



A BILL FOR AN ORDINANCE

RELATING TO PARKING.

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

SECTION 1. Purpose. The purpose of this ordinance is to address parking in the City and County of Honolulu, including the City's restricted parking zone program.

SECTION 2. Section 15-13.9, Revised Ordinances of Honolulu 2021 ("Authority to store vehicles"), as amended by Ordinance 21-9, is amended by amending subsection (a) to read as follows:

- "(a) Officers and employees of the Honolulu police department and department of customer services are authorized to remove vehicles or cause them to be removed from a street, highway, or pedestrian mall to a storage area or other place of safety under any of the following circumstances:
- (1) When any vehicle is left unattended upon any bridge or elevated structure, viaduct, causeway, or left unattended in any tube or tunnel, where such vehicle constitutes an obstruction to traffic;
 - (2) When any vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle request the removal of the vehicle or are by reason of physical injury incapacitated to such an extent as to be unable to provide for the vehicle's custody or removal;
 - (3) When any vehicle is left unattended upon a street and is parked illegally so as to constitute a definite hazard or obstruction to the normal movement of traffic;
 - (4) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking during the morning peak traffic hours designated by official signs specifying the hours of restricted parking every day, except Saturdays, Sundays, and public holidays on the streets or portions thereof described in Schedule XVII;
 - (5) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking during the afternoon peak traffic hours designated by official signs specifying the hours of restricted parking every day, except Saturdays, Sundays, and public holidays on the streets or portions thereof described in Schedule XVIII;



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- (6) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking during the morning or afternoon peak traffic hours, or both, designated by official signs specifying the hours of restricted parking every day, except Saturdays, Sundays, and public holidays on the streets or portions thereof described in Schedule XIX;
- (7) When any vehicle is left unattended or parked in a tow zone at all hours of any day on the streets or portions thereof described in Schedule XX;
- (8) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking designated by official signs specifying those times of restricted parking on the streets or portions thereof described in Schedule XXI;
- (9) When any vehicle is left unattended or parked upon a street and is parked in front of a public or private driveway so as to constitute an obstruction to vehicular traffic using or attempting to use such driveway for purposes of egress or ingress;
- (10) When any vehicle is left unattended on a street, or portion thereof, so as to interfere with or impede any one or more of the following: construction, demolition, repair or maintenance work being done on, adjacent to, above or below the street, provided a permit has been issued for the work by the director of transportation services, and adequate regulatory signs are posted designating the time of the prohibition;
- (11) When any vehicle is left unattended upon any street within 10 feet of a fire hydrant;
- (12) When any vehicle is left unattended upon any street within 4 feet of either side of a public or private driveway;
- (13) When any vehicle is left unattended or parked in a crosswalk, or within 20 feet of a crosswalk at an intersection, or within 20 feet upon the approach to any midblock crosswalk;
- (14) When any vehicle is left unattended at any time on the roadway portion of any freeway; or when any vehicle, except an authorized emergency vehicle or highway maintenance or construction equipment, is left unattended on the median, shoulder, or any other portion, other than the roadway portion, of any freeway for more than four hours;



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- (15) When any bus, truck, truck-trailer, trailer, van, house trailer, or any vehicle used for commercial purposes whose gross vehicle weight is 10,000 pounds or more, except vehicles of the public utilities and construction equipment while engaged in repair or construction work, or vehicles actually loading or unloading goods, wares, or merchandise, is parked on any public street for more than four consecutive hours;
- (16) When any vehicle is left unattended in a transit or an express bus lane;
- (17) When any vehicle is left unattended upon any bicycle lane or bicycle path;
- (18) When any vehicle is left unattended or parked in violation of the pedestrian mall provisions of Article 25;
- (19) When any vehicle is left unattended or parked in an official bus stop as described in Schedule XXV;
- (20) When any vehicle is parked, stopped, or left standing in violation of § 15-14.1(a)(21) to (a)(26);
- (21) When any vehicle is left unattended or parked on any public street, road, or highway, and the vehicle has any one or more of the following:
 - (A) No valid vehicle registration emblem or an expired vehicle registration emblem;
 - (B) No valid sticker affixed certifying a certificate of inspection as required in HRS § 286-26, or an expired certificate of inspection sticker; or
 - (C) No valid license plates.

For purposes of this subdivision, [~~"Public Street, Roadway, or Highway"~~] "public street, road, or highway" includes the entire width, including the berm or shoulder, of every road, alley, street, way, lane, trail, highway, bikeway, or bridge when any part thereof is open for use by the public; [~~and~~]

- (22) When a vehicle is parked in a restricted parking zone in violation of Article [~~29;~~] 30;



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- (23) When a vehicle is parked in a reserved car-sharing on-street parking stall without a valid and current reserved car-sharing on-street parking stall sticker in accordance with § 15-28.1(g);
- (24) When a vehicle is parked in a loading zone or an officially designated bus stop without a valid and current decal or other approved device permitting parking in loading zones and official bus stops in accordance with § 15-15.5;
- (25) When a shared micromobility vehicle is parked in a manner in violation of any provision of § 15-31.5; and
- (26) When any vehicle, including a trailer, is left unattended on a public street or highway for more than 24 hours."

SECTION 3. Section 15-30.2, Revised Ordinances of Honolulu 2021 ("Administration of restricted parking zones"), is amended by amending subsection (b) to read as follows:

"(b) *Program components and permit use.*

- (1) A restricted parking zone may have one or more of the following components:
 - (A) Parking in the street is reserved for the exclusive use of those vehicles displaying a valid RPZ permit or other identification issued by the director as part of the RPZ program;
 - (B) Parking in the street is reserved during certain posted hours for exclusive use of those vehicles displaying a valid RPZ permit or other identification issued by the director as part of the RPZ program; or
 - (C) Time limits are established for parking in the street that apply to all vehicles, except vehicles with a valid RPZ permit or other identification issued by the director as part of the RPZ program.
- (2) The director may issue permits or other means of identification, maintain lists of vehicles owned or used by [permit] holders of a valid RPZ permit or other identification issued by the director as part of the RPZ program, or adopt any other reasonable means of distinguishing vehicles that are validly parked in a restricted parking zone from other vehicles. The permit



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or other means of identification must include the license plate number of the permitted motor vehicle.

- (3) A permit does not guarantee or reserve to the [holder] vehicles displaying a valid RPZ permit the availability of an on-street parking space within the designated restricted parking zone.
- (4) The director shall issue RPZ permits or other means of identification as part of the RPZ program on an annual basis.
- (5) The director shall allot no more than 50 percent of the fees collected in an RPZ to credit city payment cards under § 2-12. of those residents of eligible dwelling units who opt not to purchase an RPZ permit.
- (6) The director may administratively adjust the amount of each fee required under § 15-30.5(a) annually in accordance with § 15-30.5(c) or in consideration of the total number of permits issued by the department and 50 percent of the total cost to the department of the RPZ program in the prior year; provided that each adjustment may not increase the fee amount by more than 10 percent.
- (7) The director shall provide an annual report to the council, no later than 20 days before the end of the fiscal year, on the progress of the RPZ program established under this article, including but not limited to:
 - (A) A list of the units participating in the RPZ program over the last fiscal year;
 - (B) The rate of change in the number of participants over the course of the fiscal year;
 - (C) Any problems or obstacles encountered in the implementation and enforcement of the RPZ program; and
 - (D) Any suggested amendments to the ordinance that will facilitate RPZ program implementation and enforcement."

SECTION 4. Section 15-30.3, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-30.3 Establishment of restricted parking zones.



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- (a) ~~[The director shall consider recommending to the council the establishment of an RPZ upon]~~ Upon receipt of a petition signed by a majority of the residents in the area specified in the petition for the RPZ[-], the director may establish an RPZ by submission to the council and the city clerk of an updated Schedule XXXIX, designating the streets and intersections that will be included in the RPZ, substantially in the form found in Exhibit A, attached to Ordinance____. The director may not establish an RPZ in any area in which a majority of the residents have not petitioned for the program.
- (b) Upon receipt of a petition meeting the requirements of subsection (a), the director ~~[shall]~~ may engage affected and interested community stakeholders through a public information and involvement program that may include department presentations to business and community associations or organizations, information distribution through the city's ~~[web-site]~~ website, news releases and related media, direct mailings of informational materials, facilitated meetings, sounding boards, walking tours, surveys, and other means of outreach and information gathering.
- (c) In determining whether to ~~[recommend the establishment of]~~ establish the RPZ, the director shall consider the following:
- (1) Whether 75 percent or more of the capacity of the streets in the proposed RPZ is generally occupied ~~[-, and more than 35 percent of the vehicles parked on the street in the proposed RPZ are not owned by residents of the designated area];~~
 - (2) Whether there is an identifiable traffic generator;
 - (3) Whether there has been a strong and effective community engagement effort indicating that stakeholders in the designated area support an RPZ;
 - (4) Whether an RPZ would promote certain benefits or would result in adverse impacts.
 - (A) Benefits include[-] but are not limited to: increased access for area residents, reduced traffic congestion, increased traffic or pedestrian safety, reduced air or noise pollution, reduced commuter parking in neighborhoods, prevention of blighted areas, and promotion of the use of alternative modes of transportation[-]; and
 - (B) Adverse impacts include[-] but are not limited to: transferring a parking problem to a different area, inability to effectively enforce



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program restrictions, lack of alternative transportation modes, and availability of simpler, cheaper, or more effective solutions; and

- (5) Whether the public interest would be served.
- (d) If the director determines that an RPZ should be established, prior to the establishment of the RPZ, the director shall submit ~~[a written recommendation]~~ to the council ~~[to establish the RPZ by ordinance. The recommendation, at a minimum must include]~~ in writing the reasons an RPZ is needed, the boundaries of the RPZ, the terms and conditions of the RPZ, and the anticipated commencement date of the RPZ.
- (e) Upon establishment of an RPZ ~~[by the council by ordinance]~~, the director ~~[shall]~~ may establish a community ~~[steering]~~ advisory group for the RPZ. RPZ community ~~[steering]~~ advisory groups shall ~~[be responsible for working with the department on implementation of the RPZ and on community security issues.]~~ work with the department towards the implementation of the RPZ."

SECTION 5. Section 15-30.4, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-30.4 Expanding, reducing, or dissolving restricted parking zones.

If the director wishes to ~~[recommend that the council]~~ expand, reduce, or dissolve an existing RPZ, the director shall engage the community in the same manner as for the establishment of an RPZ under § 15-30.3(b) ~~[and, if]~~. If the director determines that the expansion, reduction, or dissolution will be in the public interest, prior to the expansion, reduction, or dissolution of the RPZ, the director shall submit ~~[a written recommendation]~~ to the council in writing ~~[to expand, reduce, or dissolve the RPZ by enactment of an appropriate revision or repeal of the existing ordinance. The recommendation, at a minimum, must include]~~ the reasons for the ~~[recommended]~~ action, the new boundaries as applicable, any changes to the terms and conditions of the restricted parking zone, and the anticipated commencement date of the ~~[recommended]~~ action."

SECTION 6. Section 15-30.5, Revised Ordinances of Honolulu 2021 ("Fees for restricted parking zone permits—Waiver or reduction of fees"), is amended by amending subsection (a) to read as follows:

- "(a) The fees to be collected by the department for restricted parking zone permits for resident parking, visitor parking with resident permit, and single-day visitor parking in a restricted parking zone must be ~~[set forth in the ordinance establishing the restricted parking zone.]~~ graduated whereby the fee for



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subsequent permits is more than the fee for previous permits, starting at the following base rates:

<u>Type of Permit</u>	<u>Fee</u>
<u>Annual resident parking permit base rate</u>	<u>\$240</u>
<u>Annual visitor permit issued with resident permit base rate</u>	<u>\$240</u>
<u>Single-day visitor permits</u>	<u>\$10</u>

SECTION 7. 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. In § 15-30.2(b)(5), Revised Ordinances of Honolulu 2021 ("ROH"), as amended in SECTION 3 of this ordinance, the Revisor of Ordinances shall fill in the blank with the number of the ROH section enacted by SECTION 2 of Ordinance 21-7; and in § 15-30.3(a), ROH, as amended in SECTION 4 of this ordinance, the Revisor of Ordinances shall fill in the blank with the actual number of this ordinance.



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

ORDINANCE _____
BILL 20(2023)

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SECTION 8. This ordinance takes effect upon its approval.

INTRODUCED BY:

Radiant Cedeno

DATE OF INTRODUCTION:

MAR 09 2023

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