



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

ORDINANCE \_\_\_\_\_  
BILL 19 (2026)

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**A BILL FOR AN ORDINANCE**

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RELATING TO THE BUILDING 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 amend building code provisions.

The City Council finds that it is prudent to adopt a balanced approach that protects public safety while acknowledging the practical realities of the construction process. Establishing clear criteria for temporary certificate of occupancy issuance, defining what constitutes "non-substantial changes," and creating a transparent process for documentation and conversion to final certificates of occupancy would significantly improve the efficiency of the building permit process in the City and County of Honolulu.

SECTION 2. Section 16-1.1, Revised Ordinances of Honolulu 2021 ("Hawaii State Building Code"), as amended by Ordinance 25-11, is amended by amending Amendment (17) to read as follows:

"(17) Adding Section 111. Section 111 of the International Building Code, 2018 Edition, is added by reference and made a part of this code, except Section 111.1[;] and Section 111.3, which [is] are amended to read:

**111.1 Change of occupancy.**

A building or structure shall not be used or occupied, and a change of occupancy of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

**Exception:**

1. Certificates of occupancy are not required for work exempt from permits in accordance with ROH Chapter 18.
2. The provisions of Section 111.1 are not applicable to the following:
  - (a) For R-3 Occupancies, see Residential Code Section R110.1.
  - (b) Group U Occupancies.



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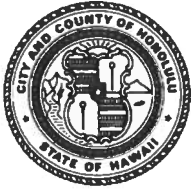
(c) For work exempted from permits.

**111.3 Temporary occupancy.** The *building official* is authorized to issue a temporary certificate of occupancy for a building or structure, or portion thereof, before the completion of the entire work covered by the permit; provided that such portion or portions can be occupied safely and without endangering public health, welfare, or safety. The purpose of the temporary certificate of occupancy is to allow for reasonable occupancy of substantially completed projects while minor remaining construction work or plan modifications are being addressed.

**111.3.1 Eligibility criteria.** A temporary certificate of occupancy may be issued when:

- (a) The building or structure or portion thereof proposed for occupancy has been inspected by the *building official* and found to substantially conform to the provisions of the building code and other applicable laws;
- (b) All life safety systems serving the area to be occupied are fully operational and have passed required inspections;
- (c) All required exit ways, emergency lighting, and fire protection systems in the area to be occupied are complete and operational;
- (d) The water supply, sewage disposal, and storm drainage systems are functional and capable of supporting the intended occupancy;
- (e) The building or structure is weather-tight with functional utilities; and
- (f) Any remaining work is of a nature that will not create a hazard to the occupants or the general public.

If a temporary certificate of occupancy is denied, the *building official* shall provide written notice of the reason for denial and state the necessary corrective action, if any.

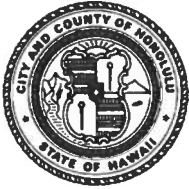


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### **111.3.2 Non-substantial changes to approved plans.**

- (a) For purposes of issuing a temporary certificate of occupancy, non-substantial changes to approved plans shall not, by themselves, prevent the issuance of a temporary certificate of occupancy.
- (b) "Non-substantial change" means a modification that does not affect:
  - (1) The square footage of the project for the purpose of complying with zoning rules;
  - (2) The occupancy classification of a space that could affect fire prevention requirements;
  - (3) The number of dwelling or sleeping units; or
  - (4) The number of plumbing fixture units.
- (c) Examples of non-substantial changes include but are not limited to:
  - (1) Minor adjustments to interior non-load-bearing walls;
  - (2) Changes to door types or hardware that maintain required egress and fire ratings;
  - (3) Modifications to electrical, mechanical, or plumbing systems that do not reduce system capacity or safety;
  - (4) Substitution of approved equivalent materials or fixtures; and
  - (5) Changes to finish materials or cabinetry layouts.
- (d) The *building official* may require documentation of non-substantial changes for recordkeeping purposes but shall not require formal resubmission and approval of amended plans for such changes prior to issuing a temporary certificate of occupancy.



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**A BILL FOR AN ORDINANCE**

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**111.3.3 Duration and renewal.**

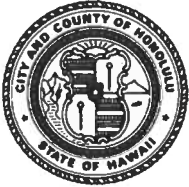
- (a) A temporary certificate of occupancy shall be valid for a period of 365 days from the date of issuance.
- (b) The *building official* may, upon written request showing reasonable cause, grant up to three extensions of the temporary certificate of occupancy for additional periods not exceeding 90 days each.
- (c) A request for extension must be submitted at least 14 days prior to the expiration of the current temporary certificate of occupancy and shall include:
  - (1) A description of the specific work remaining to be completed;
  - (2) An explanation of why the work was not completed during the previous temporary certificate of occupancy period; and
  - (3) A timeline for completion of all remaining work.

**111.3.4 Fees.**

- (a) The fee for the initial issuance of a temporary certificate of occupancy shall be \$250.
- (b) The fee for each extension of a temporary certificate of occupancy shall be \$150.
- (c) All fees collected pursuant to this section shall be deposited in the general fund.

**111.3.5 Conditions and inspections.**

- (a) During the period that a temporary certificate of occupancy is in effect, the *building official* may conduct periodic inspections of the building or structure to verify continued compliance with applicable codes and the conditions of the temporary certificate of occupancy.



**HONOLULU CITY COUNCIL**  
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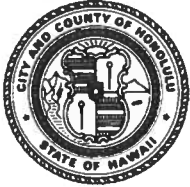
- (b) The *building official* shall provide the permit holder with a clear, itemized list of all remaining items to be completed before issuance of a final certificate of occupancy.

**111.3.6 Conversion to final certificate of occupancy.**

- (a) Upon completion of all remaining work and required inspections, or upon correction of all noted conditions, the *building official* shall issue a final certificate of occupancy.
- (b) If substantial changes to the approved plans are necessary after temporary certificate of occupancy issuance, the *building official* may require submission of amended plans for review and approval prior to issuing the final certificate of occupancy, but such requirement shall not invalidate the existing temporary certificate of occupancy unless the changes create an immediate life safety hazard.

**111.3.7 Revocation.**

- (a) The *building official* may revoke a temporary certificate of occupancy under only the following circumstances:
- (1) Discovery of an immediate life safety hazard;
  - (2) Failure to maintain operational fire protection systems;
  - (3) Unauthorized occupancy of portions of the building not covered by the temporary certificate of occupancy; or
  - (4) Failure to maintain continuous progress toward completion of required corrections without reasonable cause.
- (b) Prior to revocation, the *building official* shall provide written notice to the permit holder identifying the specific grounds for revocation and allowing a reasonable time of not less than seven calendar days to remedy the issue unless an immediate life safety hazard exists.



**HONOLULU CITY COUNCIL**  
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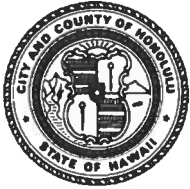
**111.3.8 Construction changes documentation.**

- (a) The *building official* shall establish a streamlined process for documenting non-substantial construction changes that occur during the building process.
- (b) Such documentation shall be maintained in the project file but shall not require the same level of review as the original permit application or substantial changes.
- (c) The *building official* shall publish clear guidelines and examples of what constitutes substantial and non-substantial changes to assist permit holders in determining appropriate documentation requirements."

SECTION 3. Section 16-1.2, Revised Ordinances of Honolulu 2021 ("Adoption of the Hawaii State Residential Code"), as amended by Ordinance 25-11, is amended by amending Amendment (15) to read as follows:

"(15) Amending Section R110.4. Section R110.4 of the International Residential Code, 2018 Edition, is amended to read:

**R110.4 Temporary occupancy.** The *building official* is authorized to issue a temporary certificate of occupancy for a building or structure, or portion thereof, before the completion of ~~[the entire]~~ all work covered by the permit; provided that ~~[the] such~~ such portion or portions ~~[that are subject to the temporary certificate]~~ can be occupied safely and ~~[is or are in compliance with the requirements of this code.]~~ without endangering public health, welfare, or safety. ~~[The *building official* shall set a time period during which the temporary certificate of occupancy is valid.]~~ The purpose of the temporary certificate of occupancy is to allow for reasonable occupancy of substantially completed projects while minor remaining construction work or plan modifications are being addressed.



**HONOLULU CITY COUNCIL**  
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CITY AND COUNTY OF HONOLULU

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BILL **19 (2026)**

---

**A BILL FOR AN ORDINANCE**

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**R110.4.1 Eligibility criteria.** A temporary certificate of occupancy may be issued when:

- (a) The building or structure or portion thereof proposed for occupancy has been inspected by the *building official* and found to substantially conform to the provisions of the building code and other applicable laws;
- (b) All life safety systems serving the area to be occupied are fully operational and have passed required inspections;
- (c) All required exit ways, emergency lighting, and fire protection systems in the area to be occupied are complete and operational;
- (d) The water supply, sewage disposal, and storm drainage systems are functional and capable of supporting the intended occupancy;
- (e) The building or structure is weather-tight with functional utilities; and
- (f) Any remaining work is of a nature that will not create a hazard to the occupants or the general public.

If a temporary certificate of occupancy is denied, the *building official* shall provide written notice of the reason for denial and state the necessary corrective action, if any.

**R110.4.2 Non-substantial changes to approved plans.**

- (a) For purposes of issuing a temporary certificate of occupancy, non-substantial changes to approved plans shall not, by themselves, prevent the issuance of a temporary certificate of occupancy.
- (b) "Non-substantial change" means a modification that does not affect:
  - (1) The square footage of the project for the purpose of complying with zoning rules;
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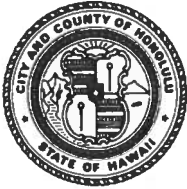
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- (3) The number of dwelling or sleeping units; or
- (4) The number of plumbing fixture units.
- (c) Examples of non-substantial changes include, but are not limited to:
  - (1) Minor adjustments to interior non-load-bearing walls;
  - (2) Changes to door types or hardware that maintain required egress and fire ratings;
  - (3) Modifications to electrical, mechanical, or plumbing systems that do not reduce system capacity or safety;
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  - (5) Changes to finish materials or cabinetry layouts.
- (d) The *building official* may require documentation of non-substantial changes for record purposes but shall not require formal resubmission and approval of amended plans for such changes prior to issuing a temporary certificate of occupancy.

**R110.4.3 Duration and renewal.**

- (a) A temporary certificate of occupancy shall be valid for a period of 365 days from the date of issuance.
- (b) The *building official* may, upon written request showing reasonable cause, grant up to three extensions of the temporary certificate of occupancy for additional periods not exceeding 90 days each.
- (c) A request for extension must be submitted at least 14 days prior to the expiration of the current temporary certificate of occupancy and shall include:
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- (3) A timeline for completion of all remaining work.

**R110.4.4 Fees.**

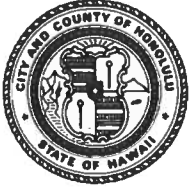
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- (a) During the period that a temporary certificate of occupancy is in effect, the *building official* may conduct periodic inspections of the building or structure to verify continued compliance with applicable codes and the conditions of the temporary certificate of occupancy.
- (b) The *building official* shall provide the permit holder with a clear, itemized list of all remaining items to be completed before issuance of a final certificate of occupancy.

**R110.4.6 Conversion to final certificate of occupancy.**

- (a) Upon completion of all remaining work and required inspections, or upon correction of all noted conditions, the *building official* shall issue a final certificate of occupancy.
- (b) If substantial changes to the approved plans are necessary after temporary certificate of occupancy issuance, the *building official* may require submission of amended plans for review and approval prior to issuing the final certificate of occupancy; provided that such requirement shall not invalidate the existing temporary certificate of occupancy unless the changes create an immediate life safety hazard.



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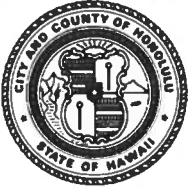
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- (b) Such documentation shall be maintained in the project file but shall not require the same level of review as the original permit application or substantial changes.
- (c) The *building official* shall publish clear guidelines and examples of what constitutes substantial and non-substantial changes to assist permit holders in determining appropriate documentation requirements."

SECTION 4. 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 5. This ordinance takes effect upon its approval.

INTRODUCED BY:

*A. Ispola*

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DATE OF INTRODUCTION:

FEB 12 2026

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:**

Building Code; Residential Code; International Building Code; International Residential Code; Building Permit; Building Official; Certificate of Occupancy; Temporary Certificate of Occupancy

**Description:**

Amends the City's Building Code to address temporary certificates of occupancy.

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