SUMMARY OF PROPOSED COMMITTEE DRAFT:

BILL 5 (2025), CD1
RELATING TO ANIMAL RECOVERY.

The PROPOSED CD2 makes the following amendments:

A. Amends the second sentence in proposed ROH § 12-__.2(a) clarify that the referenced "animal control contractor" is the "farm animal control contractor."

B. Makes miscellaneous technical and nonsubstantive amendments.

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

ORDINANCE _____

BILL **5 (2025), CD2**
PROPOSED

A BILL FOR AN ORDINANCE

RELATING TO ANIMAL RECOVERY.

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

SECTION 1. Purpose. The purpose of this ordinance is to address farm animal control.

SECTION 2. Chapter 12, Revised Ordinances of Honolulu 2021 ("Animals and Fowls"), is amended by adding a new article to be appropriately designated by the Revisor of Ordinances and to read as follows:

"**ARTICLE __: FARM ANIMAL CONTROL CONTRACTOR**

§ 12-__.1 Definitions.

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

Estray. Any horse, mule, ass, sheep, goat, or cattle that is found at large, and not upon the land of the owner or person having charge of such animal, or found doing damage to property.

***Farm Animal Control Contractor*.** The individual, partnership, corporation, or other legal entity contracted by the city for the capture, removal, safekeeping, and reasonable care of any estray, which includes but is not limited to impounding and transporting estrays to a pound or back to the animal's owner.

§ 12-__.2 Duties.

(a) The department of customer services or another department identified by the mayor may enter into a contract with one or more farm animal control contractors for the capture and removal of estrays. The farm animal control contractor shall be responsible for the safekeeping and reasonable care of any estray within the farm animal control contractor's possession.

(b) The farm animal control contractor shall give estrays a sufficient quantity of food and water within reason, and any farm animal control contractor that abuses or neglects any estray in the farm animal control contractor's charge will forfeit the

fees which the farm animal control contractor would otherwise collect, and will also be liable to the owner thereof for damages.

§ 12-__.3 Expenses incurred—Appropriations.

The farm animal control contractor shall bear all expenses for the capture, removal, safekeeping, and reasonable care of estrays; provided that the council may from time to time make such appropriations to assist the city in providing funding for the farm animal control contractor as its discretion and judgment are deemed necessary.

§ 12-__.4 Application for impounding.

The farm animal control contractor may not capture and remove an estray that has trespassed on private property until the person wishing to impound the estray has signed a statement setting forth the number and species of the estray, the locality trespassed upon, the name of the owner or owners of the estray, if known, together with the date on which the estray was taken and the amount of damages claimed.

§ 12-__.5 Annual report required.

The farm animal control contractor shall render a full report of its activities and operations relating to the impounding of estrays to the city and the council within one month after the end of each fiscal year. The report must include, among other things, the number of complaints regarding estrays communicated to the city, the number of estrays actually impounded by the farm animal control contractor, and the number of estrays returned to their owners by the farm animal control contractor.

§ 12-__.6 Notice and method of humane disposal.

The farm animal control contractor shall publish a notice in a newspaper of general circulation in the city as soon as possible from the time of impounding of any estray, giving a full description of the same together and with an announcement on the day the estray will be set for humane disposal. The farm animal control contractor shall give a reasonable time for the owner of the estray to claim the estray. If the owner does not claim the estray within a reasonable time, the farm animal control contractor may proceed with the humane disposal of the estray."

SECTION 3. The Revisor of Ordinances shall, pursuant to the Revisor's authority under SECTION 2 of Ordinance 23-7, update the Reporting Requirements Table to include the reporting requirements enacted by SECTION 2 of this ordinance.

A BILL FOR AN ORDINANCE

SECTION 4. This ordinance takes effect on July 1, 2026.

INTRODUCED BY:

Andria Tupola

Tyler Dos Santos-Tam

DATE OF INTRODUCTION:

January 7, 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:
Poundmasters; Farm Animal Control Contractor

Description:
Replaces the repealed ROH article related to poundmasters with a new article addressing the duties and functions of a farm animal control contractor. Takes effect on July 1, 2026.

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