CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 7 (2020), CD1, FD1

A BILL FOR AN ORDINANCE

RELATING TO SEWER SYSTEMS.

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

SECTION 1. Purpose. The purpose of this ordinance is to address unsewered properties with individual wastewater disposal systems within improvement districts.

SECTION 2. Section 14-3.1, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"**Sec. 14-3.1 Connections within improvement districts.**

(a) No lateral installation charge shall be made for one or more original laterals to an original lot which is being or has been assessed in accordance with the improvement district ordinance, unless this lot has later been rezoned for higher usage and the owner desires an additional lateral or the lot is required to be served by a relief sewer which has been or will be constructed to relieve an inadequate existing sewer.

(b) No lateral installation charge shall be made for one or more original laterals to a property within an improvement district when the property is served by an existing properly functioning individual wastewater disposal system, other than a cesspool, permitted by the DOH and constructed pursuant to Section 14-1.6(c); provided that if the owner or person legally responsible subsequently wishes to connect to the sanitary sewer system, the owner or person legally responsible shall be required to pay the lateral installation charge.

If a property within an improvement district served by an existing properly functioning individual wastewater disposal system, other than a cesspool, permitted by the DOH and constructed pursuant to Section 14-1.6(c) is required to connect to the public sewer system, then the owner or person legally responsible shall not be required to pay the lateral installation charge for a period of 25 years following connection to the public sewer system; provided that if such property is sold or otherwise transferred, except for a transfer due to the death of the property owner, prior to the end of the 25-year period, then the owner of the property, or person legally responsible, following such sale or other transfer shall be required to pay the lateral installation charge immediately following such sale or other transfer."

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SECTION 3. Section 14-6.1, Revised Ordinances of Honolulu 1990 ("Liability for payment"), is amended by amending subsection (a) to read as follows:

"(a) All customers who are connected, directly or indirectly, to the public sewer system as defined herein shall pay a sewer service charge.

If a property within an improvement district served by an existing properly functioning individual wastewater disposal system, other than a cesspool, permitted by the DOH and constructed pursuant to Section 14-1.6(c) is required to connect to the public sewer system, then the owner or person legally responsible shall not be required to pay sewer service charges for a period of 25 years following connection to the public sewer system; provided that if such property is sold or otherwise transferred, except for a transfer due to the death of the property owner, prior to the end of the 25-year period, then the owner of the property, or personal legally responsible, following such sale or other transfer shall be required to pay a sewer service charge immediately following such sale or other transfer."

SECTION 4. Section 14-23.2, Revised Ordinances of Honolulu 1990 ("Use of public sewers"), is amended by amending subsection (a) to read as follows:

"(a) For the construction of sanitary sewer systems, the specially benefitted area of the lands within an improvement district shall be assessed, except as hereinafter provided, at the following rates: 25 cents per square foot for residential, agricultural, parks and recreation, preservation, public and military development planned areas; 31 cents per square foot for commercial and industrial development planned areas; and 37 cents per square foot for apartment and resort development planned areas. The balance of the cost shall be borne by the city. An unsewered property that is within an improvement district and is served by an existing properly functioning individual wastewater disposal system, other than a cesspool, permitted by the DOH and constructed pursuant to Section 14-1.6(c) shall not be subject to an assessment charge; provided that if the owner or person legally responsible subsequently wishes to connect to the sanitary sewer system, the property shall be assessed at the then prevailing rate.

If a property within an improvement district served by an existing properly functioning individual wastewater disposal system, other than a cesspool, permitted by the DOH and constructed pursuant to Section 14-1.6(c) is required to connect to the public sewer system, then the owner or person legally responsible shall not be subject to an assessment charge for a period of 25 years following connection to the public sewer system; provided that if such property is

sold or otherwise transferred, except for a transfer due to the death of the property owner, prior to the end of the 25-year period, then the owner of the property, or person legally responsible, following such sale or other transfer shall be assessed at a rate as set forth in this subsection immediately following such sale or other transfer."

SECTION 5. 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.

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SECTION 6. This ordinance takes effect upon its approval.

INTRODUCED BY:

Ikaika Anderson

DATE OF INTRODUCTION:

February 6, 2020
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

KIRK CALDWELL, Mayor
City and County of Honolulu