

**SUMMARY OF PROPOSED COMMITTEE DRAFT:**

**BILL 58 (2022)  
RELATING TO BUILDING PERMITS.**

**The PROPOSED CD1** makes the following amendments:

- A. Deletes proposed new ROH § 18-6.3(a)(3) relating to the requirement that the building official shall refund 75 percent of the plan review fee when it is found that the application for a permit expired, pursuant to § 18-6.4(a), as a result of any delay(s) by the building official.
- B. Amends the proposed amendment to ROH § 18-6.4 by providing that the building official shall notify the applicant of the expiration date of the application in writing "prior to the expiration of the application," instead of "no later than \_\_\_ days prior to the expiration of the application." Also adds a provision that notice may be sent to the applicant's email address (as well as the applicant's mailing address).
- C. Makes miscellaneous technical and nonsubstantive amendments.



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**A BILL FOR AN ORDINANCE**

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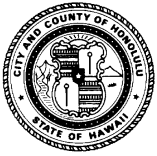
RELATING TO BUILDING PERMITS.

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

SECTION 1. Purpose. The purpose of this ordinance is to address the processing of building permit applications.

SECTION 2. Section 18-6.3, Revised Ordinances of Honolulu 2021 ("Refund"), is amended by amending subsection (a) to read as follows:

- "(a) The building official shall refund 75 percent of the plan review fee when it is found, after the plan review fee has been paid but before a building permit for which the plan review fee has been paid is issued, that:
- (1) The application for a permit is withdrawn or cancelled before any plan reviewing is done; ~~[or]~~
  - (2) The construction of the project will be prevented by a material change in circumstances or financial difficulties, which include but are not limited to:
    - (A) Pending litigation where the validity of the project is at ~~[issue.]~~ issue;
    - (B) ~~[Public]~~ A public insurrection or devastating physical calamity, such as a tsunami or [earthquake.] earthquake affecting the property;
    - (C) ~~[Unavailability]~~ The unavailability of materials or equipment necessary for construction of the project within the coming six-month ~~[period.]~~ period; or
    - (D) ~~[Lack]~~ The lack of financing shall qualify under this ~~[paragraph]~~ subdivision only where an existing agreement for financing is unilaterally revoked by the lender because of ~~[lending-agency's]~~ the lender's financial ~~[insolvency.]~~ insolvency."



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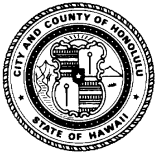
## A BILL FOR AN ORDINANCE

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SECTION 3. Section 18-6.4, Revised Ordinances of Honolulu 2021 ("Expiration of plan review"), is amended by amending subsection (a) to read as follows:

- "(a) Except as provided in subsection (b), applications for which plan review fees have been paid and for which no permit is issued within 365 days following the date of application will expire, unless the expiration date is extended by the building official. The building official shall notify the applicant of the expiration date of the application in writing prior to the expiration of the application. Notice may be sent to either the applicant's mailing address or email address as stated in the application or to a more current address or email address if the applicant has provided one to the department, and notice to one applicant will be deemed notice to all applicants in the case of an application for which there is more than one applicant."

SECTION 4. Ordinance material to be deleted 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 bracketed and stricken material, or the underscoring.



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL **58 (2022), CD1**

## A BILL FOR AN ORDINANCE

SECTION 5. This ordinance takes effect upon its approval.

INTRODUCED BY:

Andria Tupola

DATE OF INTRODUCTION:

November 28, 2022

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