



**HONOLULU CITY COUNCIL**  
**KE KANIHELA O KE KALANA O HONOLULU**  
CITY AND COUNTY OF HONOLULU

No. 24-46

---

**RESOLUTION**

---

URGING THE BUILDING BOARD OF APPEALS TO IMPROVE ITS PROCEDURES FOR NOTIFYING THE PUBLIC OF ITS MEETINGS AND MAKING ITS ORDERS AVAILABLE FOR PUBLIC INSPECTION.

WHEREAS, Section 16-1.1(14), Revised Ordinances of Honolulu 2021 ("ROH"), establishes the Building Board of Appeals ("Board") and provides that the Board has the duties of hearing and determining the following:

- (1) Appeals of decisions regarding the administration of the Building Code, Electrical Code, Plumbing Code, Housing Code, Fire Code, Energy Code, Building Energy Efficiency Standards, and building permit ordinance;
- (2) Petitions for variances from the Building Code, Electrical Code, Plumbing Code, Fire Code, and Building Energy Efficiency Standards;
- (3) Appeals of decisions regarding the administrative enforcement of the litter control ordinance; and
- (4) Appeals concerning the summary removal of unlawful signs from street rights-of-way and public malls; and

WHEREAS, ROH Section 16-1.1(14) further provides that the Board shall adopt reasonable rules and regulations for conducting its meetings, hearings, and investigations in conformity with Chapter 91, Hawaii Revised Statutes, which among other things, addresses methods whereby the public may obtain information or make submittals or requests to public agencies and the availability for public inspection of all public agency final opinions and orders; and

WHEREAS, according to a recent media report on a Board contested case hearing, the Board approved its Findings of Fact, Conclusions of Law, and Decision and Order, but did not release the document publicly; and

WHEREAS, the City Council ("Council") finds that the decisions and orders of public bodies such as the Board should be read and made available to the public upon final approval by the body and thereafter; and

WHEREAS, the Board, on occasion, conducts hearings on matters that generate considerable public interest, such as the revocation of building permits for projects that are alleged to violate the City's "monster home" ordinance; and



**HONOLULU CITY COUNCIL**  
**KE KANIHELA O KE KALANA O HONOLULU**  
CITY AND COUNTY OF HONOLULU

No. 24-46

---

**RESOLUTION**

---

WHEREAS, the Board's rules, which contain provisions addressing public notification, were adopted on October 22, 1982, and predate the Board's administrative attachment to the Department of Planning and Permitting and the widespread use of electronic information technology to disseminate public information; and

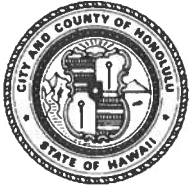
WHEREAS, the Council finds that there is a need to improve public notification processes for Board meetings by posting Board meeting agendas on the Board's webpage, rather than only on the Department of Planning and Permitting online calendar of events, and providing the public an email subscription option for Board meeting notifications and agendas; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Building Board of Appeals is urged to improve its procedures for notifying the public of its meetings and by making its final orders available for public inspection; and

BE IT FURTHER RESOLVED that the Building Board of Appeals ("Board") is specifically urged to:

1. Post the Board's agendas on its own webpage;
2. Provide for the public an email subscription option for receiving Board meeting notifications and agendas; and
3. Read to the public its Decisions of Orders upon approval and make all Findings of Fact, Conclusions of Law, and Decisions and Orders available for public inspection immediately following their approval; and

BE IT FURTHER RESOLVED that the Department of Planning and Permitting, to which the Board is administratively attached, is requested to provide the volunteer Board with such technical assistance as it may need to comply with this resolution; and



**HONOLULU CITY COUNCIL**  
**KE KANIHELA O KE KALANA O HONOLULU**  
CITY AND COUNTY OF HONOLULU

No. 24-46

**RESOLUTION**

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Chair of the Building Board of Appeals, the Director of Planning and Permitting, the Mayor, and the Managing Director.

INTRODUCED BY:



DATE OF INTRODUCTION:

**FEB 16 2024**

Honolulu, Hawai'i

Councilmembers

**Report Title:**

Building Board of Appeals; Agency Agendas; Department of Planning and Permitting;  
Administrative Procedures; Public Notification

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*