

SUMMARY OF PROPOSED FLOOR DRAFT

**BILL 1 (2014), CD2
RELATING TO PARKING**

PROPOSED FD1 amends Bill 1, CD2 as follows:

- A. In subsection (d), provides that the DES director include in each concession contract the location for which the permit applies.
- B. In subsection (e), a reference to "Hawaii capital district" is corrected to "Hawaii capital special district."
- C. Makes other technical and non-substantive amendments.



A BILL FOR AN ORDINANCE

RELATING TO PARKING.

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

SECTION 1. Purpose. The purpose of this ordinance is to authorize certain parking stalls for mobile food vendors.

SECTION 2. Chapter 15, Article 13, Revised Ordinances of Honolulu 1990, as amended ("Stopping, Standing and Parking"), is amended by adding a new section to be appropriately designated by the revisor of ordinances and to read as follows:

Sec. 15-13. Mobile food unit parking stalls.

(a) Definitions. As used in this section, unless the context otherwise requires:

"DES director" means the director of the department of enterprise services or the designated representative of the director.

"DTS director" means the director of the department of transportation services or the designated representative of the director.

"Hawaii capital special district" means the same as defined in Section 21-9.30-2.

"Mobile food unit" means a motor vehicle used by an itinerant vendor, peddler, or huckster of food products.

"Mobile food unit parking stall" means a parking stall to accommodate mobile food units consisting of two adjacent standard-sized parking stalls combined to form a single stall double in length.

"Reserved hours" means the period beginning at 10:30 a.m. and ending at 1:30 p.m.

(b) The DTS director shall authorize mobile food unit parking stalls as deemed appropriate at locations on city streets and highways in the Hawaii capital special district. This authorization is limited to a two-year pilot project.

(c) Notwithstanding the provisions of subsection 15-13.6(a)(1), the DES director shall award permits for the use of specific mobile food unit parking stalls during reserved hours pursuant to Chapter 102 of the Hawaii Revised Statutes, which



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governs concessions on public property. The highest and best bid determines the amount of the permit fee.

- (d) The DES director shall include in each concession contract the location for which the permit applies. The permittee shall prominently display the permit while parked pursuant to the permit, and shall satisfy all statutes, ordinances, rules, and other laws relating to food preparation and sale.
- (e) Notwithstanding the provisions of subsection 15-13.6(a)(1), except for mobile food units with valid permits operating from mobile food unit parking stalls, no mobile food unit may conduct business on any street or highway in the Hawaii capital special district during the reserved hours.
- (f) The DTS director shall determine the appropriate use of mobile food unit parking stalls outside of the reserved hours, in consideration of the location of such stall and the impact on pedestrian, bicycle and vehicular traffic.
- (g) The DES director shall deposit all revenues derived from mobile food unit parking stall permits into the special events fund.
- (h) The DTS director shall install signs at all mobile food unit parking stalls indicating permitted uses and restrictions, and providing notice, in conformance with Section 290-11 of the Hawaii Revised Statutes, that vehicles illegally parked or standing in such stalls are subject to towing.
- (i) The DTS director and the DES director shall adopt rules to implement their respective responsibilities under this section."

SECTION 3. Section 15-13.6, Revised Ordinances of Honolulu 1990, as amended ("Selling on highways restricted") is amended by adding a new subsection (d) to read as follows:

- "(d) For so long as the pilot project established in Section 15-13. is in effect, this section does not apply to any itinerant vendor, peddler or huckster operating a mobile food unit during the reserved hours in the Hawaii capital special district, as those terms are defined in Section 15-13. (a)."

SECTION 4. 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 underscoring.



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SECTION 5. No later than 180 days prior to the expiration of the pilot project, the Director of Transportation Services and the Director of Enterprise Services shall submit to the Council a joint report evaluating the project. The report should include, but is not limited to: (1) data on stall locations, permittees and revenues, (2) recommendations on whether the project should continue beyond the expiration date and be expanded to other areas, and (3) suggestions for improvement.



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SECTION 6. This ordinance takes effect 180 days after its approval, and is repealed two years after the effective date.

INTRODUCED BY:

Ernest Martin

DATE OF INTRODUCTION:

January 3, 2014
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