



A BILL FOR AN ORDINANCE **PROPOSED**

RELATING TO PRIVATE STREETS AND ROADS.

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

SECTION 1. Purpose. The purpose of this ordinance is to authorize the City to install and maintain certain infrastructure improvements, on private streets and roads to protect public health and safety. In Honolulu, there are numerous instances where private roadways have public infrastructure, including storm drainage, manholes and manhole covers, electrical boxes, and other types of public infrastructure. The condition of such infrastructure is a critical health and safety issue and can represent a liability to the public if not properly installed or maintained.

SECTION 2. The title of Chapter 14, Article 32, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Article 32. [Maintenance of] Private Streets and Roads"

SECTION 3. Section 14-32.2, Revised Ordinances of Honolulu 1990 ("Surface maintenance"), is amended by amending subsection (b) to read as follows:

"(b) Paved roads shall be maintained by remedial patching. Remedial patching shall be with like materials, for example: (i) asphalt concrete shall be used for asphalt concrete paved roads, and (ii) Portland cement concrete or asphalt concrete, as determined by the director and chief engineer, shall be used for Portland cement concrete paved roads. If the director and chief engineer determines that the pavement is in such poor condition that remedial patching is impractical and not cost effective, resurfacing may be provided.

Unpaved roads shall be maintained by remedial patching. Remedial patching shall be with like materials, for example: (i) coral for coral, and (ii) crushed rock for crushed rock. If the director and chief engineer determines that the street or road surface is in such poor condition that remedial patching is not cost effective and does not serve the best interests of motorists, bicyclists, and pedestrians, paving with asphalt concrete material may be provided.

The decks of bridges associated with private, nondedicated and nonsurrendered streets and roads may be maintained by remedial repairs. Remedial repairs shall be with like materials, for example, deteriorated wood planks shall be replaced with wood planks. If the director and chief engineer determines that the deck is in such poor condition that remedial repairs are impractical and not cost effective,



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the deck may be replaced with like material. The director and chief engineer may also provide for the maintenance, repair or replacement of railings.

The manholes and manhole covers, electrical boxes, or similar infrastructure owned by the city on private roads may be maintained by the city. However, if due to poor conditions, public health and safety is compromised, the city shall maintain and make remedial repairs.

Maintenance work to be performed by the city pursuant to this section shall not include installation or maintenance of curbs, shoulders, gutters, drainage facilities, or similar infrastructure."

SECTION 4. Ordinance material to be repealed is bracketed and 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 upon approval.

INTRODUCED BY:

Romy M. Cachola

DATE OF INTRODUCTION:

September 6, 2012
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

PETER B. CARLISLE, Mayor
City and County of Honolulu