



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

ORDINANCE _____
BILL **35(2026)**

A BILL FOR AN ORDINANCE

RELATING TO STREETS, SIDEWALKS, MALLS, AND OTHER PUBLIC PLACES.

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

SECTION 1. Purpose. The purpose of this ordinance is to amend and repeal certain outdated, obsolete, or unnecessary provisions relating to curbside tellers.

SECTION 2. Section 13-1.1, Revised Ordinances of Honolulu 2021 ("Definitions"), is amended by repealing the definition of "Curbside Teller" as follows:

~~["**Curbside Teller.** Any structure that encroaches in whole or in part over or on a public sidewalk and is used to assist patrons of financial institutions to deposit funds or otherwise transact business with these institutions."]~~

SECTION 3. Section 13-6A.2, Revised Ordinances of Honolulu 2021 ("Peddling by merchant of a store on a portion of a Chinatown sidewalk or mall, the College Walk Mall, the Sun Yat Sen Mall, or Historic Moiliili sidewalk"), is amended by amending subsection (b) to read as follows:

- "(b) (1) The city executive department designated by the mayor shall prohibit a merchant from peddling on any portion of a sidewalk or mall if the department determines that the peddling will result in any of the following:
- (A) The material impedance or obstruction of pedestrian traffic on the sidewalk or mall;
 - (B) A violation of the federal Americans with Disabilities Act;
 - (C) The jeopardy of the public safety;
 - (D) An inconsistency with the objectives of the Chinatown special district as set forth under § 21-9.60 et seq.; or
 - (E) The obstruction of a mailbox, fire hydrant, ~~[curbside teller,]~~ newsstand, or other structure permitted under Article 8.
- (2) Alternatively, the designated city department may limit a merchant to peddling on a portion of a sidewalk or mall less than the 18 inches or 48 inches specified under subsection (a) if the department determines that



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the limitation is necessary to prevent any of the occurrences listed under subsection (b)(1)(A) through (E). If imposing the limitation, the designated city department shall notify the merchant of the limited portion of the sidewalk or mall upon which the merchant may peddle."

SECTION 4. Section 13-8.1, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 13-8.1 Permit required.

A person may not establish, construct, maintain, keep, or operate a newsstand[~~curbside teller,~~] or any other structure or appliance on, above, or below a public sidewalk or mall without a permit as provided herein, or as may be provided by law."

SECTION 5. Section 13-8.4, Revised Ordinances of Honolulu 2021, is repealed.

~~["§ 13-8.4 Curbside tellers.~~

- ~~(a) — The director of budget and fiscal services shall issue permits authorizing curbside tellers on, above, or below public sidewalks and malls in accordance with the provisions and conditions contained herein.~~
- ~~(b) — Each permit is valid for the period that fees are assessed and paid.~~
- ~~(c) — The permit is nontransferable, except to the mortgagee of a duly recorded mortgage or to a purchaser at a foreclosure sale conducted pursuant to the terms and conditions of the mortgage. The transferee has all of the rights granted by the permit and is subject to all of the requirements contained herein.~~
- ~~(d) — Upon the breach of any condition or violation of this article, the director of budget and fiscal services shall suspend the permit until the breach of condition or violation is corrected.~~
- ~~(e) — The permittee shall surrender the permit to the director of budget and fiscal services upon the removal of all curbside tellers authorized by the permit.~~
- ~~(f) — A written application must be filed with the director of budget and fiscal services that includes;~~



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- ~~(1) — The name of the applicant and the name under which the business is conducted;~~
- ~~(2) — The address and telephone number of the applicant;~~
- ~~(3) — The total number of curbside tellers to be covered by the permit;~~
- ~~(4) — The location of each curbside teller;~~
- ~~(5) — The name and address of any mortgagee under a duly recorded mortgage to which the curbside tellers would be subject; and~~
- ~~(6) — The signature of the applicant or of a person authorized to execute instruments on behalf of the applicant.~~
- ~~(g) — The following documents must be filed with each application:~~
 - ~~(1) — A certificate of insurance or a copy of a public liability insurance policy, issued by a carrier, to be approved by the director of budget and fiscal services, and naming specifically the applicant, the city, and the State, and any other parties designated by the applicant as assureds, and generally the owners, lessees, and occupants of property abutting the public sidewalk or mall where each curbside teller is located as assureds, covering any claim or liability for damages, injuries, or deaths, resulting from the placement, condition, or use of the curbside teller or in any way connected with the curbside teller. The policy must also include automatic coverage for curbside tellers added or relocated after the application is filed. The minimum amount of coverage under such policy must be \$100,000 for injuries or death to any one person, \$300,000 for injuries or deaths involving two or more persons arising from any one occurrence, and \$10,000 property damage for each occurrence. The policy must be kept in force during the entire period of the permit. Neither the applicant nor the carrier may cancel the policy, except upon 30 days prior written notice to the director of budget and fiscal services.~~
 - ~~(2) — Written approval from the chief of police that the requested location and size of each curbside teller does not constitute a hazard to or impede the traffic of pedestrians or vehicles.~~



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- ~~(3) — Written approval from the chief engineer of the department of facility maintenance that the size, design, construction, and specification of each particular type of curbside teller are satisfactory for public safety.~~
- ~~(4) — Written authorization signed by any mortgagee under a duly recorded mortgage to which the curbside tellers are subject.~~
- ~~(h) — Hazardous structures.~~
- ~~(1) — The chief of police shall send written notice to the permittee and the mortgagees mentioned herein whenever the chief determines that the condition or location of a curbside teller constitutes a hazard to the public or is impeding traffic. The chief of police shall send a copy of the notice to the director of budget and fiscal services.~~
- ~~(2) — Within 24 hours of receipt of the notice, the permittee or mortgagee, or both, shall remove or correct the condition of the curbside teller. The chief of police shall send written notice to the director of budget and fiscal services at the end of the 24-hour period stating what action, if any, the permittee or mortgagee, or both, has taken.~~
- ~~(3) — Upon receipt of notification that the permittee or mortgagee, or both, has failed to take the necessary action, the director of budget and fiscal services shall suspend the permit and notify the council of the suspension.~~
- ~~(i) — Conditions of permit. Permits will be issued subject to the following conditions:~~
- ~~(1) — The permittee shall maintain a current public liability insurance policy, required by this section, at all times during the effective period of the permit.~~
- ~~(2) — The permittee may not add or relocate any curbside teller after the filing of the application without amending the permit to specify the number and locations of additional curbside tellers and the new locations of relocated curbside tellers and without the approval of the chief of police and the chief engineer of the department of facility maintenance as provided under subsection (g) for the additional or relocated curbside tellers. The approval of the chief engineer of the department of facility maintenance is not necessary if the curbside teller is of a type previously approved.~~



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- ~~(3) — The permittee shall give written notice to the director of budget and fiscal services whenever a curbside teller is permanently vacated.~~
- ~~(j) — The applicant need not be franchised; however, only applicants who are authorized to do business in the State as a bank, savings and loan association, credit union, or financial services loan company are eligible for the permit.~~
- ~~(k) — A fee of \$200 per year for each curbside teller covered by the permit, or added by amendment thereto, will be charged and collected by the director of budget and fiscal services at the time of issuance, reissuance, or amendment of the permit. Only one permit will be issued to each applicant."~~

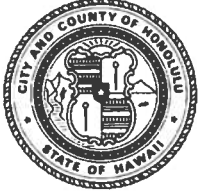
SECTION 6. Section 13-8.11, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"13-8.11 Violation—Penalty.

Any person establishing, constructing, maintaining, keeping, or operating a newsstand[~~, curbside teller,~~] or any other structure or appliance on, above, or below a public sidewalk or mall without a valid permit as provided herein will, upon conviction, be deemed guilty of a misdemeanor and punished by a fine not exceeding \$1,000 or by imprisonment not exceeding one year, or by both."

SECTION 7. Section 13-10.3, Revised Ordinances of Honolulu 2021 ("Powers and duties of the department"), is amended by amending subsection (e) to read as follows:

- "(e) *Newsstands[~~;~~] and dumpsters[~~, and so forth~~].* The department shall confer with the director of budget and fiscal services relative to permits and placement of newsstands [~~and curbside tellers, which~~] that are under the jurisdiction of the director of budget and fiscal services as provided in Article 8. The department, in consultation with the department of planning and permitting, may allow the temporary placement of dumpsters on a mall during a period of construction where the city has entered into a development agreement for construction on the mall and where the establishments abutting the mall cannot accommodate the dumpster on their property during the period of construction."



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SECTION 8. 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 9. This ordinance takes effect upon its approval; provided that this ordinance shall not apply to any permits for curbside tellers issued by the city prior to the date of enactment of this ordinance.

INTRODUCED BY:



DATE OF INTRODUCTION:

APR 30 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:

Curbside Teller; Streets; Sidewalks; Public Malls; Structures; Repeal

Description:

Repeals and amends provisions governing curbside tellers.

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