



A BILL FOR AN ORDINANCE

RELATING TO THE REGULATION OF FIREWORKS.

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

SECTION 1. The purpose of this ordinance is to regulate the use of fireworks.

SECTION 2. Chapter 20, Revised Ordinances of Honolulu 1990 ("Fire Code of the City and County of Honolulu"), is amended by adding a new article to be appropriately designated by the revisor of ordinances and to read as follows:

"Article __. Regulation of Fireworks

Sec. 20-__.1 Definitions.

As used in this article:

"Aerial device" means any fireworks containing 130 milligrams or less of explosive materials that produces an audible or visible effect and is designed to rise into the air and explode or detonate in the air or to fly about above the ground. "Aerial devices" classified as fireworks under UN0336 and UN0337 by the United States Department of Transportation as set forth in Title 49 Code of Federal Regulations include firework items commonly known as bottle rockets, sky rockets, missile-type rockets, helicopters, torpedoes, daygo bombs, roman candles, flying pigs, and jumping jacks that move about the ground farther than a circle with a radius of 12 feet as measured from the point where the item was placed and ignited, aerial shells, and mines.

"Articles pyrotechnic" means pyrotechnic devices for professional use similar to consumer fireworks in chemical composition and construction but not intended for consumer use that meet the weight limits for consumer fireworks but are not labeled as such, and that are classified as UN0431 or UN0432 by the United States Department of Transportation.

"City" means the City and County of Honolulu.

"Consignee" means a merchant to which goods are delivered in a consignment.

"Consignment" means a transaction, regardless of its form, in which a person delivers goods to a merchant for the purpose of sale and:

- (1) The merchant:



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- (A) Deals in goods of that kind under a name other than the name of the person making delivery;
 - (B) Is not an auctioneer; and
 - (C) Is not generally known by its creditors to be substantially engaged in selling the goods of others;
- (2) With respect to each delivery, the aggregate value of the goods is \$1,000 or more at the time of delivery;
 - (3) The goods are not consumer goods immediately before delivery; and
 - (4) The transaction does not create a security interest that secures an obligation.

“Consumer fireworks” means any fireworks designed primarily for retail sale to the public during authorized dates and times, that produces visible or audible effects by combustion, and that is designed to remain on or near the ground and, while stationary or spinning rapidly on or near the ground, emits smoke, a shower of colored sparks, whistling effects, flitter sparks, or balls of colored sparks, and includes combination items that contain one or more of these effects. “Consumer fireworks” include firecrackers, snakes, sparklers, fountains, and cylindrical or cone fountains that emit effects up to a height not greater than 12 feet above the ground, illuminating torches, bamboo cannons, whistles, toy smoke devices, wheels, and ground spinners that when ignited remain within a circle with a radius of 12 feet as measured from the point where the item was placed and ignited, novelty or trick items, combination items, paperless firecrackers, and other fireworks of like construction that are designed to produce the same or similar effects.

“Display fireworks” means: 1) any fireworks used for exhibition display by producing visible or audible effects and classified as display fireworks or contained in the regulations of the United States Department of Transportation and designated as UN0333, UN0334, or UN0335, and includes salutes containing more than two grains (130 milligrams) of explosive materials, aerial shells containing more than 40 grams of pyrotechnic compositions, and other display pieces which exceed the limits of explosive materials for classification as “consumer fireworks”; 2) any fireworks or articles pyrotechnic used for movie or television production activities; and 3) any fireworks or articles pyrotechnics used for a theatrical production or sporting event. This term also includes fused set pieces containing components, which together exceed 50 milligrams of salute power.



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“Firecracker” means single paper cylinders not exceeding one and one-half inches in length excluding the fuse and one-quarter of an inch in diameter and containing a charge of not more than 50 milligrams of pyrotechnic composition.

“Fireworks” means any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation including, but not limited to, aerial devices, articles pyrotechnic or consumer or display fireworks as defined by this article or contained in the regulations of the United States Department of Transportation as set forth in Title 49 Code of Federal Regulations. The term “fireworks” shall not include any explosives or pyrotechnics regulated under Chapter 396 of the Hawaii Revised Statutes or automotive safety flares, nor shall the term be construed to include toy pistols, toy cannons, toy guns, party poppers, pop-its, or other devices which contain twenty-five hundredths of a grain or less of explosive substance.

“Import” means to transport or attempt to transport fireworks into the city or to cause fireworks to be transported into the city.

“License” means a formal authorization issued by the fire chief pursuant to this chapter to engage in the specifically designated act or acts.

“Permit” means a formal authorization issued by the fire chief to engage in the specifically designated act or acts.

“Place of entertainment” means a theater, dinner theater, hall, coliseum, convention center, arena, auditorium, stadium, concert hall, garden, outdoor space or other place of amusement at which theatrical productions, sporting events or other events are presented.

“Pyrotechnic composition” or “pyrotechnic contents” means the combustible or explosive component of fireworks.

“Sporting event” means those contests, games, or other events involving athletic or physical skills which are shown to the public in a place of entertainment.

“Theatrical production” means live-staged dramatic productions, musical productions and concerts, which are shown to the public at a place of entertainment as defined in this section.



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Sec. 20-__2 Prohibitions; Permitted uses.

Except as otherwise provided in this article:

- (1) It shall be unlawful for any person to possess, use, explode or cause to explode any consumer fireworks within the city.
- (2) It shall be unlawful for any person to possess, use, explode or cause to explode any aerial device, articles pyrotechnic or display fireworks within the city.
- (3) It shall be unlawful for any person to import, store, sell, keep or offer for sale, expose for sale any fireworks within the city.

Sec. 20-__3 Exceptions.

The prohibitions in Section 20-__2 shall not apply to:

- (a) The import, storage, sale and use by a person having obtained a license or permit for display fireworks pursuant to Sections 20-__4 and 20-__12;
- (b) The import, storage, sale and use by a person having obtained a license or permit for firecrackers pursuant to Sections 20-__4 and 20-__13;
- (c) The use of flares, noisemakers, or signals for warning, pest control, or illumination purposes by the police and fire departments, utility companies, transportation agencies, and other governmental or private agencies or persons, including agricultural operations, in connection with emergencies, their duties, or business; or
- (d) The sale or use of blank cartridges for a show or theater, or for signal, commercial, or institutional purposes in athletics or sports.

Sec. 20-__4 License to import, store and sell display fireworks or firecrackers.

- (a) License Required. It shall be unlawful for any person to import, store, offer to sell, sell, at wholesale or retail, for use in the city, any display fireworks or firecrackers, unless such person shall first secure a license.
- (b) Said licenses shall be issued by the fire chief and shall be nontransferable. Licenses shall specify the date of issuance or effect and the date of expiration, which shall be March 31 of each year. The application shall be made on a form



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setting forth the date upon which the importations are to begin, the address of the importer, and the name of the proprietor or, if a partnership, the name of the partnership and the names of all partners or, if a corporation, the name of the corporation and the names of its officers. If the fire chief discovers at a later date that a licensee has been convicted of a violation of any provision of this article, the licensee's license shall be revoked and no new license shall be issued to the licensee for two years.

- (c) Each storage, wholesaling, and retailing facility or site shall be required to obtain a separate license. Any license issued pursuant to this article may be revoked by the fire chief if the licensee violates any provision of this article or if the licensee stores or handles the fireworks in such a manner as to present an unreasonable safety hazard.
- (d) Display fireworks or firecrackers shall only be sold or transferred by a seller to a person with a valid permit under Sections 20-____.12 or 20-____.13. No person with a valid permit under Sections 20-____.12 or 20-____.13 shall sell or transfer display fireworks or firecrackers to any other person.
- (e) Any license issued pursuant to this article shall be prominently displayed in public view at each licensed location.
- (f) Display fireworks or firecrackers shall only be imported and stored, if necessary, in an amount sufficient for an anticipated three-month inventory; provided that if a licensee provides display fireworks, firecrackers or articles pyrotechnic more than once a month, the licensee may import or store, if necessary, sufficient display fireworks, firecrackers or articles pyrotechnic for a six-month inventory.

Sec. 20-___.5 Requirements of licensee.

- (a) Any person who has obtained a license under Section 20-____.4 and imports display fireworks or firecrackers into the city or transports such items within the city shall:
 - (1) Clearly designate the types of display fireworks or firecrackers in each shipment on the bill of lading or shipping manifest with specificity;
 - (2) Declare on the bill of lading or shipping manifest the gross weight of display fireworks or firecrackers to be imported in each shipment and the location of the storage facility, if applicable, in which the display fireworks or firecrackers are to be stored;



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- (3) Prior to shipment and when booking each shipment of display fireworks or firecrackers notify the fire chief regarding whether the shipment will be distributed from:
 - (A) Pier to pier;
 - (B) Pier to warehouse or storage facility; or
 - (C) Pier to redistribution; and
 - (4) At the time shipping is booked, the licensee shall notify the fire chief in writing of the expected shipment's landing date.
- (b) The fire chief may inspect any shipment declared on the shipping manifest as fireworks or articles pyrotechnic.
 - (c) The facility in which display fireworks or firecrackers are to be stored shall have received approval 15 days prior to the shipment's arrival from the fire chief and meet all state and city fire and safety codes.
 - (d) Any shipping company that receives fireworks that are imported into the city shall notify the fire chief as to whether the shipment will be distributed from:
 - (1) Pier to pier;
 - (2) Pier to warehouse or storage facility; or
 - (3) Pier to redistribution.

Sec. 20-___.6 Fees—Use of revenues.

The fee for the license required under Section 20-____.4 shall be \$3,000 for importers, \$2,000 for each wholesaler's site, \$1,000 for each storage site, and \$500 for each retailer's site for each year or fraction of a year in which the licensee plans to conduct business and shall be payable to the city. The license fees shall be used solely by the fire department to pay for:

- (1) Expenses relating to the audit of fireworks, including the inspection of inventory and storage facilities, maintenance of required records, and the training of auditors;
- (2) Expenses relating to education regarding compliance with this Article; and



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(3) Expenses relating to the enforcement of this Article.

Sec. 20-___.7 Minors.

It shall be unlawful for any person to offer for sale, sell, or give any display fireworks or firecrackers to minors, and for any minor to possess, purchase, sell, or set off, ignite, or otherwise cause to explode any display fireworks or firecrackers.

Sec. 20-___.8 Liability of parents or guardians.

The parents, guardian, and other persons having the custody or control of any minor, who knowingly permits the minor to possess, purchase, or set off, ignite, or otherwise cause to explode any fireworks or articles pyrotechnic, shall be deemed to be in violation of this article and shall be subject to the penalties in Section 20-___.9.

Sec. 20-___.9 Penalty.

- (a) Any person violating Section 20-___.2(a) shall be sentenced to a fine of not less than \$200 and not more than \$1,000 or by imprisonment of not more than 30 days or by both such fine and imprisonment.
- (b) Any person violating any provision of this article, other than Section 20-___.2(a) shall be sentenced to a fine of not less than \$250 and not more than \$2,000 or by imprisonment of not more than one year or by both such fine and imprisonment.
- (c) In addition to the penalties provided in subsections (a) and (b), if the person is licensed to sell fireworks, the court may, in addition to the foregoing penalties, revoke or suspend such license. No license shall be issued to any person whose license has been so revoked or suspended until the expiration of two years after such revocation or suspension.

Sec. 20-___.10 Notice requirements.

Each licensed retail outlet shall post adequate notice that clearly cautions each person purchasing display fireworks or firecrackers of the prohibitions, liabilities, and penalties set forth in Sections 20-___.7, 20-___.8 and 20-___.9.

Sec. 20-___.11 Forfeiture.

Any property used or intended for use in the commission of, attempt to commit, or conspiracy to commit any violation of this article, or that facilitated or assisted such



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activity, and any proceeds or other property acquired or maintained with the proceeds from the violation of this article may be subject to forfeiture pursuant to Hawaii Revised Statutes chapter 712A.

Sec. 20-__ .12 Permit for display fireworks.

- (a) Any person desiring to set off, ignite, or discharge display fireworks for a display shall apply to, and obtain a permit from the fire chief not less than 20 days before the date of the display.
- (b) The application shall state, among other things:
 - (1) The name, age, and address of the applicant;
 - (2) The name, age, and address of the person who will operate the display fireworks, and verification that the person is a licensed pyrotechnic operator;
 - (3) The time, date, and place of the use of the display fireworks;
 - (4) The type and quantity of aerial devices, display fireworks, or articles pyrotechnic to be used; and
 - (5) The purpose or occasion for which the display fireworks will be presented.
- (c) Liability Coverage Required.
 - (1) In addition to any other requirements, an applicant for a display fireworks permit must submit to the fire chief evidence of a general liability insurance policy in an amount of not less than \$1,000,000. A display fireworks permit may not be issued without evidence of general liability insurance as required by this section.
 - (2) The general liability insurance policy shall cover bodily injury and property damage caused by an occurrence involving the insured or the insured's servant, officer, agent, or employee in the use of display fireworks. The policy must continue to be in full force and effect for not less than 10 days after the date of the display.
 - (3) Evidence of the liability insurance policy required by this section must be in the form of a certificate of insurance issued by an insurer authorized to



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do business in the State of Hawaii and countersigned by an insurance agent licensed in the State of Hawaii.

The fire chief may require coverage in amounts larger than the minimum amounts set forth in subdivision (1) above if he deems it necessary or desirable in consideration of such factors as the location and scale of the display, the type of fireworks to be used and the number of spectators expected.

- (d) The fire chief, pursuant to duly adopted rules, shall issue the permit after being satisfied that the requirements of subsection (c) have been met, the display will be handled by a pyrotechnic operator duly licensed by the state, the display will not be hazardous to property, and the display will not endanger human life. The permit shall authorize the holder to display aerial devices, display fireworks, or articles pyrotechnic only at the place and during the time set forth therein, and to acquire and possess the specified aerial devices, display fireworks, or articles pyrotechnic between the date of the issuance of the permit and the time during which the display of those aerial devices, display fireworks, or articles pyrotechnic is authorized.
- (e) The fee for the permit to use display fireworks shall be \$110.00.

Sec. 20-__ .13 Permit for firecrackers.

- (a) Any person desiring to set off, ignite, discharge or otherwise cause to explode firecrackers on New Year's Eve, New Year's Day, Fourth of July, Chinese New Year's Day, or for cultural uses, such as, but not limited to, births, deaths, weddings, grand openings, blessings, anniversaries and other cultural uses shall apply to and obtain a permit from the fire chief.
- (b) The permit application shall be submitted to the fire chief not less than 10 days before the date of the use of the firecrackers, and shall state, among other things:
 - (1) The name, age, and address of the applicant;
 - (2) The purpose of the event or celebration for which the permit is requested; and
 - (3) The date, time and location of the use of the firecrackers.
- (c) No permit shall be allowed at any location where the fire chief deems that use of the firecrackers will pose a threat to public health or safety.



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- (d) The permit shall allow the use of firecrackers from 9:00 p.m. on New Year’s Eve to 1:00 a.m. on New Year’s Day; from 7:00 a.m. to 7:00 p.m. on Chinese New Year’s Day; or from 1:00 p.m. to 9:00 p.m. on the Fourth of July. A permit for a cultural use shall allow use from 9:00 a.m. to 9:00 p.m. on the day of the requested use.
- (e) Each permit shall allow the purchase and use of up to 5,000 individual firecrackers.
- (f) The fee for the permit to use firecrackers shall be \$25.00.
- (g) The permit shall be non-transferrable, and the permittee shall have the permit available for inspection at the location where the firecrackers are to be used.
- (h) The fire chief shall adopt rules for the administration and implementation of the permit program.

Sec. 20-__14 Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this article is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this article.”

SECTION 3. Section 20-1.1, Revised Ordinances of Honolulu 1990 (“Fire Code of the City and County of Honolulu”), is amended as follows:

- 1. By amending subsection (7) to read as follows:

“(7) Amending Section 105.8.

Section 105.8 is amended to read:

105.8 Permits, Licenses and Fees. A permit or license shall be obtained from the fire prevention bureau, or designated agency, prior to engaging in the following activities, operations, practices or functions:

- 1. Places of Assembly. To operate a place of assembly. Annual Permit Fee: \$100.00. For permit requirements see Section 2501.3.
- 2. Tents and Canopies. Permit Fee: \$100.00. For permit requirements see Section 3203.



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3. Application of Flammable Finishes. Annual Permit Fee: \$100.00. For permit requirements see Section 4501.3.

4. Flammable and Combustible Liquid Tank Installation. One-time Permit Fee: \$75.00 for tank capacity of 61 to 4,999 gallons; \$100.00 for tank capacity of 5,000 gallons or greater. For permit requirements see Section 7901.3.

5. Liquefied Petroleum Gas Container (Tank) Installation. One-time Permit Fee: \$100.00 for a single container or the aggregate of interconnected containers of 125-gallons water capacity or more. For permit requirements see Section 8202.1.

6. Fireworks Permits are required as authorized by [HRS Chapter 132D for the following:

6.1 Individual purchase of non-aerial common fireworks for designated holidays – New Year, Chinese New Year and the Fourth of July. Permit Fee: \$25.00 each.

6.2 Individual purchase and use of non-aerial common fireworks for cultural purposes, events, special occasions, etc., at times other than the designated holidays. Permit Fee: \$25.00 each.

6.3 Use or purchase of aerial common fireworks, special fireworks, or both for public displays or exhibitions.] Chapter 20, Article __, Revised Ordinances of Honolulu, for the following:

6.1 For display fireworks: Permit Fee: \$110.00 each.

6.2 For firecrackers: Permit Fee: \$25.00 each.

7. To import, store, offer to sell, or sell at wholesale or retail [aerial common fireworks, special fireworks, or non-aerial common fireworks, unless the person has a valid license, as authorized by HRS Chapter 132D.] display fireworks or firecrackers. License fees are as follows:

Importation. Annual License Fee: \$3,000.00.

Wholesale. Annual License Fee: \$2,000.00.

Storage. Annual License Fee: \$1,000.00, per storage site or facility.



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Retail. Annual License Fee: \$500.00.

8. Licenses to inspect, test and maintain the following fire protection systems:

Water-based systems. Three-year License Fee: \$100.00.

Non-water-based systems. Three-year License Fee: \$100.00.

Portable fire extinguishers. Three-year License Fee: \$100.00."

2. By adding a new subsection to add definitions of "Display fireworks", "Firecracker", "Place of entertainment", "Sporting event", and "Theatrical production" to read as follows:

"(7a) Amending Section 205 ("D") to add a definition of "Display fireworks" to read as follows:

"Display fireworks" means: 1) any fireworks used for exhibition display by producing visible or audible effects and classified as display fireworks or contained in the regulations of the United States Department of Transportation and designated as UN0333, UN0334, or UN0335, and includes salutes containing more than two grains (130 milligrams) of explosive materials, aerial shells containing more than 40 grams of pyrotechnic compositions, and other display pieces which exceed the limits of explosive materials for classification as "consumer fireworks"; 2) any fireworks or articles pyrotechnic used for movie or television production activities; and 3) any fireworks or articles pyrotechnics used for a theatrical production or sporting event. This term also includes fused set pieces containing components, which together exceed 50 milligrams of salute power.

(7b) Amending Section 207 ("F") to add a definition of "Firecracker" to read as follows:

"Firecracker" means single paper cylinders not exceeding one and one-half inches in length excluding the fuse and one-quarter of an inch in diameter and contain a charge of not more than 50 milligrams of pyrotechnic composition.



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(7c) Amending Section 217 (“P”) to add a definition of “Place of entertainment” to read as follows:

“Place of entertainment” means a theater, dinner theater, hall, coliseum, convention center, arena, auditorium, stadium, concert hall, garden, outdoor space or other place of amusement at which theatrical productions, sporting events or other events are presented.

(7d) Amending Section 220 (“S”) to add a definition of “Sporting event” to read as follows:

“Sporting event” means those contests, games, or other events involving athletic or physical skills which are shown to the public in a place of entertainment.

(7e) Amending Section 221 (“T”) to add a definition of “Theatrical production” to read as follows:

“Theatrical production” means live-staged dramatic productions, musical productions and concerts, which are shown to the public at a place of entertainment as defined in this section.”

3. By amending subsection (27) to read as follows:

“(27) Amending Section 7801.3.1.1.

Section 7801.3.1.1, as amended by the 1999 Accumulative UFC Supplement, is further amended to read:

7801.3.1.1 Importation. A license is required to import display fireworks and firecrackers[, 1.3G and 1.4G,] in any quantity. See also amended Section 105.8.”

4. By amending subsection (28) to read as follows:

“(28) Amending Section 7801.3.1.2.

Section 7801.3.1.2, as amended by the 1999 Accumulative UFC Supplement, is further amended to read:

7801.3.1.2 Storage. A license is required to store display fireworks and firecrackers [1.3G and 1.4G] in any quantity. See Section 7702 of the



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UFC for the storage of 1.3G fireworks. See the building code for the storage of 1.4G fireworks. See also amended Section 105.8.”

5. By amending subsection (29) to read as follows:

“(29) Amending Section 7801.3.1.3.

Section 7801.3.1.3 of the 1999 Accumulative UFC Supplement is amended to read:

7801.3.1.3 Retail and Wholesale. A license is required for retail and wholesale sales of [non-aerial common fireworks, 1.4G.] display fireworks and firecrackers. See also amended Section 105.8.”

6. By amending subsection (30) to read as follows:

“(30) Amending Section 7801.3.1.4.

Section 7801.3.1.4 of the 1999 Accumulative UFC Supplement is amended to read:

7801.3.1.4 Public Displays. A permit is required for [public displays or exhibitions, or both, of aerial common fireworks, special fireworks or both.] the use of display fireworks. A permit for use shall be granted only to a pyrotechnic operator as authorized by the authority having jurisdiction. Permit applications shall be made not less than 20 days prior to the scheduled date of the [display.] use of the display fireworks. The permit application shall include a diagram of the grounds on which the display [is to be held,] fireworks will be used, showing the point at which the fireworks are to be discharged; the location of buildings, highways and other lines of communication; the lines behind which the audience will be restrained; and the location of nearby trees, telegraph or telephone lines and other overhead obstructions. At the time of the permit application, the chief shall be consulted regarding requirements for standby firewatch personnel. See also amended Section 105.8.”

7. By amending subsection (32) to read as follows:

“(32) [Adding] Amending Section 7801.3.2.1.

Section 7801.3.2.1 is [added] amended to read:



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7801.3.2.1 [Non-aerial common fireworks.] Firecrackers. A permit is required to purchase [non-aerial common fireworks, commonly known as] and use firecrackers[,], by an individual [for the designated holidays of New Year, Chinese New Year and the Fourth of July]. See also amended Section 105.8.”

8. By amending subsection (33) to read as follows:

“(33) [Adding] Amending Section 7801.3.2.2.

Section 7801.3.2.2 is [added] amended to read:

[7801.3.2.2 Non-aerial common fireworks, cultural purposes. A permit is required to purchase and use non-aerial common fireworks, commonly known as firecrackers, by an individual for cultural purposes, events, special occasions, etc., at any time other than the holidays designated in Section 7801.3.2.1. See also amended Section 105.8.] Reserved.”

SECTION 4. Ordinance material to be repealed is bracketed. 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 bracketed material or the underscoring.



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SECTION 5. This ordinance shall take effect on January 2, 2011.

INTRODUCED BY:

Gary Okino

DATE OF INTRODUCTION:

May 28, 2010
Honolulu, Hawaii

_____ Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Debra Pany
Deputy Corporation Counsel

APPROVED this 5th day of October, 2010.

Kirk W. Caldwell

~~Mayor~~ KIRK W. CALDWELL, Acting Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE 10 - 25

**BILL 34 (2010), CD2, FD1
(VERSION E)**

Introduced: 05/28/10 By: GARY OKINO

Committee: PUBLIC SAFETY AND
SERVICES

Title: A BILL FOR AN ORDINANCE RELATING TO THE REGULATION OF FIREWORKS.

Links: [BILL 34 \(2010\)](#)
[BILL 34 \(2010\), CD1](#)
[BILL 34 \(2010\), CD2, FD1 \(VERSION E\)](#)
[CR-187](#)
[CR-264](#)

NOTE: EFFECTIVE MAY 25, 2010, COUNCILMEMBER CHARLES DJOU, REPRESENTING COUNCIL DISTRICT IV, RESIGNED FROM OFFICE. (Refer to Communication [CC-99](#))

ON JUNE 9, 2010, THE APPOINTMENT OF LEE DONOHUE WAS APPROVED (Refer to [RES10-132, CD1, FD1 \(VERSION A\)](#)) AND HE WAS SWORN INTO OFFICE AS A MEMBER OF THE HONOLULU CITY COUNCIL REPRESENTING DISTRICT IV TO FILL THE REMAINING TERM OF FORMER COUNCILMEMBER CHARLES DJOU.

COUNCIL	06/09/10	BILL PASSED FIRST READING AND WAS REFERRED TO COMMITTEE ON PUBLIC SAFETY AND SERVICES.
ANDERSON	Y	APO Y CACHOLA Y DELA CRUZ Y DONOHUE Y
GARCIA	Y	KOBAYASHI Y OKINO Y TAM A
PUBLIC SAFETY AND SERVICES	07/01/10	CR-187 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AS AMENDED IN CD1 FORM AND SCHEDULING OF A PUBLIC HEARING.
PUBLISH	07/03/10	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
COUNCIL/PUBLIC HEARING	07/14/10	CR-187 ADOPTED. BILL PASSED SECOND READING AS AMENDED, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON PUBLIC SAFETY AND SERVICES.
ANDERSON	Y	APO Y CACHOLA Y DELA CRUZ Y DONOHUE Y
GARCIA	Y	KOBAYASHI Y OKINO Y TAM N
PUBLISH	07/22/10	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
PUBLIC SAFETY AND SERVICES	08/05/10	CR-264 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD2 FORM.

COUNCIL 08/18/10 NOTE: BILL 34 (2010), CD2, PROPOSED FD1 (VERSION A), POSTED ON THE AGENDA WAS NOT CONSIDERED.

TWO HANDCARRIED VERSIONS OF BILL 34 (2010), CD2, FD1 WERE DISTRIBUTED: (081210 USB RT) AND (081210 USB IA)

BILL 34 (2010), CD2 AMENDED TO BILL 34 (2010), CD2, FD1 (VERSION B).

ANDERSON	Y	APO	N	CACHOLA	N	DELA CRUZ	Y	DONOHUE	Y
GARCIA	Y	KOBAYASHI	Y	OKINO	Y	TAM	N		

CR-264 AND BILL DEFERRED TO 9/22/10 MEETING AS AMENDED.

ANDERSON	Y	APO	N	CACHOLA	N	DELA CRUZ	N	DONOHUE	Y
GARCIA	Y	KOBAYASHI	Y	OKINO	N	TAM	Y		

COUNCIL 09/22/10 NOTE: BILL 34 (2010), CD2, FD1 VERSIONS A, C, AND D POSTED ON THE AGENDA WERE NOT CONSIDERED.

BILL 34, CD2, FD1 (VERSION B) AMENDED TO CD2, FD1 (VERSION E).

ANDERSON	Y	APO	Y	CACHOLA	N	DELA CRUZ	Y	DONOHUE	Y
GARCIA	Y	KOBAYASHI	Y	OKINO	Y	TAM	N		

MOTION TO AMEND TO HANDCARRIED CD2, FD1 (VERSION F) (OCS/092110/03:11/HM) FAILED.

ANDERSON	Y	APO	N	CACHOLA	Y	DELA CRUZ	N	DONOHUE	N
GARCIA	N	KOBAYASHI	Y	OKINO	N	TAM	Y		

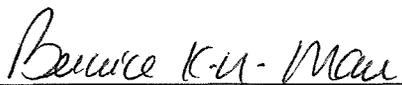
MOTION TO AMEND TO HANDCARRIED CD2, FD1 (OCS/092110/03:11/HM WITH HANDWRITTEN DATE CHANGE ON P. 17) FAILED.

ANDERSON	N	APO	N	CACHOLA	Y	DELA CRUZ	N	DONOHUE	N
GARCIA	N	KOBAYASHI	Y	OKINO	N	TAM	Y		

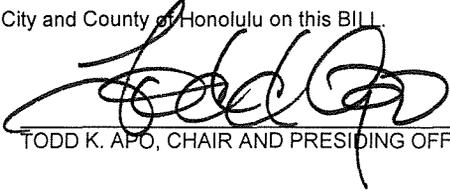
CR-264 WAS ADOPTED AND BILL 34 (2010), CD2, FD1 (VERSION E) PASSED THIRD READING AS AMENDED.

ANDERSON	Y	APO	Y	CACHOLA	N	DELA CRUZ	Y	DONOHUE	Y
GARCIA	Y	KOBAYASHI	Y	OKINO	Y	TAM	N		

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.



 BERNICE K. N. MAU, CITY CLERK



 TODD K. APO, CHAIR AND PRESIDING OFFICER