

SUMMARY OF PROPOSED COMMITTEE DRAFT:

**Bill 7 (2025)
RELATING TO THE FIRE CODE.**

The PROPOSED CD1 makes the following amendments:

- A. In SECTION 2 of the bill:
 - a. Amends ROH Section 20-6.9(a) by increasing the fines for violations of Section 20-6.2(1) to not less than \$1,000 and not more than \$2,000, from not less than \$200 and not more than \$1,000;
 - b. Amends proposed ROH Section 20-6.9(b) by providing that the subsection pertains to violations of Section 20-6.2(2) and in proposed ROH Section 20-6.9(b)(2) increases the minimum fine to \$1,000, from \$250;
 - c. Redesignates ROH Section 20-6.9(b) as Section 20-6.9(c) and increases the minimum fine to \$1,000, from \$250, for violations of ROH Chapter 20, Article 6, except for proposed ROH Section 20-6.2(1) or 20-6.2(2); and
 - d. Redesignates ROH Section 20-6.9(c) as Section 20-6.9(d) and makes conforming amendments.
- B. Makes miscellaneous technical and nonsubstantive amendments.



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

ORDINANCE _____

BILL 7 (2025), CD1
PROPOSED

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.

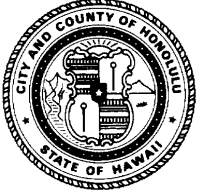
The Council additionally finds that the use of illegal fireworks on New Year's Eve continues to take a toll on first responders. In addition to the multiple fireworks-related incidents that required attention from the Honolulu Emergency Medical Services personnel, the Honolulu Fire Department reported 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, is amended to read as follows:

"§ 20-6.9 Penalty.

- (a) Any person violating § 20-6.2(1) shall be sentenced to a fine of not less than ~~[\$200]~~ \$1,000 and not more than ~~[\$1,000]~~ \$2,000 or by imprisonment of not more than 30 days, or by both such fine and imprisonment.



A BILL FOR AN ORDINANCE

(b) Any person violating § 20-6.2(2) shall be sentenced 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 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 \$1,000 and not more than \$2,000, or by both such fine and imprisonment.

~~[(b)]~~ (c) Any person violating this article, other than § 20-6.2(1) or § 20-6.2(2), shall be sentenced to a fine of not less than ~~[\$250]~~ \$1000 and not more than \$2,000 or by imprisonment of not more than one year, or by both such fine and imprisonment.

~~[(c)]~~ (d) In addition to the penalties provided in subsections ~~[(a) and (b)]~~, (a), (b), and (c), if the person is licensed to sell fireworks, the court may, in addition to the foregoing penalties, revoke or suspend such license. No license shall be issued to any person whose license has been so revoked or suspended until the expiration of two years after such revocation or suspension."

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.



HONOLULU CITY COUNCIL
KE KANIHELA O KE KALANA O HONOLULU
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SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

Esther Kia'aina

Val Okimoto

DATE OF INTRODUCTION:

January 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 fireworks offenses.

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