

SUMMARY OF PROPOSED COMMITTEE DRAFT:

**BILL 20 (2023), CD1
RELATING TO PARKING.**

The PROPOSED CD2 makes the following amendments:

- A. In SECTION 6 of the bill, restored as criteria for the director to consider in establishing, expanding, reducing, or modifying an RPZ factors such as whether 75 percent or more of the capacity of the street in the proposed RPZ is generally occupied, and whether 35 percent or more of the vehicles parked on the street are not owned by residents of the designated area.
- B. In SECTION 8 of the bill, limits each eligible dwelling unit to a combination of four total annual residential permits and annual visitor permits, with a maximum of one annual visitor permit per resident, plus no more than 10 single-day visitor permits per month (instead of per year).
- C. In SECTION 9 of the bill, amends subsection (a) to increase the fee factor for each additional vehicle per eligible dwelling unit. Also, amends subsection (b) to replace "whenever" with "including if." Subsection (b) concerns when the director may waive or reduce the RPZ fees.
- D. Makes miscellaneous technical and nonsubstantive amendments.



A BILL FOR AN ORDINANCE

RELATING TO PARKING.

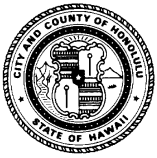
BE IT ORDAINED by the People of the City and County of Honolulu:

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 15-13.3, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-13.3 Parking stalls—Required parking therein.

- (a) The director of transportation services is authorized and directed to establish, mark, and designate, where there is an apparent need therefor, a consecutive series of parking stalls for the parallel or angle parking of motor vehicles or for other uses authorized in § 15-22.2 and in Chapter 14, Article 18 upon any street.
- (b) Wherever parking stalls are so established, marked off, and designated, the driver of any vehicle, excepting only single vehicles of a greater length or width, shall park ~~[such]~~ the vehicle completely within a designated stall.
- (c) Except as otherwise permitted by law, if on-street parking stalls or spaces are established, marked off, and designated along any street block, it is unlawful for the driver of any vehicle to park ~~[such]~~ the vehicle on any portion of ~~[such]~~ the street block, other than in a stall or space so established, marked off, and designated for parking ~~[along such street block]~~.
- (d) Except as otherwise permitted by § 15-13.11, wherever parking stalls are so established, marked off, and designated, each stall ~~shall be~~ is for the use of a single vehicle only and it is unlawful for the driver of any vehicle to park ~~[such]~~ the vehicle in a stall already occupied by another vehicle.
- (e) The term "street block" as used in this section means one side of any street, the length of ~~[such]~~ the side extending between two consecutive intersections; or, in the case of a dead-end street, one side of ~~[such]~~ the dead-end street, the length of ~~[such]~~ the side extending between the dead-end and the nearest intersection.
- (f) Except as otherwise permitted by law, if on-street parking stalls or spaces are established, marked off, and designated along any street block, it is unlawful for any person to obstruct the stall or space so established, marked off, and designated for parking along the street block."



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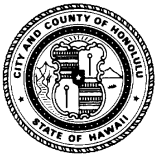
SECTION 3. Section 15-13.9, Revised Ordinances of Honolulu 2021 ("Authority to store vehicles"), is amended by amending subsection (a) to read as follows:

- "(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, or causeway, or left unattended in any tube or tunnel, where [~~such~~] the 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;
 - (6) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking during the morning [~~and/or~~] or afternoon peak traffic hours, or both, as 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;



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- (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]~~ the 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, ~~[and/or]~~ 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;
- (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 bus or an express bus lane;

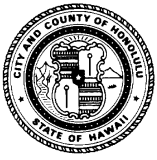


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- (17) When any vehicle is left unattended upon any bicycle lane or bicycle path;
- (18) When any vehicle is left unattended or parked in violation of the pedestrian mall provisions of Article 25;
- (19) When any vehicle is left unattended or parked 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 the purposes of this subdivision: "public street, road, or highway" includes the entire width, including any 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;

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



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(26) When any vehicle, including a trailer, is left unattended on a public street or highway for more than 24 hours."

SECTION 4. Section 15-30.1, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-30.1 Definitions.

For the purposes of this article, the following definitions apply unless the context clearly indicates or requires a different meaning.

Annual Residential Permit. A card, decal, or other identification issued to an eligible resident to be placed on a vehicle that enables it to be parked in a restricted parking zone throughout a one-year period, subject to standards as determined by the director.

Annual Visitor Permit. A card, decal, or other identification issued to an eligible resident for use by visitors in a restricted parking zone throughout a one-year period, subject to standards as determined by the director.

Department. The department of transportation services.

Director. The director of transportation services or the director's designee.

Dwelling Unit. Has the same meaning as defined in § 21-10.1. Each unit of a multiple-unit dwelling is considered a separate dwelling unit.

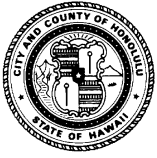
Family. Persons related by blood, adoption, or marriage.

Parking Placard for a Person with a Disability. Has the same meaning as defined in § 15-29.1.

Resident. Any of the following persons residing in a dwelling unit that is located in a restricted parking zone:

- (1) The owner of the dwelling unit and family members of the owner; or
- (2) The renter of the dwelling unit under a lease of 30 days or more, and family members of the renter.

Restricted Parking Zone or RPZ. An area of at least four contiguous blocks in a residential- or apartment-zoned district [~~where vehicles properly displaying a permit or~~



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~~other authorization pursuant to this article are exempt from the posted parking zone restrictions.]~~ that has one or more of the following components:

- (1) Parking on 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;
- (2) Parking on 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
- (3) Time limits are established for parking in the street that apply to all vehicles, except for vehicles with a valid RPZ permit or other identification issued by the director as part of the RPZ program.

Restricted Parking Zone Permit or RPZ Permit. A card, decal, or other identification issued to an eligible person to be placed on a vehicle that enables it to be parked in a restricted parking zone.

Single-Day Visitor Permit. A card, decal, or other identification issued to an eligible resident for use by a visitor in a restricted parking zone for a single day, subject to standards to be determined by the director.

Visitor. A person temporarily visiting [~~residents~~] a resident or temporarily having business with [~~residents~~] a resident who [~~are~~] is eligible for a restricted parking zone [~~permits.~~] permit."

SECTION 5. Section 15-30.2, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-30.2 Administration [~~of restricted parking zones~~].

- (a) ***Authorization.*** The director is authorized to maintain lists of vehicles owned or used by holders of a valid RPZ permit or other identification issued by the director as part of the RPZ program, issue permits or other means of identifying vehicles owned or used by holders of a valid RPZ permit, and adopt any other reasonable means of distinguishing vehicles that are validly parked in an RPZ from other vehicles. The RPZ permit or other means of identification must include the license plate number of the permitted motor vehicle.
- (b) ***Signage.*** [~~A restricted parking zone~~] An RPZ must be appropriately signed or marked.



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~~[(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 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, or adopt any other reasonable means of distinguishing vehicles that are validly parked in a restricted parking zone from other vehicles. The permit 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 an on-street parking space within the designated restricted parking zone.~~

~~(c) — *Application.* In order to obtain an RPZ permit, an applicant must present proof of residency in the RPZ, in addition to submittal of a completed application to the director. An applicant must also present proof that the address of vehicle registration matches the applicant's dwelling unit address, or otherwise present proof of residence within the RPZ.~~

~~(d) — *Permit limit.* Each eligible dwelling unit is entitled to have no more than four annual RPZ permits at any one time.~~

~~(e) — *Exception.* Restricted hours of the restricted parking zone shall not apply to commercial vehicles during active delivery or service to a property within the RPZ.~~

~~(f) — *Violations.*~~



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- (1) ~~Except as provided in subsection (3), the registered owner of a vehicle not properly displaying a permit or other authorization pursuant to this article and parked within a restricted parking zone shall be subject to a fine of \$35. Every hour a vehicle remains parked in violation of this subdivision shall constitute a separate violation.~~
- (2) ~~A person misusing a permit, including but not limited to selling, counterfeiting, improperly using, or stealing a permit, or as otherwise determined by the director, shall be subject to a fine of \$55. Every day a permit is improperly used shall constitute a separate violation.~~
- (3) ~~A driver of a motor vehicle who has a disability as defined under the Americans with Disabilities Act of 1990, 42 USC §§ 12101, et seq., as amended, and displays on the motor vehicle a valid windshield placard or special license plate for persons with disabilities issued in accordance with HRS Chapter 291, Part III, may park in an RPZ without having an RPZ permit.]"~~

SECTION 6. Section 15-30.3, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-30.3 Establishment, expansion, reduction, modification, or dissolution of restricted parking zones.

- (a) General. The director [shall consider recommending to the council the establishment of an RPZ upon receipt of a petition signed by a majority of the residents in the area specified in the petition for the RPZ.
- (b) ~~Upon receipt of a petition meeting the requirements of subsection (a), the director shall 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, 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.] may establish, expand, reduce, modify, or dissolve an RPZ.~~
- ~~(c)~~ (b) Criteria.
 - (1) In determining whether to [recommend the establishment of the] establish, expand, reduce, or modify an RPZ, the director shall consider factors including but not limited to the following:



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~~[(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;]~~

(A) Whether 75 percent or more of the capacity of the street in the proposed RPZ is generally occupied;

(B) The extent to which off-street parking is available;

(C) Whether 35 percent or more of the vehicles parked on the street in the proposed RPZ are not owned by residents of the designated area;

~~[(2) (D) 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;]~~

(E) Whether a majority of the residents in the affected area support the initiative, which may include a petition signed by a majority of the residents;

~~[(4) (F) Whether an RPZ would promote certain benefits or would result in adverse impacts.~~

~~[(A) (i) 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) (ii) Adverse impacts include[;] but are not limited to: transferring a parking problem to a different area, inability to effectively enforce program restrictions, lack of alternative transportation modes, and availability of simpler, cheaper, or more effective solutions; and]~~

~~[(5) (G) Whether the public interest would be served[.]; and~~



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(H) Whether other regulations or measures would improve parking availability.

The director may modify the hours of an existing RPZ or expand or reduce the boundaries of an existing RPZ by two contiguous blocks or less without the necessity of considering all of the criteria set forth in this subsection.

(2) In determining whether to dissolve an RPZ, the director shall consider factors including but not limited to the following:

(A) Low permit sales in an RPZ;

(B) The absence of the original traffic generator; and

(C) Whether the public interest would be served.

(3) Any expansion, reduction, modification, or dissolution of an RPZ established prior to the effective date of this ordinance must be processed in accordance with the terms of this article as it read immediately prior to the effective date of this ordinance.

~~[(d) If the director determines that an RPZ should be established, the director shall submit a written recommendation to the council to establish the RPZ by ordinance. The recommendation, at a minimum, must include 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 establish a community steering group for the RPZ. RPZ community steering groups shall be responsible for working with the department on implementation of the RPZ and on community security issues.]"~~

SECTION 7. Section 15-30.4, Revised Ordinances of Honolulu 2021, is repealed.

~~["§ 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 the director determines that the expansion, reduction or dissolution will be in the public interest, the director shall submit~~



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~~a written recommendation to the council 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 8. Chapter 15, Article 30, Revised Ordinances of Honolulu 2021 ("Restricted Parking Zones Program"), is amended by adding a new Section 15-30.4 to read as follows:

"§ 15-30.4 Permits.

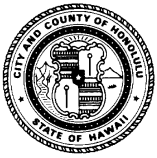
(a) Type. Subject to the limitations in subsection (b), residents may apply for one or more of the following types of RPZ permits:

- (1) Annual residential permit;
- (2) Annual visitor permit; and
- (3) Single-day visitor permit.

(b) Limitations.

- (1) Each eligible dwelling unit is limited to a combination of no more than four total annual residential permits and annual visitor permits; provided that residents may not obtain more than one annual visitor permit. A resident may request a waiver of this limitation from the director. In determining whether to grant a waiver request, the director may consider the availability of on-street parking in the requester's residential area and the number of licensed drivers in the household.
- (2) Each eligible dwelling unit is limited to 10 single-day visitor permits per month.
- (3) An RPZ permit does not reserve or guarantee the availability of an on-street parking space within the designated RPZ.

(c) Exceptions. The following vehicles may park in an RPZ without obtaining or displaying an RPZ permit:



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- (1) Commercial vehicles during active delivery or service to a property within the RPZ;
- (2) A motor vehicle displaying a valid parking placard for a person with a disability; and
- (3) Mopeds, motorcycles, and motor scooters, as defined in HRS § 291C-1.
- (d) Application.
 - (1) Each application for a permit or renewal of a permit must contain information sufficient to:
 - (A) Identify the applicant;
 - (B) Identify the applicant's residence or real property address within an RPZ;
 - (C) Establish that the applicant is a resident of the affected area; and
 - (D) Identify the license plate number and provide proof of current Hawai'i registration of the motor vehicle for which the permit will be issued.
 - (2) All delinquent parking citations of the applicant must be paid for an application to be approved."

SECTION 9. Section 15-30.5, Revised Ordinances of Honolulu 2021, is amended to read as follows:

~~"§ 15-30.5 Fees [for restricted parking zone permits—Waiver or reduction of fees].~~

~~[(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.~~



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~~(b) The director is authorized to cap the number of single-day visitor permits issued per restricted parking zone.]~~

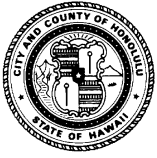
(a) RPZ permit fees are as follows:

<u>Type of Permit</u>	<u>Vehicle (per dwelling unit)</u>	<u>Fee</u>
<u>Annual residential permit</u>	<u>1st vehicle</u>	<u>\$80 (base rate)</u>
	<u>2nd vehicle</u>	<u>2 times the base rate</u>
	<u>3rd vehicle</u>	<u>3 times the base rate</u>
	<u>4th vehicle</u>	<u>4 times the base rate</u>
	<u>Any vehicle after the fourth vehicle (pending a waiver pursuant to § 15-30.4(b)(1))</u>	<u>5 times the base rate</u>
<u>Annual visitor permit</u>	<u>Not applicable</u>	<u>\$80</u>
<u>Single-day visitor permit</u>	<u>Not applicable</u>	<u>\$10</u>

The director may administratively adjust the amount of the annual residential permit fee base rate, the annual visitor permit fee, and the single-day visitor permit fee annually; provided that each adjustment may not increase the fee amount by more than 10 percent, and that the director must hold a public hearing before each adjustment of the base rate.

~~(e)~~ (b) The director may waive or reduce ~~[a restricted parking zone]~~ the RPZ [fee-when-ever:] fee, including if:

- (1) The waiver or reduction is in the overall public interest due to extraordinary facts or circumstance;
- (2) The waiver or reduction is consistent with the goals of the ~~[restricted-parking-zone]~~ RPZ program;
- (3) The waiver or reduction is due to a finding by the director that the rates are too high for a particular geographic area; or



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- (4) The waiver or reduction is due to a finding by the director that the rate would cause an undue financial hardship on affected residents.

~~[(d) The director, pursuant to HRS Chapter 91, may adopt rules to implement the provisions of this article.]~~"

SECTION 10. Chapter 15, Article 30, Revised Ordinances of Honolulu 2021 ("Restricted Parking Zones Program"), is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

"§ 15-30. Penalties.

(a) Fines.

(1) Except as provided in § 15-30.4(c), the registered owner of a vehicle not properly displaying an RPZ permit or other authorization pursuant to this article and parked on a street within an RPZ is subject to a fine to be determined by the director by rule adopted under §15-30. . Every hour a vehicle remains parked in violation of this subdivision constitutes a separate violation.

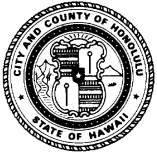
(2) A person misusing a permit, including but not limited to selling, counterfeiting, improperly using, or stealing a permit, or as otherwise determined by the director by rule adopted under § 15-30. , is subject to a fine to be determined by the director. Every day a permit is misused constitutes a separate violation.

(b) *Revocation.* The director is authorized to revoke a permit if a person misuses a permit, including but not limited to selling, counterfeiting, improperly using, or stealing a permit, or as otherwise determined by the director by rule adopted under § 15-30. ."

SECTION 11. Chapter 15, Article 30, Revised Ordinances of Honolulu 2021 ("Restricted Parking Zones Program"), is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

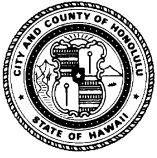
"§ 15-30. Rules.

The director shall adopt rules pursuant to HRS Chapter 91 for the implementation, administration, and enforcement of this article."



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SECTION 12. 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. The Revisor shall replace the term "effective date of this ordinance" in SECTION 6 of this ordinance with the date on which this ordinance takes effect. In addition, the Revisor shall replace the blanks in the new Section of the Revised Ordinances of Honolulu enacted by SECTION 10 of this ordinance with the Revised Ordinances of Honolulu Section number assigned by the Revisor to the Section enacted by SECTION 11 of this ordinance.



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SECTION 13. This ordinance takes effect upon approval.

INTRODUCED BY:

Tyler Dos Santos-Tam

Radiant Cordero

DATE OF INTRODUCTION:

March 9, 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