



A BILL FOR AN ORDINANCE

RELATING TO THE IMPORT, STORAGE AND WHOLESALE OF CONSUMER FIREWORKS.

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

SECTION 1. Findings and purpose. The Council finds that a majority of goods coming into the State of Hawaii by ship travels through the City and County of Honolulu. Similarly, the City and County of Honolulu is geographically located in such a manner that it is the central distribution hub, or "gathering place" of goods intended for sale in the State of Hawaii. It is the Council's intent that the Revised Ordinances of Honolulu (ROH) not interfere with the interstate or interisland commerce of consumer fireworks into the State of Hawaii or with the lawful storage of consumer fireworks product within the City.

Furthermore, it is the Council's intent that nothing in this Ordinance should be interpreted to allow for the import or storage of aerial fireworks, unless otherwise provided by law, or be interpreted to allow for the sale and use of consumer fireworks in the City and County of Honolulu, unless otherwise provided by law.

The purpose of this Ordinance is to save the City and County of Honolulu significant resources by allowing a limited class of businesses to import, store, and wholesale consumer fireworks.

SECTION 2. Section 20-6.3, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 20- 6.3 Exceptions

The prohibitions in Section 20-6.2 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 20-6.4 and 20-6.12;
- b. The import, storage, sale and use by a person having obtained a license or permit for firecrackers pursuant to Sections 20-6.4 and 20-6.13;
- 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]



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- d. The sale or use of blank cartridges for a show or theater, or for signal, commercial, or institutional purposes in athletics or sports[.]; or
- e. The import, storage, or wholesale of consumer fireworks by a person having obtained a license or permit for consumer fireworks pursuant to Hawaii Revised Statutes §§ 132D-7 ("License or permit required"), 132D-8 ("Application for license"), 132D-8.6 ("Requirements of licensee"), and 132D-11 ("Fee"), provided that the person seeking any license under this subsection satisfies the Honolulu Fire Department by affidavit, invoice, or otherwise that any consumer fireworks product imported, stored, or wholesaled within the City and County of Honolulu is not intended for sale within the City and County of Honolulu, unless otherwise allowed by law."

SECTION 3. 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 4. This ordinance shall take effect upon approval.

INTRODUCED BY:

Stacy (b/r)

DATE OF INTRODUCTION:

APR 20 2011

Honolulu, Hawaii

Councilmembers

2011 APR 20 11:05 AM
CITY CLERK
RECEIVED

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

PETER B. CARLISLE, Mayor
City and County of Honolulu

FILED
APR 20 2013
PURSUANT TO ROH Sec. 1-2.4