HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

ORDINANCE _____

BILL **60 (2024), CD2**

A BILL FOR AN ORDINANCE

TO AMEND CHAPTER 43 OF THE REVISED ORDINANCES OF HONOLULU 2021, RELATING TO SEWERS, DRAINAGE, AND CESSPOOLS.

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

SECTION 1. Purpose. The purpose of this ordinance is to amend portions of Chapter 43, Revised Ordinances of Honolulu 2021 ("ROH"), by: (1) amending ROH Section 43-6.2 to include Accessory Dwelling Units in the "Residential" sewer service charge customer classification; (2) amending ROH Section 43-6.6 to remove all provisions related to nonresidential strength surcharges and replace it with provisions on wastewater disposal charges for waste haulers; (3) amending Appendix 43-A to include new sewer service charges and wastewater disposal charges, and to remove extra strength wastewater charges as well as a second customer category; (4) amending ROH Section 43-10.3 to include Accessory Dwelling Units; (5) amending ROH Section 43-10.4 to remove references to wastewater strength; and (6) amending Appendix 43-C to include new Wastewater System Facility Charges.

SECTION 2. Section 43-6.2, Revised Ordinances of Honolulu 2021 ("Customer classifications"), is amended by amending subsection (a) to read as follows:

"(a) "Residential" customers have been defined to include only the following:

(1) Single-family dwellings;

(2) Duplexes, apartment buildings, condominiums, and townhouses;

(3) Retirement hotels (permanent guests);

(4) Mobile homes and mobile home parks, if any; [~~or~~]

(5) Housing projects[~~.~~]; or

(6) Accessory dwelling units as defined in § 21-10.1."

SECTION 3. Section 43-6.6, Revised Ordinances of Honolulu 2021, is repealed.

["~~§ 43-6.6 Nonresidential strength surcharges.~~

~~(a) In addition to user charges based solely on quantity, nonresidential users shall also be subject to a strength surcharge in accordance with § 43-1.8(i). A~~

~~monitoring program shall be initiated by the department to periodically measure the strength characteristics of wastewater discharges from these users, in accordance with § 43-1.8(k).~~

~~(b) The nonresidential user charge schedule applies to domestic strength wastewater having an average suspended solids loading of 200 mg/L. The charge to a nonresidential user whose wastewater loading exceeds 200 mg/L shall be determined by means of the following formula, where *SSm* equals the measured suspended solids loading for that user and *c* is the user's charge per 1,000 gallons of either water usage or wastewater discharge, whichever applies.~~

$$\text{Charge per 1000 gallons} = c\left[0.857 + \frac{0.143\ (SSm)}{200}\right]$$

~~(c) All nonresidential users that discharge wastewater having suspended solids loadings greater than 200 mg/L shall be identified by the department and shall be subject to this strength surcharge, effective upon the completion of construction of Phase II, Sand Island sewage treatment plant.~~

~~(d) Strength surcharges for BOD_5 shall not be levied against nonresidential users until completion of the west and east Mamala Bay secondary treatment facilities, as applicable.~~

~~(e) The actual formulas for water usage and wastewater discharge are shown in the sewer service charge schedules listed separately in Appendix 43-A."~~]

SECTION 4. Chapter 43, Article 6, Revised Ordinances of Honolulu 2021 ("Sewer Service Charges"), is amended by adding a new Section 43-6.6 to read as follows:

"**§ 43-6.6 Wastewater disposal charges for waste haulers.**

Waste haulers transporting wastewater to a city facility for wastewater disposal are subject to the wastewater disposal charges listed in Appendix 43-A."

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SECTION 5. Chapter 43, Article 6, Revised Ordinances of Honolulu 2021 ("Sewer Service Charges"), is amended by amending Appendix 43-A to read as follows:

"**APPENDIX 43-A: SEWER SERVICE CHARGE SCHEDULES**

[~~The~~] These charges [~~in column 1~~] apply to all customers[~~, except those customers for which a sewer service contract/agreement exists between the customer and the City and County of Honolulu that provides that column 2 charges shall apply. Sewer service contracts/agreements that allow column 2 charges are intended for customers who have paid their share of capital costs of collection, treatment and disposal of their wastewater by the city.~~] as specified in the following schedules.

Residential Sewer Service Charges			
	Effective [~~July 1 of~~]:	[~~1~~]	[~~2~~]
Single-family and duplex dwellings served by city water system per dwelling unit per month			
1. Monthly base charge	January 1, 2026	$63.55	
	July 1 of:		
	[~~2012~~] 2026	[~~$63.23~~] $48.27	[~~$49.87~~]
	[~~2013~~] 2027	[~~$65.76~~] $52.37	[~~$51.86~~]
	[~~2014~~] 2028	[~~$68.39~~] $57.08	[~~$53.94~~]
	[~~2015~~] 2029	[~~$71.81~~] $62.22	[~~$56.64~~]
	[~~2016~~] 2030	[~~$77.55~~] $67.82	[~~$61.17~~]
	2031	$73.92	

2. Charge per 1,000 gallons of metered water consumed, the water consumed reduced by the water irrigation factor of 20 percent; provided that residential users who install and maintain a water meter for submetering nonsewer water shall not have the water consumed reduced by the water irrigation factor	January 1, 2026	$7.95	
	July 1 of:		
	[~~2012~~] 2026	[~~$3.77~~] $11.83	[~~$3.77~~]
	[~~2013~~] 2027	[~~$3.93~~] $12.83	[~~$3.93~~]
	[~~2014~~] 2028	[~~$4.08~~] $13.99	[~~$4.08~~]
	[~~2015~~] 2029	[~~$4.29~~] $15.24	[~~$4.29~~]
	[~~2016~~] 2030	[~~$4.63~~] $16.62	[~~$4.63~~]
	2031	$18.11	
Single-family and duplex dwellings not served by city water system per dwelling unit per month	January 1, 2026	$120.82	
	July 1 of:		
	[~~2012~~] 2026	[~~$90.14~~] $133.42	[~~$84.08~~]
	[~~2013~~] 2027	[~~$94.03~~] $144.76	[~~$87.45~~]
	[~~2014~~] 2028	[~~$97.79~~] $157.78	[~~$90.94~~]
	[~~2015~~] 2029	[~~$102.68~~] $171.98	[~~$95.49~~]
	[~~2016~~] 2030	[~~$110.89~~] $187.46	[~~$103.13~~]
	2031	$204.33	
Multiple-unit dwellings and accessory dwelling units served by city water system per dwelling unit per month			
1. Monthly base charge	January 1, 2026	$43.70	
	July 1 of:		
	[~~2012~~] 2026	[~~$43.47~~] $33.19	[~~$34.28~~]
	[~~2013~~] 2027	[~~$45.21~~] $36.01	[~~$35.66~~]
	[~~2014~~] 2028	[~~$47.02~~] $39.25	[~~$37.08~~]

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	[~~2015~~] 2029	[~~$49.37~~] $42.78	[~~$38.94~~]
	[~~2016~~] 2030	[~~$53.32~~] $46.63	[~~$42.05~~]
	2031	$50.83	
2. Charge per 1,000 gallons of metered water consumed, the water consumed reduced by the water irrigation factor of 20 percent; provided that residential users who install and maintain a water meter for submetering nonsewer water shall not have the water consumed reduced by the water irrigation factor	January 1, 2026	$7.95	
	July 1 of:		
	[~~2012~~] 2026	[~~$3.77~~] $11.83	[~~$3.77~~]
	[~~2013~~] 2027	[~~$3.93~~] $12.83	[~~$3.93~~]
	[~~2014~~] 2028	[~~$4.08~~] $13.99	[~~$4.08~~]
	[~~2015~~] 2029	[~~$4.29~~] $15.24	[~~$4.29~~]
	[~~2016~~] 2030	[~~$4.63~~] $16.62	[~~$4.63~~]
	2031	$18.11	
Multiple-unit dwellings and accessory dwelling units not served by city water system per dwelling unit per month	January 1, 2026	$100.97	
	July 1 of:		
	[~~2012~~] 2026	[~~$70.65~~] $118.33	[~~$55.72~~]
	[~~2013~~] 2027	[~~$73.47~~] $128.39	[~~$57.95~~]
	[~~2014~~] 2028	[~~$76.41~~] $139.95	[~~$60.27~~]
	[~~2015~~] 2029	[~~$80.23~~] $152.54	[~~$63.28~~]
	[~~2016~~] 2030	[~~$86.65~~] $166.27	[~~$68.34~~]
	2031	$181.24	

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Nonresidential Sewer Service Charges			
	Effective [~~July 1 of~~]:	[~~1~~]	[~~2~~]
Domestic Strength Wastewater: 1. Metered Water Usage			
(1) Monthly base charge per equivalent single family dwelling unit (ESDU)	January 1, 2026	$63.55	
	July 1 of:		
	[~~2012~~] 2026	[~~$63.23~~] $48.27	[~~$49.87~~]
	[~~2013~~] 2027	[~~$65.76~~] $52.37	[~~$51.86~~]
	[~~2014~~] 2028	[~~$68.39~~] $57.08	[~~$53.94~~]
	[~~2015~~] 2029	[~~$71.81~~] $62.22	[~~$59.64~~]
	[~~2016~~] 2030	[~~$77.55~~] $67.82	[~~$61.17~~]
	2031	$73.92	
(2) Charge per 1,000 gallons of metered water consumed, the water consumed reduced by the water irrigation factor of 20 percent	January 1, 2026	$7.95	
	July 1 of:		
	[~~2012~~] 2026	[~~$3.77~~] $11.83	[~~$3.77~~]
	[~~2013~~] 2027	[~~$3.93~~] $12.83	[~~$3.93~~]
	[~~2014~~] 2028	[~~$4.08~~] $13.99	[~~$4.08~~]
	[~~2015~~] 2029	[~~$4.29~~] $15.24	[~~$4.29~~]
	[~~2016~~] 2030	[~~$4.63~~] $16.62	[~~$4.63~~]
	2031	$18.11	
2. Metered Wastewater Discharge			
(1) Monthly base charge per equivalent single family dwelling unit (ESDU)	January 1, 2026	$63.55	
	July 1 of:		
	[~~2012~~]	[~~$63.23~~]	[~~$49.87~~]

	2026	$48.27	
	[~~2013~~] 2027	[~~$65.76~~] $52.37	[~~$51.86~~]
	[~~2014~~] 2028	[~~$68.39~~] $57.08	[~~$53.94~~]
	[~~2015~~] 2029	[~~$71.81~~] $62.22	[~~$59.64~~]
	[~~2016~~] 2030	[~~$77.55~~] $67.82	[~~$61.17~~]
	2031	$73.92	
(2) Charge per 1,000 gallons	January 1, 2026	$7.95	
	July 1 of:		
	[~~2012~~] 2026	[~~$3.77~~] $11.83	[~~$3.77~~]
	[~~2013~~] 2027	[~~$3.93~~] $12.83	[~~$3.93~~]
	[~~2014~~] 2028	[~~$4.08~~] $13.99	[~~$4.08~~]
	[~~2015~~] 2029	[~~$4.29~~] $15.24	[~~$4.29~~]
	[~~2016~~] 2030	[~~$4.63~~] $16.62	[~~$4.63~~]
	2031	$18.11	
[~~Extra Strength Wastewater~~]			
[~~1. Charge per 1,000 gallons of metered water consumed, the water consumed reduced by the water irrigation factor of 20 percent, use the following formula:~~ ~~0.857 + 0.143(SSm/200) multiplied by applicable rate~~]	[~~2012~~]	[~~$3.77~~]	[~~$3.77~~]
	[~~2013~~]	[~~$3.93~~]	[~~$3.93~~]
	[~~2014~~]	[~~$4.08~~]	[~~$4.08~~]
	[~~2015~~]	[~~$4.29~~]	[~~$4.29~~]
	[~~2016~~]	[~~$4.63~~]	[~~$4.63~~]
[~~2. Charge per 1,000 gallons of wastewater discharge, use the following formula:~~	[~~2012~~]	[~~$3.77~~]	[~~$3.77~~]
	[~~2013~~]	[~~$3.93~~]	[~~$3.93~~]

~~0.857 + 0.143(SSm/200) multiplied by applicable rate~~]	[~~2014~~]	[~~$4.08~~]	[~~$4.08~~]
	[~~2015~~]	[~~$4.29~~]	[~~$4.29~~]
	[~~2016~~]	[~~$4.63~~]	[~~$4.63~~]

Wastewater Disposal Charges		
1. Charge per 1,000 gallons of wastewater disposed	Effective:	
	January 1, 2026	$16.78
	July 1 of:	
	2026	$18.53
	2027	$20.10
	2028	$21.91
	2029	$23.89
	2030	$26.04
	2031	$28.38

For fiscal year 2033 and every fiscal year thereafter, each of the sewer service charges in this appendix will increase by 3 percent annually, effective July 1 of each fiscal year.

Customer assistance program. A customer assistance program is hereby established within the department to provide relief to certain households paying residential sewer charges. The director may adopt rules pursuant to HRS Chapter 91 to implement and administer the customer assistance program."

SECTION 6. Section 43-10.3, Revised Ordinances of Honolulu 2021 ("Residential wastewater system facility charges"), is amended by amending subsection (b) to read as follows:

"(b) The following weights [~~shall be~~] are assigned to the various categories of residential developments for wastewater system facility charge purposes:

Description	Number of ESDUs Per Unit
Single-family dwellings, duplexes, triplexes, and quadraplexes	1.0

Multiple-family dwellings (five units or more), condominiums, townhouses, retirement homes, mobile homes, and housing projects	0.7
Accessory dwelling units	0.7

"

SECTION 7. Section 43-10.4, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"**§ 43-10.4 Nonresidential wastewater system facility charges.**

(a) Each applicant for a nonresidential building permit for a new structure, or for an enlargement of an existing structure, or for an increase in the wastewater system entitlement shall be required to pay a wastewater system facility charge based on the imputed number of equivalent single-family dwelling units in the project to be constructed[~~,~~]; provided that the director shall reduce the amount of the facility charge upon consideration of the applicant's financial contribution for backup facilities constructed or to be constructed for the project and dedicated or to be dedicated to the city.

This requirement applies to those new applicants for service and to those existing structures that are subject to liability under § 43-10.1.

(b) The new applicant for service, or an owner wishing to increase the owner's wastewater system capacity entitlement, shall be required to obtain from the board of water supply, or from the State department of land and natural resources in the case of private water wells, the size of the water meter to be provided for the project to be constructed. The number of ESDUs [~~shall be~~] is determined from the following table based on the water meter size:

Meter Size (in inches)	Number of ESDUs
5/8	1
3/4	1
1	2.4
1-1/2	5.8
2	13
3	33
4	57
6	87

(c) The applicable wastewater system facility charge per ESDU [~~for domestic strength wastewater~~] is set forth in Appendix 43-C of this chapter.

[~~(d) With respect to wastewater strength, a reasonable estimate of the suspended solids loading shall be consistent with the estimates used by the department for strength surcharge purposes, in accordance with § 43-6.6.~~

~~(e) The applicable wastewater system facility charge for extra-strength wastewater shall be based on the following formula:~~

~~Wastewater System Facility Charge for extra-strength wastewater = A + ((SSi/200) x B)~~
~~where SSi = the imputed suspended solids loading, in mg/L~~

~~The applicable values for terms "A" and "B" in the above formula are set forth in Appendix 43-C of this chapter.~~]

[~~(f)~~](d) All nonresidential applicants who are liable for payment under this article may install a sub-water meter to monitor their sewage discharge."

SECTION 8. Chapter 43, Article 6, Revised Ordinances of Honolulu 2021 ("Sewer Service Charges"), is amended by amending Appendix 43-C to read as follows:

"**APPENDIX 43-C: WASTEWATER SYSTEM FACILITY CHARGES**

The following wastewater system facility charges are established in accordance with §§ 43-10.3, 43-10.4, 43-10.5, and 43-10.6[~~, to be effective the first day of such fiscal year~~]:

(1) Residential wastewater system facility charge per ESDU:

[~~**Fiscal Year**~~] **Effective:**	**Amount (dollars)**
January 1, 2026	$7,013
July 1 of:	
[~~2011/12~~] 2026	[~~$5,707~~] $7,539
[~~2012/13~~] 2027	[~~$5,878~~] $8,180
[~~2013/14~~] 2028	[~~$6,055~~] $8,916
[~~2014/15~~] 2029	[~~$6,236~~] $9,718
[~~2015/16~~] 2030	[~~$6,424~~] $10,593
[~~2016/17~~]	[~~$6,616~~]

(2) Low-income housing wastewater system facility charges per ESDU:

[~~**Fiscal Year**~~] **Effective:**	**Amount (dollars)**
January 1, 2026	$1,450
July 1 of:	
[~~2011/12~~] 2026	[~~$1,180~~] $1,559
[~~2012/13~~] 2027	[~~$1,216~~] $1,691
[~~2013/14~~] 2028	[~~$1,252~~] $1,844
[~~2014/15~~] 2029	[~~$1,290~~] $2,009
[~~2015/16~~] 2030	[~~$1,329~~] $2,190
[~~2016/17~~]	[~~$1,368~~]

(3) Nonresidential wastewater system facility charge for domestic strength wastewater per ESDU:

[~~**Fiscal Year**~~] **Effective:**	**Amount (dollars)**
January 1, 2026	$7,013
July 1 of:	
[~~2011/12~~] 2026	[~~$5,707~~] $7,539
[~~2012/13~~] 2027	[~~$5,878~~] $8,180
[~~2013/14~~] 2028	[~~$6,055~~] $8,916
[~~2014/15~~] 2029	[~~$6,236~~] $9,718
[~~2015/16~~] 2030	[~~$6,424~~] $10,593
[~~2016/17~~]	[~~$6,616~~]

[~~(4) Nonresidential wastewater system facility charge for extra-strength wastewater per ESDU based on the following formula:~~

~~Wastewater System Facility Charge for extra-strength wastewater = A + ((SSi/200) x B)~~

~~where SSi = the imputed suspended solids loading, in mg/L and applicable values for terms "A" and "B" are set forth as follows:~~

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~~Fiscal Year~~	~~Terms in Extra-Strength Surcharge Formula (dollars)~~	
	~~A~~	~~B~~
~~2011/12~~	~~$4,906~~	~~$801~~
~~2012/13~~	~~$5,053~~	~~$825~~
~~2013/14~~	~~$5,205~~	~~$850~~
~~2014/15~~	~~$5,361~~	~~$876~~
~~2015/16~~	~~$5,522~~	~~$902~~
~~2016/17~~	~~$5,687~~	~~$929~~

~~Each fiscal year, the council shall review the wastewater system facility charge to determine if it remains appropriate or should be revised.~~]

For fiscal year 2032 and every fiscal year thereafter, each of the wastewater system facility charges in this appendix will increase by 3 percent annually, effective July 1 of each fiscal year."

SECTION 9. SECTIONS 99 through 102 of Ordinance 25-2 are repealed.

SECTION 10. 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.

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SECTION 11. This ordinance takes effect on October 1, 2025; provided that SECTION 9 takes effect upon approval.

INTRODUCED BY:

Tommy Waters (br)

DATE OF INTRODUCTION:

November 1, 2024
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:
Sewage; Drainage; Cesspools; Sewer Service Charges; Wastewater Disposal Charge; Wastewater System Facility Charge; Wastewater Strength; Customer Assistance Program; Relief; Updated Charge; Accessory Dwelling Units; Department of Environmental Services ("ENV"); Rules

Description:
Amends various sections and appendices of ROH Chapter 43 to include Accessory Dwelling Units as a sewer customer classification; update sewer service charges and wastewater system facility charges, including an automatic 3 percent annual increase beginning fiscal year 2033 for sewer service charges and fiscal year 2032 for wastewater system facility charges; add wastewater disposal charges for sewer customers; remove references to extra strength wastewater; establish a customer assistance program within the ENV to provide relief to households paying residential sewer charges; and to allow the ENV Director or the Director's authorized representative to adopt rules to implement and administer the customer assistance program. The revised charges commence on January 1, 2026 and the repeal of certain provisions in Ordinance 25-2 takes effect upon approval.

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