as published by the International Code Council; and the National Electrical Code, as published by the National Fire Protection Association; and

WHEREAS, HRS Section 107-24 provides that the SBCC shall, among other duties: adopt, amend, or update the building codes; provided that adoption of a code or standard shall be within two years of the official publication date of the code; provided that if the SBCC does not adopt an updated code within the two-year time period, the code, as published, shall automatically become part of the Hawai'i state building code until superseded by the adoption of an amended version of the code by the SBCC; and

WHEREAS, pursuant to HRS Section 107-28 and similarly, the governing body of each county must adopt the Hawai'i state building codes, with or without local modifications, no later than two years after their adoption by the SBCC; provided that if the governing body does not adopt an updated code within the two-year time period, the code as adopted by the SBCC (or if the SBCC did not adopt the code within two years from its official publication, the code as automatically adopted pursuant to HRS Section 107-28) will become applicable as an interim county building code; and

WHEREAS, both the State of Hawai'i and the City and County of Honolulu ("City") have officially recognized that there is an extreme shortage of housing causing a "housing crisis" in the City as well as in the neighbor island counties; and



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WHEREAS, it has been argued that the lengthy amount of time for a building permit application to be reviewed and processed by the Department of Planning and Permitting ("DPP") is part of the systemic problem contributing to the City's "housing crisis"; and

WHEREAS, each time a code is amended, adopted, or updated by the SBCC or the City, additional time and training is required for the DPP's staff to learn the new code requirements and incorporate those requirements as a part of the DPP's review and processing of building permit applications; and

WHEREAS, additionally, it has been widely reported that the DPP currently faces staffing shortages that appear to continue to hinder the DPP's ability to efficiently review and process building permit applications in a timely manner; and

WHEREAS, the City Council believes that:

1. In light of the DPP's ongoing challenges related to staffing and the timely review and processing of building permit applications, the existing two-year time period for a county to adopt amended or updated Hawaii'i state building codes pursuant to HRS Section 107-28, is too brief and exacerbates the "housing crisis" in the City by creating additional delays in the DPP's review and processing of building permit applications; and
2. A six-year period is more appropriate for the City and other counties that are also facing a "housing crisis" and likely experiencing similar issues faced by the DPP; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it urges the Hawaii'i State Legislature to amend Chapter 107 of the Hawaii Revised Statutes, specifically Hawaii Revised Statutes Section 107-28, to require that the counties adopt the Hawaii'i state building codes, with or without local modifications, within six years, as opposed to within two years, of the adoption of those codes by the State Building Code Council; and



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

INTRODUCED BY:

A. Ippola

DATE OF INTRODUCTION:

OCT 27 2022

Honolulu, Hawai'i

Councilmembers

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

**RESOLUTION 22-257**

Introduced: 10/27/22 By: ANDRIA TUPOLA

Committee: ZONING (ZON)

Title: URGING THE HAWAII STATE LEGISLATURE TO AMEND CHAPTER 107 OF THE HAWAII REVISED STATUTES TO REQUIRE THAT THE COUNTIES ADOPT THE HAWAII STATE BUILDING CODES, WITH OR WITHOUT LOCAL MODIFICATIONS, WITHIN SIX YEARS, AS OPPOSED TO WITHIN TWO YEARS, OF THE ADOPTION OF THOSE CODES BY THE STATE BUILDING CODE COUNCIL.

Voting Legend: \* = Aye w/Reservations

10/27/22	INTRO	Introduced.
11/08/22		Councilmember Carol Fukunaga, representing Council District VI, resigned from office. [Refer to Communication CC-339(22)]
		Councilmember Brandon J.C. Elefante, representing Council District VIII, resigned from office. [Refer to Communication CC-338(22)]
11/29/22	CCL	Tyler Dos Santos-Tam was appointed to fill a vacancy in the Office of Councilmember for Council District VI. (Refer to RES22-272)
		Val A. Okimoto was appointed to fill a vacancy in the Office of Councilmember for Council District VIII. (Refer to RES22-273)
03/01/23	ZON	Reported out for adoption.
		CR-60 (23)
		5 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, SAY, WEYER
03/15/23	CCL	Committee report and Resolution were adopted.
		9 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WATERS, WEYER

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