

**A BILL FOR AN ORDINANCE**

RELATING TO THE FIRE CODE.

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

SECTION 1. Purpose and findings. The purpose of this ordinance is to address fireworks use and violations in the City and County of Honolulu.

The Council finds that the illegal use of fireworks has been a longstanding problem in the City and County of Honolulu. Although the Illegal Fireworks Task Force, established pursuant to Act 67, Session Laws of Hawaii 2023, has reportedly seized over 187,000 pounds of illegal fireworks to date, illegal fireworks have nevertheless proliferated throughout many O'ahu neighborhoods, as evidenced by many social media videos and news reports. The frequency at which the public experiences and witnesses illegal fireworks has frustrated many community members, including those suffering from medical conditions, people with pets, veterans suffering from post-traumatic stress disorder, first responders answering calls for medical attention, and many more.

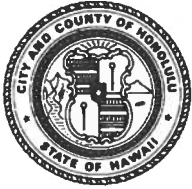
The Council additionally finds that the use of illegal fireworks on New Year's Eve continues to take a toll on first responders. In addition to the multiple fireworks-related incidents that required attention from the Honolulu Emergency Medical Services personnel, the Honolulu Fire Department reported a 30 percent increase in fireworks-related calls compared to the previous year.

The Council further finds that fireworks violators are rarely cited. If charges against fireworks violators are filed, such charges are often dropped. This cycle has led to a situation where the public can witness illegal fireworks exploding in the sky and yet the perpetrators are rarely, if ever, brought to justice. In order to break this cycle, stricter penalties for the illegal use of fireworks must be implemented.

SECTION 2. Section 20-6.9, Revised Ordinances of Honolulu 2021 ("Penalty"), is amended by amending subsection (b) to read as follows:

"(b) Any person violating this article, other than § 20-6.2(1), shall be sentenced ~~[to a fine of not less than \$250 and not more than \$2,000 or by imprisonment of not more than one year, or by both such fine and imprisonment]~~ as follows:

- (1) If the total weight of the aerial devices, articles pyrotechnic, or display fireworks is 25 pounds or more, such person shall be guilty of a class C felony pursuant to HRS Section 132D-14(2)(A) and be punished by



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**KE KANIHELA O KE KALANA O HONOLULU**  
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ORDINANCE  
BILL 07 (2025)

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imprisonment not exceeding five years, a fine of not less than \$1,000 and not more than \$10,000, or by both such fine and imprisonment.

- (2) If the total weight of the aerial devices, articles pyrotechnic, or display fireworks is less than 25 pounds, such person shall be guilty of a misdemeanor and be punished by imprisonment not exceeding one year, a fine of not less than \$250 and not more than \$2,000, or by both such fine and imprisonment."

SECTION 3. Ordinance material to be repealed is bracketed and stricken. New ordinance 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.



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SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

*Esther Kia'ania*  
*vae a. oke*

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DATE OF INTRODUCTION:

JAN 8 2025

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

**Report Title:**

Fire Code; Fireworks; Penalties; Fines; Class C Felony

**Description:**

Amends the Fire Code to increase the penalties for the possession, use, explosion, or causing to explode any aerial device, articles pyrotechnic, or display fireworks within the City and County of Honolulu to more closely comport with State law.

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