

REPORT OF THE COMMITTEE ON BUDGET

Voting Members:

Ann H. Kobayashi, Chair; Stanley Chang, Vice Chair;
Carol Fukunaga, Joey Manahan, Kymberly Marcos Pine

Committee Meeting Held
February 26, 2014

Honorable Ernest Y. Martin
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Budget, which considered Resolution 14-9 entitled:

"RESOLUTION URGING THE HONOLULU FIRE DEPARTMENT TO EXTEND
THE USE OF EXPIRED FIREWORKS PERMITS FOR ANOTHER CALENDAR
YEAR,"

introduced on January 9, 2014, reports as follows:

The purpose of the Resolution is to urge the Honolulu Fire Department to amend its rules to extend the expiration date for unused fireworks permits originally issued for use on December 31, 2013 and January 1, 2014 for another calendar year.

Your Committee received no written or oral testimony on the Resolution.

Your Committee considered and approved a proposed posted CD1 version that makes the following amendment:

- A. Amends the first BE IT RESOLVED clause to urge the Honolulu Fire Department to allow the exchange of unused fireworks permits issued for use on December 31, 2013 and January 1, 2014 for a new fireworks permit for use on December 31, 2014 and January 1, 2015, and to amend its rules as necessary.

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON MAR 12 2014

COMMITTEE REPORT NO. 59

REPORT OF THE COMMITTEE ON BUDGET

Voting Members:

Ann H. Kobayashi, Chair; Stanley Chang, Vice Chair;
Carol Fukunaga, Joey Manahan, Kymberly Marcos Pine

Committee Meeting Held
February 26, 2014
Page 2

The Assistant Chief of the Honolulu Fire Department (HFD) testified by stating that HFD will consult with Corporation Counsel to receive guidance regarding the legality of the exchange of unused fireworks permits. The Assistant Chief also stated that if allowed, HFD will amend their rules and grant the exchanges.

Your Committee on Budget is in accord with the intent and purpose of Resolution 14-9, as amended herein, and recommends its adoption in the form attached hereto as Resolution 14-9, CD1. (Ayes: Kobayashi, Fukunaga, Manahan – 3; Noes: None; Excused: Chang, Pine – 2.)

Respectfully submitted,


Committee Chair

At the 3/12/14 Council meeting, the Resolution was further amended and subsequently adopted in the form attached hereto as Resolution 14-9, CD1, FD1.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON MAR 12 2014

COMMITTEE REPORT NO. 59



RESOLUTION

URGING THE HONOLULU FIRE DEPARTMENT TO EXTEND THE USE OF EXPIRED FIREWORKS PERMITS FOR ANOTHER CALENDAR YEAR.

WHEREAS, Section 20-6.13(a), Revised Ordinances of Honolulu 1990, as amended ("ROH"), requires any person desiring to set off, ignite, discharge or otherwise cause to explode firecrackers on New Year's Eve or New Year's Day to apply to and obtain a permit from the Honolulu Fire Department Fire Chief (Fire Chief); and

WHEREAS, Section 3-5(b)(5), Honolulu Fire Department Rules and Regulations Governing Fireworks April 2001 ("HFD Fireworks Rules"), specifies that each permit is limited to the purchase of 5,000 individual firecrackers, however, a person is not prohibited from obtaining more than one permit to purchase fireworks; and

WHEREAS, Section 3-5(b)(2), HFD Fireworks Rules, specifies that the fireworks permit fee, currently set at \$25.00 by both ROH and Hawaii Revised Statutes, is non-refundable and Section 3-1(3), HFD Fireworks Rules, limits the burning of purchased fireworks to the date specified on the permit; and

WHEREAS, Section 3-1(7), HFD Fireworks Rules, specifies that a fireworks permit expiration date must not exceed the period of one year from the date of issuance or effective date of the fireworks permit; and

WHEREAS, in December 2013, the Honolulu Fire Department reported that just under 11,000 fireworks permits were purchased to celebrate the New Year, which is 2,000 more permits than was issued the previous year; and

WHEREAS, as a result, the City and County of Honolulu experienced a severe island-wide shortage of fireworks available to purchase; and

WHEREAS, the Council finds that there is a need to extend the expiration date for existing unused fireworks permits; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Honolulu Fire Department is urged to allow the exchange of any unused fireworks permit issued for use on December 31, 2013 and January 1, 2014 for a new fireworks permit for use on December 31, 2014 and January 1, 2015 and to amend its rules if such an amendment is necessary to implement the exchange; and



RESOLUTION

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Mayor, the Managing Director and the Honolulu Fire Chief.

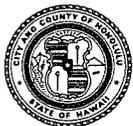
INTRODUCED BY:

Ernest Martin

DATE OF INTRODUCTION:

January 9, 2014
Honolulu, Hawaii

Councilmembers



RESOLUTION

URGING THE HONOLULU FIRE DEPARTMENT TO ALLOW THE EXCHANGE OF ANY UNUSED EXPIRED FIREWORKS PERMITS FOR ANOTHER CALENDAR YEAR.

WHEREAS, Section 20-6.13(a), Revised Ordinances of Honolulu 1990, as amended ("ROH"), requires any person desiring to set off, ignite, discharge or otherwise cause to explode firecrackers on New Year's Eve or New Year's Day to apply to and obtain a permit from the Honolulu Fire Department Fire Chief (Fire Chief); and

WHEREAS, Section 3-5(b)(5), Honolulu Fire Department Rules and Regulations Governing Fireworks April 2001 ("HFD Fireworks Rules"), specifies that each permit is limited to the purchase of 5,000 individual firecrackers, however, a person is not prohibited from obtaining more than one permit to purchase fireworks; and

WHEREAS, Section 3-5(b)(2), HFD Fireworks Rules, specifies that the fireworks permit fee, currently set at \$25.00 by both ROH and Hawaii Revised Statutes, is non-refundable and Section 3-1(3), HFD Fireworks Rules, limits the burning of purchased fireworks to the date specified on the permit; and

WHEREAS, Section 3-1(7), HFD Fireworks Rules, specifies that a fireworks permit expiration date must not exceed the period of one year from the date of issuance or effective date of the fireworks permit; and

WHEREAS, in December 2013, the Honolulu Fire Department reported that just under 11,000 fireworks permits were purchased to celebrate the New Year, which is 2,000 more permits than was issued the previous year; and

WHEREAS, as a result, the City and County of Honolulu experienced a severe island-wide shortage of fireworks available to purchase; and

WHEREAS, the Council finds that there is a need to extend the expiration date for existing unused fireworks permits; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Honolulu Fire Department is urged to allow the exchange of any unused fireworks permit issued for use on December 31, 2013 and January 1, 2014 for a new fireworks permit for use on December 31, 2014 and January 1, 2015 and to amend its rules if such an amendment is necessary to implement the exchange; and



RESOLUTION

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Mayor, the Managing Director and the Honolulu Fire Chief.

INTRODUCED BY:

Ernest Martin

DATE OF INTRODUCTION:

January 9, 2014
Honolulu, Hawaii

Councilmembers