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1923

CITY AND COUNTY
MUNICIPAL
REFERENCE
LIBRARY
HONOLULU

Revised Ordinances

OF THE

City and County of Honolulu

1923

Honolulu. Ordinances, etc.

Comprising all Ordinances of the City and County of Honolulu up to and including January 1, 1923, other than Special Ordinances relating to street lines, grades, curbs, sidewalk lines, etc., Improvement Districts and Street Widenings.

Compiled and Revised by

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MUNICIPAL REFERENCE LIBRARY
CITY AND COUNTY OF HONOLULU

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CHAPTER ~~I~~ XI

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CITY AND COUNTY
MUNICIPAL
REFERENCE
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OF HONOLULU

HEALTH.

SECTION 1. *City and County Physician.* The Mayor, with the approval of the Board of Supervisors of the City and County of Honolulu, shall appoint a suitable person as City and County Physician for said City and County whose salary shall be fixed by the Board of Supervisors, and said City and County Physician may be removed in the same manner as he is appointed. Said City and County Physician shall have all of the powers, and shall perform all of the duties prescribed by this Chapter and shall have such other powers and perform such other duties as may be prescribed by the Board of Supervisors. The City and County Physician shall have general supervision over all sanitary and health matters in the City and County of Honolulu, and shall supervise all of the acts and doings of all sanitary, health, food and other Inspectors in said City and County. It shall be the duty of the City and County Physician to enforce all sanitary and health Ordinances of the City and County, and he shall have all necessary and proper powers for such purpose. (Ordinance No. 9.) 1909; R.O. 1923, S.1.

SECTION 2. *Indigent Sick.* Any indigent sick person desiring care and medical treatment at the expense of the City and County shall make application therefor to the City and County Physician. It shall be the duty of the City and County Physician to investigate all such applications, and in proper cases in his discretion, or when so directed by the Board of Supervisors, shall care for and medically treat such person at the expense of the City and County of Honolulu. The City and County Physician may in proper cases, in his discretion or when directed by the Board of Supervisors, issue a permit to any such applicant, to enter any hospital or other similar institution designated by the Board of Supervisors for that purpose. The City and County Physician shall have the right to visit at any time, any hospital or other similar institution in which any such indigent sick person has been placed for the purpose of ascertaining the condition of such person. When in the opinion of the City and County Physician such indigent person no longer needs hospital service, he shall forthwith notify such hospital or other similar institution to discharge said indigent person. The City and County of Honolulu shall not be liable to any hospital or other similar institution for the expenses of hospital service for such patient after such notice has been so given by the City and County Physician. (Ordinance No. 9.)

SECTION 3. *Prisoners, Policemen, Firemen, Etc.* The City and County Physician shall attend and medically treat any sick

or injured prisoner in the Honolulu Jail, or when necessary in any Police Station in the City and County, and shall examine all applicants for employment in the Police or Fire Departments and all policemen, firemen and bandsmen who may apply for sick leave permits. (Ordinance No. 9.)

SECTION 4. *Emergency Hospital, Assistants, Ambulance, Etc.* In addition to his other duties, the City and County Physician shall have charge and control of the Emergency Hospital, established for the treatment of persons injured by accident or violence or stricken by sudden illness which said hospital is not to be used for dispensary purposes nor as a convalescent hospital. Said City and County Physician shall establish regular office hours at the Emergency Hospital and be subject to call at other times in case of necessity. He shall superintend the use of the city ambulance, giving precedence to emergency and public cases, and may refuse the use of such ambulance for private cases where such use would or does interfere with the maintenance of an emergency ambulance, and he shall refuse the use of such ambulance for the transportation of any private patient afflicted with any communicable or infectious disease. He shall have power to appoint and remove such professional and other assistants as to whom the Board of Supervisors may from time to time provide the necessary salaries and shall perform such other duties as may heretofore pertain to the office of police surgeon. (Ordinance No. 148.)

SECTION 5. *Pestilences or Epidemics, Etc.* In case of pestilence or epidemic, disease or danger therefrom, if the sanitary condition of the city requires, it shall be the duty of the City and County Physician to adopt all such precautions as in his judgment the public health requires, in order to prevent the introduction or spread of any contagious or infectious disease. (Ordinance No. 9.)

SECTION 6. *Penalty.* Any person who shall violate any of the provisions of Sections 1 to 5, both inclusive, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Five Hundred ($500.00) Dollars, or by imprisonment not exceeding a term of six months or by both such fine and imprisonment. (Ordinance No. 9.)

Am. 4-24-25
Ord. 261

SECTION 7. *Sanitary Inspectors.* The Mayor, with the approval of the Board of Supervisors of the City and County of Honolulu shall appoint and may remove one or more Sanitary Inspectors, whose salaries shall be fixed by the Board. Said Sanitary Inspectors shall have all of the powers and perform

all the duties prescribed by this Chapter, and shall have such other powers and shall perform such other duties as may be prescribed by the Board of Supervisors. The Sanitary Inspectors shall be under the immediate direction of the City and County Physician. (Ordinance No. 8.)

SECTION 8. *Inspection Nuisances, Etc.* The Sanitary Inspector shall examine into all nuisances, sources of filth and causes of sickness on shore, or in any vessel, and shall cause the same to be destroyed, removed or prevented, as the case may require. (Ordinance No. 8.) **Am.** 4-24-25 **Ord.** 261

SECTION 9. *Abatement Nuisances, Etc., by Owner of Premises—Penalty.* Whenever any such nuisance, source of filth or cause of sickness shall be found on private property, the City and County Physician or any Sanitary Inspector shall order the owner or occupant thereof, at the expense of said owner or occupant, to remove such nuisance, source of filth or cause of sickness within forty-eight hours; and if such owner or occupant shall neglect so to do, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Two Hundred and Fifty ($250.00) Dollars, or by imprisonment for a term not exceeding three months, or by both such fine and imprisonment. (Ordinance No. 8.) **Am.** 4-24-25 **Ord.** 261

SECTION 10. *Abatement at Expense of Owner of Premises.* If any such owner or occupant shall not comply with such order of the City and County Physician or Sanitary Inspector, the City and County Physician or any Sanitary Inspector may cause such nuisance, source of filth or cause of sickness to be removed; and all expenses thereby incurred shall be paid by the said owner or occupant, or by such other person as shall have caused or permitted the same. (Ordinance No. 8.) **Am.** 4-24-25 **Ord.** 261

SECTION 11. *Entry of Premises.* Whenever the City and County Physician or any Sanitary Inspector shall deem it necessary for the preservation of the lives or health of the inhabitants to enter any land, building or vessel for the purpose of examining into and destroying, removing or preventing any nuisance, source of filth or cause of sickness, and shall be refused such entry, such City and County Physician or any Sanitary Inspector may make complaint to any District Magistrate, who may thereupon issue a warrant directed to the Sheriff, Deputy Sheriff or any Police Officer of the City and County, commanding him to take sufficient aid, and, being accompanied by such City and County Physician or Sanitary Inspector, between the hours of sunrise and sunset, to repair to the place where such nuisance, **Am.** 4-24-25 **Ord.** 261

source of filth or cause of sickness complained of may be, and the same to destroy, remove or prevent under the direction of such City and County Physician or Sanitary Inspector. (Ordinance No. 8.)

Am. 11-24-25
Ord. 261

SECTION 12. *Report by Police Officers.* It shall be the duty of the Sheriff and all Deputy Sheriffs and Police Officers of the City and County to report to the City and County Physician or to any Sanitary Inspector the existence of any nuisance injurious to public health, of which either of them may be cognizant, as soon as possible after it shall come to their knowledge. (Ordinance No. 8.)

GARBAGE Rep. 37 Ord. 728 } entire subtitle.

Rep. 5/10/27
Ord. 345
501
547

SECTION 13. *Superintendent of Garbage.* The Mayor of the City and County of Honolulu shall appoint, and may remove at pleasure, subject to the approval of the Board of Supervisors of said City and County, a suitable person as Superintendent of Garbage Collection and Disposal and of Street Cleaning for the City and County of Honolulu at a salary which shall be fixed by the said Board of Supervisors. It shall be the duty of such Superintendent to superintend the collection and disposition of rubbish and garbage, the cleaning of streets and the disposal of the rubbish and debris in the City and County of Honolulu; it shall also be his duty to superintend the storm sewers of the City and County of Honolulu and to see that they are kept in good order and repair; and such Superintendent shall perform such other duties as may hereafter be designated by the Board of Supervisors. (Ordinance No. 173.)

Rep. 5/10/27
Ord. 345

SECTION 14. *Assistants.* The said Superintendent may appoint and remove at pleasure such assistants and employees, with such qualifications, and at such salaries, as may be authorized by the Board of Supervisors. (Ordinance No. 173.)

Rep. 5/10/27
Ord. 345

SECTION 15. *Report of Superintendent of Garbage.* It shall be the duty of the said Superintendent to report to the Board of Supervisors not later than the 15th day of each and every month the work done in his department during the preceding month. (Ordinance No. 173.)

Am. 7-31-25
Ord. 275
Am. 3-9-27
Ord. 334
Am. 7-15-31
Ord. 547

SECTION 16. *Receptacles for Garbage—Penalty.* The owner of every tenement house shall provide therefor suitable covered, water-tight metallic receptacles for ashes, rubbish, garbage, refuse, and other matter. No person shall place ashes, rubbish, garbage, refuse or other like matter in the yards, open areas or alleys connected with or appurtenant to any tenement

house, except in such receptacle as described above. Any person, firm or corporation who shall violate in any manner the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than Five Hundred Dollars ($500.00) or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment. (Ordinance No. 27.)

Am. 7-31-25
Ord. 275
Add. s. 16A
Am. 3-9-27
Ord. 334
16A
Am. 7-15-31
Ord. 547-16A

SECTION 17. *Swill.* No person shall remove, transfer, convey or transport any swill through or upon any of the public streets, public rights of way, public parks or public places in the Honolulu District of the City and County of Honolulu between the hour of nine in the morning and the hour of five in the evening of any day, or between the hour of nine in the evening of any day and the hour of five in the morning of the next day. (Order No. 8.)

Am. 4-25-33
Ord. 592
Am. 37
Ord. 280

SECTION 18. *Penalty.* Any person violating any provision of Section 17 shall, upon conviction, be fined in a sum not exceeding Fifty Dollars ($50.00). (Order No. 8.)

Am. 7-15-31
Ord. 547

CEMETERIES

SECTION 19. *Cemeteries.* No ceremtery or cemeteries shall be established within the City and County of Honolulu without the consent and approval of the Board of Supervisors of said City and County.

Rep. 39
Ord. 299

Any person, association or corporation, desiring to establish a cemetery within the City and County of Honolulu, shall submit a full description of the metes, bounds and area of said proposed cemetery, together with a map of the grounds and proposed improvements thereon. Also a copy of proposed rules and regulations governing such proposed cemetery. Also a prospectus of the financial status of the proposed cemetery.

It shall be unlawful to establish a cemetery on land not absolutely owned in fee simple and free from debt. It shall be unlawful to mortgage or place any liens whatsoever on any proposed cemetery. (Order No. 2.)

SECTION 20. *Penalty.* Any person, or any association or corporation or any officer thereof, violating any of the provisions of Section 19 shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not exceeding One Thousand Dollars ($1,000.00). (Order No. 2).

Rep. 39
Ord. 299

MISCELLANEOUS

SECTION 21. *Expectoration on Sidewalks, Public Conveyances, Public Places, Etc.* No person shall expectorate upon any

sidewalk, or upon the floor or any part of any street car, railroad car or other public conveyance, or upon the floor or any part of any public building or any building common to the use of the public, within the City and County of Honolulu. (Ordinance No. 20.)

SECTION 22. *Penalty.* Any person violating any of the provisions of Section 21 shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of no less than One Dollar ($1.00) nor more than Ten Dollars ($10.00). (Ordinance No. 20.)

SECTION 23. *Sprinkling Clothes.* It shall be unlawful for any person or persons, ironing or performing any act, in the laundering of clothing of another, or in the laundering of clothing for hire, within the City and County of Honolulu, to spray any article so laundered with liquid sprayed or projected from the mouth of said person or persons, or to direct or permit any person in his employ to so spray such article so laundered. (Order No. 3.)

SECTION 24. *Penalty.* Any person violating any of the provisions of Section 23 shall be guilty of a misdemeanor, and upon conviction shall be fined not less than Five Dollars ($5.00), nor more than Twenty-Five Dollars ($25.00). (Order No. 3.)

SECTION 25. *Washing Fish, Fish Nets, Etc., in Honolulu Harbor.* It shall be unlawful for anyone to use the waters of Honolulu Harbor for washing or cleaning fish or shell fish or crustacea or any product of the sea used for food or for the washing of any fish nets or seines or the fish tanks of fishing boats. (Ordinance No. 169.)

SECTION 26. *Penalty.* Any person violating the provisions of Section 25 shall, upon conviction thereof, be punished by a fine of not less than Ten Dollars ($10.00) nor more than Five Hundred Dollar ($500.00), or by imprisonment for a term of not less than ten days nor more than one hundred days, or by both such fine and imprisonment. (Ordinance No. 169.)

SECTION 27. *Bathing in Certain Portions of Honolulu Harbor.* It shall be unlawful for any person whomsoever, whether child or adult, to swim or bathe in the waters of Honolulu Harbor contained within a radius of one thousand feet from the center point of Nuuanu Stream at the place where the same empties into Honolulu Harbor. (Ordinance No. 170.)

SECTION 28. *Penalty.* Anyone violating the provisions of Section 27 shall pay on conviction thereof a fine of not less than Ten Dollars ($10.00) nor more than Five Hundred Dollars ($500.00), or be imprisoned for a term of not less than ten nor more than one hundred days. (Ordinance No. 170.)

FOOD

SECTION 29. *Tainted Food, Etc.—Samples.* No tainted or decayed meat, fish, birds or fowls, fruit or vegetables, nor other food, which is not healthy, fresh, sound, wholesome and fit and safe for human food, nor any meat or fish that has died from disease, shall be brought into or offered for sale as food, or kept in any public or private market within the City and County of Honolulu. (Ordinance No. 7.)

SECTION 30. *Samples of Food—Poi.* The City and County Physician and the Food Inspector, or Inspectors, shall have the right at any time to take samples of poi or other food, for the purpose of analyzing the same, from any person, persons or concern, selling or exposing for sale, or delivering or distributing such poi, or other food, in the City and County of Honolulu, in an amount not exceeding five ounces for each sample, such sample to be taken in full view and in the presence of the person from whom said sample is taken. Poi which, on analysis, is found to contain less than thirty per cent (30%) of total solids, shall be deemed unfit for human food within the prohibition of Section 29. (Ordinance No. 81, Section 1.) Am. 4-24-25 Ord. 261

SECTION 31. *Inspector of Markets.* All public and private markets in the City and County of Honolulu, together with all tools, machinery and appurtenances connected therewith, and all articles therein exposed or offered for sale as food or drink, and the contents of all ice-chests and refrigerators in which any kind of food or drink is, or may be kept for sale, shall be subject at all reasonable hours to the inspection of the City and County Physician, and the inspectors and other officers of the City and County. (Ordinance No. 7.)

SECTION 32. *Condemned Food.* No person shall expose or offer for sale, or shall sell, or cause or allow to be used as food or drink any article which has been condemned by the City and County Physician, or by any inspector of the City and County. (Ordinance No. 7.)

SECTION 33. *Cleanliness of Markets.* The stalls, floors, grounds and appurtenances in and about all markets or other places where any article is kept or offered for sale as food or

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drink, shall be kept in a cleanly and wholesome condition, free from accumulations or deposits of manure or filth of any kind. (Ordinance No. 7.)

SECTION 34. *Removal Unwholesome Food.* Any bad or badly cured meat or any substance which is emitting a noxious, deleterious effluvium shall be forthwith removed by the owner thereof from the premises where stored, upon notice by the City and County Physician or Inspector of the City and County.

If after such notice such owner shall neglect or fail to remove the same, the same shall be removed by such Inspector at the expense of the owner thereof. (Ordinance No. 7.)

Rep. 4-24-25 Ord. 261

SECTION 35. *Meat, Fish and Food Inspectors.* The Mayor, with the approval of the Board of Supervisors of the City and County of Honolulu shall appoint and may remove at pleasure, suitable persons as Meat and Food, Fish, and other Inspectors, as may be necessary to carry out the provisions of this Chapter. The salaries of such Inspectors shall be fixed by the Board of Supervisors. Said Inspectors shall have all the powers, and shall perform all of the duties provided in this Chapter, and shall have such other powers and perform such other duties as may be hereafter prescribed by the Board of Supervisors. (Ordinance No. 7.)

SECTION 36. *Supervision of Inspectors by City and County Physician.* It shall be the duty of the City and County Physician to exercise practical supervision in respect to such Meat and Food, Fish, and other Inspectors, and said Meat and Food, Fish, and other Inspectors shall be subject to the directions at all times of said City and County Physician. (Ordinance No. 7.)

Am. 4-24-25 Ord. 261

SECTION 37. *Fish Inspection.* It shall be the duty of the Fish Inspector to examine and inspect all fish, oysters, clams, lobsters, crabs and other marine products kept or offered for sale within his district, and if upon such inspection, said Inspector shall find any of said fish or marine products to be in an unsound, diseased or unwholesome condition, it shall be his duty to prohibit their sale; and the said Fish Inspector is hereby authorized, empowered and directed to condemn, seize and remove any unsound, diseased or unwholesome fish, oysters, clams, lobsters, crabs or other marine products which may be offered for sale as food within his said district. (Ordinance No. 7.)

In the performance of his duties as prescribed by this Chapter, the Fish Inspector shall be, and is hereby authorized and empowered to board all boats, vessels, steamboats and cars,

and to stop all vehicles believed by him to contain fish or other marine products, for the purpose of enforcing the provisions of this Chapter. Said Fish Inspector shall make a report of his official doings, weekly, to the City and County Physician. (Ordinance No. 7.)

SECTION 38. *Sale of Fish in Markets Only.* The sale of fish and other marine products is hereby prohibited in the District of Honolulu, except at such places as shall be specially permitted by the Board of Supervisors, at such places fish and other marine products may be exposed for sale under the supervision of the Fish Inspector. (Ordinance No. 7.) Am. 4-24-25 Ord 261

SECTION 39. *Meat and Food Inspector.* It shall be the duty of the Meat and Food Inspector to attend the market or markets within his inspection district every morning at the time when the sales commence, and carefully inspect all meats, birds or fowls, fruit or vegetables offered for sale, and condemn, seize or cause to be removed such as may be diseased, or from any other cause rendered unfit for food. Said Meat and Food Inspector shall make a report of his official doings, weekly, to the City and County Physician. (Ordinance No. 7.) Am. 4-24-25 Ord. 261

SECTION 40. *Unsold Fish.* All fish left unsold, at any market, at 6 o'clock p. m. on the evening of any day, shall be inspected by the Fish Inspector, and if found in proper condition may be placed in cold storage. Such fish on being again offered for sale shall be labeled as "Iced Fish." (Ordinance No. 7.) Am. 4-24-25 Ord. 261

SECTION 41. *Condemnation Unwholesome Food.* It shall be the duty of the Meat and Food Inspector and the Fish Inspector to respectively inspect meat, fish, birds or fowls, fruits or vegetables, and other articles kept or offered for sale as food, or kept in any slaughter house or public or private market within the district of such Inspector, and to condemn such as is not healthy, fresh, sound, wholesome and fit and safe for human food. (Ordinance No. 7.) Am. 4-24-25 Ord. 261

SECTION 42. *Sale Prohibited Pending Inspection City and County Physician.* Upon any meat, fish, birds or fowls, fruit or vegetables, or other articles of food being found by any Inspector or other officer of the City and County of Honolulu in a condition which is in his judgment unwholesome and unfit for use as human food, or in a condition or of a quality forbidden by this Chapter, but with respect to the quality and condition of which articles of food said Inspector or other officer may be in

doubt, he shall forbid the sale thereof, and order that the same be set aside, and shall at once notify the City and County Physician of such action. The City and County Physician shall thereupon inspect said articles and determine whether the same be condemned, and the sale thereof forbidden, provided, no article of food offered or kept for sale in a decayed or offensive condition, shall be allowed to remain where found, but the same shall be caused to be removed forthwith by the Inspector or officer aforesaid. (Ordinance No. 7.)

SECTION 43. *Transportation Meats and Fishes.* It shall be unlawful for any person to transport any beef, mutton, veal, pork, or the carcass of any animal used for food, or any fish or other marine product, along any public street, unless such article be so covered, or unless the vehicle in which it is transported be so constructed as to entirely protect such article from dust and dirt, and so that the same may not be exposed to view. (Ordinance No. 7.)

SECTION 44. *Penalty.* Any person who shall molest, hinder or in any manner prevent any Inspector or other officer from performing any duty imposed upon him by the provisions of Sections 29 to 43, inclusive, and any person who shall violate any of the provisions of said sections, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than Ten Dollars ($10.00) nor more than Two Hundred Fifty Dollars ($250.00), or by imprisonment for a term not exceeding three months or by both such fine and imprisonment. (Ordinance No. 7.)

SECTION 45. *Canning or Preserving, Etc., Unwholesome Food, Etc.* No tainted or decayed meat or fish nor any meat or fish which is not healthy, fresh, sound, wholesome and fit and safe for human food, nor any meat or fish that has died from disease, shall be brought into or kept or canned or otherwise preserved for food purposes in the City and County of Honolulu, Territory of Hawaii, by any person, firm or corporation. (Ordinance 164, Section 1.)

Am. 4-24-25
Ord. 261
Am. 7-2-25
Ord. 273

SECTION 46. *Inspection Canneries, Etc.* All public and private establishments or places for the canning or otherwise preserving of fish or meat in the City and County of Honolulu, together with all tools, machines and appurtenances connected therewith, and all fish or meat therein contained and the contents of all ice chests, refrigerators or other places in which any fish or meat, intended for canning or otherwise preserving, may be kept, shall be subject, at all reasonable hours, to the inspection

of the City and County Physician and the Fish Inspectors and other officers of the City and County of Honolulu. (Ordinance 164, Section 2.)

SECTION 47. *Sanitary Condition of Canneries, Etc.* All public and private establishments or places for the canning or otherwise preserving of fish or meat in the City and County of Honolulu, together with all tools, machines and appurtenances connected therewith, and all fish or meat therein contained and the contents of all ice-chests, refrigerators or other places in which any fish or meat intended for canning or otherwise preserving may be kept, shall be kept in cleanly and wholesome condition free from all accumulations of filth of any kind whatsoever. (Ordinance 164, Section 2-B.) Am. 7-3-25 Ord. 273

SECTION 48. *Canning, Etc., of Condemned Food.* No person, firm or corporation shall can or otherwise preserve for food purposes any fish or meat which has been condemned by the City and County Physician or by any Fish Inspector of the City and County of Honolulu. (Ordinance 164, Section 2-C.) Am. 4-24-25 Ord. 261 Am. 7-3-25 Ord. 273

SECTION 49. *Inspection Fish and Meat for Canning.* It shall be the duty of the Fish Inspector to examine and inspect all fish and meat kept or had for the purpose of canning or otherwise preserving for food purposes within the City and County of Honolulu, and if on such inspection said inspector shall find any of said fish or meat to be in an unsound, tainted, decayed, diseased or unwholesome condition, it shall be his duty to prohibit its being canned or otherwise preserved; and the said Fish Inspector is hereby authorized, empowered and directed to condemn and remove unsound, tainted, decayed, diseased or unwholesome fish or meat which may be held or had for canning or otherwise preserving within the said City and County. Am. 4-24-25 Ord. 261 Am. 7-3-25 Ord. 273

That in the performance of his duties as prescribed by this Chapter the Fish Inspector shall be and is hereby authorized and empowered to enter all establishments existing for the purposes of canning or otherwise preserving fish or meat within the City and County of Honolulu. (Ordinance 164, Section 3.)

SECTION 50. *Constitutionality.* If any part or section of Sections 29 to 49, inclusive, be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of said sections as a whole nor any part thereof which can be given effect without the part so decided to be unconstitutional or invalid. (Ordinance 164, Section 5.)

SECTION 51. *Protection Food From Dust, Flies, Etc.* It shall be unlawful to expose for sale, or to sell from any stock-

in-trade, within the City and County of Honolulu, Territory of Hawaii, any food or foodstuffs, for human consumption of the names and descriptions hereinafter mentioned, unless such food or foodstuffs shall be protected from dust, dirt and from contact of and contamination by flies and other insects and from promiscuous handling and other contamination, in the manner or manners herein prescribed.

The food or foodstuffs which shall be protected as herein prescribed shall comprise the following generally and specifically-named and described articles, to-wit:

(a) All dried fruits and vegetables, all fruits and vegetables which are not sold whole, and all compounds, essences, extracts and substances derived in part or in whole from fruits, vegetables, nuts and roots, or from one or more of such sources.

(b) All of the fruits, vegetables and products of land or sea called and known by the names and descriptions here following, viz.: Apples, apricots, berries of all kinds, celery, cherries, dates, figs, grapes, mangoes, ohia (mountain apple), peaches, pears, plums, tomatoes, and other plants sold for food which do not have their surface removed before eating. (Ordinance 29, Sections 1-2.)

Am. 4-24-25
Ord. 261

SECTION 52. *Glass Cases or Screens.* All such food or foodstuffs shall be protected from dust, dirt and contact of, and contamination by flies and other insects and from promiscuous handling and other contamination, by means of a glass covering or by wire net screens of a mesh not less than fourteen wires to the inch, as may be sufficient to insure such protection.

Any such wire net screen may be of any form suitable for its purpose, but it shall be fastened to a rigid framework and when in place must leave at least three (3) inches of clear space between the net or its framework, at any part, and the exposed surface or surfaces of the food or foodstuffs which it protects. All such glass coverings and wire net screens must be so constructed and placed as to properly and sufficiently protect all food or foodstuffs herein mentioned from dust and dirt contact of and contamination by flies and other insects and from promiscuous handling and other contamination; and shall always be subject to the inspection of the City and County Physician and of any duly authorized food or sanitary inspector, or police officer of the City and County of Honolulu. (Ordinance No. 29, Section 3.)

SECTION 53. *Unbroken Packages, Etc.* Sections 51 to 57 shall not apply to food or foostuffs kept or exposed for sale in unbroken original packages unless the surfaces of their contents, when of the descriptions hereinbefore specified, are exposed to

the outer air; nor to any articles of food kept in covered or sealed containers, whether to be sold in such containers or not, providing said articles are never exposed to the outer air excepting while being handled in due course of business; nor to any food or foodstuffs kept in refrigerators, meat safes, or compartments protecting the same from dust and dirt, contact of and contamination by flies and other insects and from promiscuous handling and other contamination. (Ordinance 29, Section 4.)

SECTION 54. *Elevation of Food Containers.* No food or foodstuffs hereinbefore mentioned shall be exposed for sale or displayed unless the bottom of the box or other receptacle, containing such article is raised at least two (2) feet above level of the floor or sidewalk. (Ordinance 29, Section 5.)

SECTION 55. *Handling Food by Diseased Persons.* No person afflicted with any infectious or contagious disease shall engage, or be employed, in exposing for sale or selling any of the food or foodstuffs hereinbefore mentioned, when such engagement requires or permits the handling of the same. (Ordinance No. 29, Section 6.)

SECTION 56. *Application of Sections* 51 *to* 57. The provisions of Section 51 to 57, inclusive, shall apply to all markets, market stalls, stores, stands, cafes, restaurants, and other places, whether licensed or unlicensed, at which food, foodstuffs, confections or provisions for human consumption are kept for sale, and to all licensed or unlicensed vehicles from which any food, foodstuffs, article of diet or confection is sold or offered for sale. (Ordinance No. 29, Section 7.)

SECTION 57. *Enforcement Sections* 51 *to* 57. It shall be the duty of the City and County Physician, the Food and Sanitary Inspectors and the Police Officers of the City and County of Honolulu to enforce the provisions of Sections 51 to 57, inclusive, and for such purpose all of the said officials and officers shall, at all reasonable hours, have access to any market, market stall, store, stand, cafe, restaurant, or other place, herein mentioned, for the purposes of inspection. (Ordinance 29, Section 8.) Am. 4-24-2 Ord. 261

SECTION 58. *Penalty.* Any person who shall molest, hinder or in any manner prevent any Inspector or other officer from performing any duty imposed upon him by the provisions of Sections 51 to 57, inclusive, and, any person who shall violate any of the provisions of said sections shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding One Hundred Dollars ($100.00) or by im-

prisonment for a term not exceeding ninety days, or by both such fine and imprisonment. (Ordinance 29, Section 9.)

SECTION 59. *Protection Meat, Fish, Etc., From Dust, Flies, Etc.* It shall be unlawful to expose for sale or to sell from any stock-in-trade within the City and County of Honolulu, Territory of Hawaii, any game meat, poultry meat, butcher's meat, fish or sea food unless such foodstuffs shall be protected from dust, dirt and from contact of and contamination by flies, and other insects and from promiscuous handling and other contamination. (Ordinances 30, Section 1.)

SECTION 60. *Sanitation of Meat Markets, Etc.* All meat markets, butcher stalls, fish markets, shops, or stands, or other places of business for the sale of game meat, poultry meat, butcher's meat, fish or sea food in the City and County of Honolulu, shall be provided with tight hardwood, tile or cement floors, with running water, and with sewer connections, if sewer is accessible.

All such meat markets, butcher stalls, fish markets, shops, stands and other places of business and all tools, implements and fixtures used or employed therein, shall be kept clean and in a sanitary condition, and all employes therein, when handling the foodstuffs hereinbefore described shall wear clean linen, cotton or rubber aprons which shall be kept clean and in a sanitary condition.

No person afflicted with any infectious or contagious disease shall engage, or be employed, in exposing for sale or selling any of the food or foodstuffs hereinbefore mentioned, when such engagement requires or permits the handling of the same.

All delivery wagons used for the delivery of game meat, poultry meat, butcher's meat, fish or sea food in the City of Honolulu shall be covered so as to exclude flies, dust and other contamination, and shall be kept clean and in a sanitary condition.

No game meat, poultry meat, butcher's meat, fish or sea food shall be offered for sale or sold or delivered in the streets, roads, avenues or alleys of the City and County of Honolulu except the same shall be protected from dust, flies or other insects.

No game meat, poultry meat, butcher's meat, fish or sea food shall be wrapped in any newspaper or part thereof, or in wrapping paper that is soiled or has been used for any other purpose, but shall be wrapped in fresh, clean wrapping paper.

No refuse, scraps, bones, filth, rancid fat or decaying flesh shall be kept in any ice box in any meat market, butcher stall, fish market, shop or stand with any game meat, poultry meat, butcher's meat, fish or sea food.

Live poultry or fowl shall not be kept in the same room or compartment in which game meat, poultry meat, butcher's meat, fish or sea food is kept or offered for sale; nor shall live poultry or fowl be kept in any room or compartment adjoining such room or compartment if the conditions are such that the room or compartment in which the live poultry or fowl is kept, ventilates or is liable to ventilate into said other room or compartment so that the odors from such live poultry or fowl and their enclosures may contaminate such food or foodstuffs. (Ordinance 30, Section 2.)

SECTION 61. *Application of Sections 59 to 62, Inclusive.* The provisions of Sections 59 to 62, inclusive, shall apply to all markets, market stalls, stores, stands, and other places, whether licensed or unlicensed, at which game meat, poultry meat, butcher's meat, fish or sea food, for human consumption, is kept for sale, and to all licensed or unlicensed vehicles from which any of such articles are sold or offered for sale. (Ordinance 30, Section 3.)

SECTION 62. *Enforcement Sections 59 to 62, Inclusive.* It shall be the duty of the City and County Physician, the Food, Meat, Fish and Sanitary Inspectors and the police officers of the City and County of Honolulu to enforce the provisions of Sections 59 to 62, inclusive, and for such purpose all of the said officials and officers shall, at all reasonable hours, have access to any market, market stall, store, stand, or other place, herein mentioned, for the purpose of inspection. (Ordinance No. 30, Section 4.) Am. 4-24-25 Ord. 261

SECTION 63. *Penalty.* Any person who shall molest, hinder or in any manner prevent any Inspector or other officer from performing any duty imposed upon him by the provisions of Sections 59 to 62, inclusive, and any person who shall violate any of the provisions of said sections shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Five Hundred Dollars ($500.00), or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment. (Ordinance No. 30, Section 5.))

SECTION 64. *Iced Fish, Removal Entrails, Etc.* It shall be unlawful for any person, firm or corporation to expose or offer for sale or to sell in the City and County of Honolulu, Territory of Hawaii, any "Iced Fish," the entrails and gills of which have not been removed before the placing of such fish on ice or on cold storage. (Ordinance No. 38.)

SECTION 65. *"Iced Fish"—Sale of—Signs.* It shall be unlawful to expose or offer for sale or to sell any "Iced Fish" that has been exposed or offered for sale on one previous time or day. All "Iced Fish" exposed or offered for sale at any market, store or fixed place of sale, shall be kept and sold separate and apart from fresh fish, and there shall be conspicuously displayed on the slab, or other place upon which "Iced Fish" is exposed or kept for sale, a signboard, at least twelve inches in length and six inches in width attached to a stand at least three inches in height, having on each side of said signboard inscribed the words "Iced Fish" plainly marked on a white background in black letters at least two inches in height. (Ordinance No. 38, Section 2; Ordinance 159, Section 1.)

No "Iced Fish" exposed or offered for sale other than at any market, store or fixed place of sale, whether exposed or offered for sale or sold from any basket, box, bag, wagon or other receptacle shall be so offered or exposed for sale, unless the same is plainly indicated by sign as being "Iced Fish," and all "Iced Fish" when being transported shall at all times have the basket, box, bag, receptacle or other container in which said fish is being transported plainly marked "Iced Fish." (Ordinance 38, Section 3.)

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SECTION 66. *Enforcement Sections 64 to 66, Inclusive.* It shall be the duty of the City and County Physician of the City and County of Honolulu and the Food, Meat and Fish Inspectors and police officers of the City and County of Honolulu to enforce the provisions of Sections 64 to 66, inclusive, and such officers are hereby authorized and empowered to seize, condemn and remove any fish offered or exposed for sale or transported in violation of the provisions of said sections. (Ordinance No. 38, Section 4.)

SECTION 67. *Penalty.* Any person who shall in any manner molest or hinder any inspector or other officer from performing any duty imposed upon him by the provisions of Sections 64 to 66, inclusive, and any person, firm or corporation who shall violate any of the provisions of said sections shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than Five Dollars ($5.00) nor more than Two Hundred Fifty Dollars ($250.00), or imprisonment for a term not exceeding three months, or by both such fine and imprisonment. (Ordinance No. 38, Section 5.)

SECTION 68. *Slaughter of Diseased Animals.* No cattle, swine, poultry or other animals diseased and unfit for human consumption shall be slaughtered for the purpose of selling meat

therefrom for human consumption, nor shall diseased cattle, swine, poultry or other animals or any meat therefrom be offered for sale for such purpose within the City and County of Honolulu. (Ordinance No. 105.)

SECTION 69. *Hours for Slaughtering.* It shall be unlawful for any person or persons, firm or corporation to slaughter cattle, swine, poultry or any other animal in the City and County of Honolulu for the purpose of sale of meat therefrom for human consumption, except between the hours of 6 a. m. and 6 p.m. on any week day, and between 6 a. m. and 9 a. m. on Sundays and holidays. (Ordinance No. 105.)

SECTION 70. *Penalties.* Any person or persons, firm or corporation or the agents or representatives of any person or persons, firm or corporation, who shall violate, or assist in the violation of, any of the provisions of Sections 68 to 69, inclusive, shall each be subject to a fine not to exceed Five Hundred Dollars ($500.00), or six months' imprisonment, or both, for each and every offense. (Ordinance 105.)

SECTION 71. *Sale of Fish and Meat by Weight.* It shall be unlawful for any person or persons, firms, partnership or corporation engaged in the business of selling fish or meat, whether selling at a fixed location or not, to sell fish or meat by any other method than by weight. (Ordinance 166.)

SECTION 72. *Avoirdupois System of Weight.* It shall be unlawful for any person or persons, firm, partnership or corporation, selling fish or meat by weight, to use any system of weights other than the pound as a unit, and for smaller weight than a pound to use an ounce as a unit of a pound upon such a division as to provide that sixteen ounces make a pound. (Ordinance 166.)

SECTION 73. *Signs Showing Price.* All persons, firms, partnerships or corporations engaged in the business of selling fish or meat in the City and County of Honolulu, whether at a fixed place of business or not, shall expose to the public view in the English Language and in letters and figures of a size to be plainly visible to the customer, from the usual place provided for the customer to make his purchases, the names of the fish and the kinds of meat offered for sale, together with the unit price asked per pound, said sign to be so arranged as to plainly indicate the price asked for the particular fish or meat offered for sale. (Ordinance 166.)

SECTION 74. *Selling Defined.* Any person or persons, firm, partnership or corporation shall be deemed to be engaged in the business of selling fish or meat if they in any manner directly or indirectly transfer fish or meat to any other person or persons, firm, partnership or corporation for a valuable consideration. (Ordinance 166.)

SECTION 75. *Meat Defined.* The term meat when used in Sections 71 to 74, inclusive, shall mean only the flesh of animals when dressed for consumption. (Ordinance 166.)

SECTION 76. *Penalty.* Any person or persons, firm, partnership or corporations violating the provisions of Sections 71 to 75 inclusive, or aiding, assisting or causing the violation of any of the provisions of said Sections shall be liable upon conviction thereof to a fine of not less than ten dollars ($10.00) nor more than five hundred dollars ($500.00) or by imprisonment not to exceed one year or by both such fine and imprisonment for each and every offence; and provided that each and every time that said offender fails to comply with the provisions of Section 73 after a conviction for violating the terms of said provision shall be considered a separate offence. (Ordinance 166.)

SECTION 77. *Constitutionality.* If any part or section of Sections 71 to 76, inclusive, be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of said sections as a whole or any part thereof which can be given effect without the part so decided to be unconstitutional or invalid. (Ordinance 166.)

SECTION 78. *Poi Shop—Permit.* No poi shop or shop for the manufacture of poi or paiai for sale shall be erected, maintained, used or operated within the City and County of Honolulu except under a permit therefor as hereinafter provided.

The Treasurer of the City and County is hereby authorized, empowered and directed to issue, upon the receipt of a fee of One Dollar, a permit for such shop, upon the recommendation, in writing of the Board of Supervisors of the City and County of Honolulu.

No such permit shall be recommended by the Board of Supervisors unless such shop shall be properly ventilated, laid with cement floors and cement side walls to a height of at least three feet and draining to a trap connected with a cesspool, sewer or such other means for the proper disposal of drainage as may be approved by the Building and Plumbing Inspector; nor for any such shop in any place where there is not available an adequate supply of pure water or which is incapable of proper drainage,

or which is in such close proximity to sleeping compartments, stable, laundry, abattoir or other place where any business or process is carried on or condition maintained which, in the opinion of the Board of Supervisors, might be a source of contamination or infection to the poi or paiai manufactured thereat. No such shop shall be maintained, used, or operated for any other purpose than the manufacture of poi or paiai, nor unless only pure water shall be used thereat and proper drainage maintained therefor, nor unless it shall be kept so screened as to prevent flies and insects from entering therein; nor unless all implements, tools, machinery, containers, and all other utensils used for or in connection with the manufacture, distribution or storage of poi or paiai shall be sterilized each time before being used; nor if any person or individual is employed or engaged in or about such shop or building who is afflicted with any contagious or infectious disease or any disease which in the opinion of the Board of Supervisors may contaminate or infect the poi or paiai. (Ordinance 21, Sections 1, 2 and 3.)

SECTION 79. *Term of Poi Shop Permit.* Each permit so issued shall be for a term of one year and shall be subject to revocation at any time by the Treasurer on the recommendation of the Board of Supervisors when it appears that the place for which it is issued or the manner in which such place is maintained, used or operated does not comply in all respects with the conditions and restrictions of Section 78. (Ordinance 21, Section 4.)

SECTION 80. *Penalty.* Any person who violates or fails to comply with any provision of Sections 78 or 79 shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Twenty-five Dollars ($25.00), nor more than Five Hundred Dollars ($500.00), or by imprisonment for not more than three months, or by both such fine and imprisonment, and if such person has a permit, the same shall be forfeited. (Ordinance No. 21, Section 5.)

MILK

SECTION 81. *Sale of Milk—Permit Required.* No milk producer or milk vendor shall, either himself or through his agents, servants or employes, offer or expose for sale or sell or deliver for sale, use or consumption within the City and County of Honolulu, any milk without first having obtained from the Board of Supervisors of the City and County of Honolulu a permit so to do as hereinafter provided. (Ordinance 17, Section 1.)

SECTION 82. *Application For Permit.* To procure such a permit, the applicant therefor shall present to the Board of Supervisors a written application, and shall state therein the name and business and residence addresses of the applicant, the source or sources from which said applicant obtains or will obtain supplies of milk, the number of cows in the possession of said applicant, the daily average quantity of milk produced, and the daily average quantity of milk disposed of by said applicant, and the manner and character of such disposition. He shall within four months after the filing of such application furnish a certificate from a veterinary surgeon showing that all such cows are free from tuberculosis. The Board of Supervisors shall provide for the testing of cows and the furnishing of such certificate without charge to the applicant. Such application shall be made to the Board of Supervisors upon printed blanks to be furnished by said Board for such purpose. Such application shall further state the specific brand or business name, if any, under which said milk is to be sold, exchanged or distributed. (Ordinance No. 17, Section 2.)

SECTION 83. *Issue, Number, Transfer, Revocation, Regulation, Etc., of Permit.* If the Board of Supervisors, upon such application shall determine that the statements therein made are true and satisfactory, it shall be the duty of the Board of Supervisors to direct the City and County Clerk to issue, and said City and County Clerk shall thereupon issue to said applicant a permit to sell, expose or offer for sale, exchange, deliver or distribute milk within the City and County of Honolulu.

One such permit shall be required for each place of production, general sale or storage of milk. Such permits shall be issued only in the names of the owners of the supply of milk thus on storage or for sale, and shall for the purpose of this Chapter be conclusive evidence of such ownership. No such permit shall be sold or assigned or transferred. Such permit shall be subject at all times to revocation by said Board of Supervisors in its discretion upon sufficient cause therefor shown; provided, however, that no permit shall be revoked until after a hearing given by the Board of Supervisors in the matter of the revocation of such permit after five (5) days' notice in writing has been served on the owner of such permit, which notice shall state the ground of complaint against such owner, and the time and place of such hearing; and provided further, that no permit shall be revoked by said Board of Supervisors for the first offense without the unanimous consent of all the members of said Board.

At least once each year every person or persons, firm or corporation holding such permit shall register with the City and County Clerk his or their name and permit number, and shall

make a written statement to said Board of Supervisors containing all the information required to be given by applicants for permits in their written applications for permits as hereinbefore provided; and all applications for permits and all such written statements required as aforesaid shall be registered in a register to be kept by the City and County Clerk for that purpose. (Ordinance No. 17, Sections 3 and 4.)

SECTION 84. *Display of Permit Number.* No person or persons, firm or corporation shall sell or expose for sale or exchange or deliver or distribute, within the limits of the City and County of Honolulu, milk from any wagon or vehicle, unless such wagon or vehicle shall have exposed on both sides thereof the permit number of the person or persons, firm or corporation selling or offering or exposing for sale, or distributing or delivering or exchanging such milk. Such permit number shall be painted on said wagon or vehicle in Arabic numerals not less than three (3) inches in height, and shall be placed on said wagon or vehicle under the direction of a duly appointed Milk Inspector, and in case milk is sold from cans or vessels (not carried in any wagon or vehicle), then the permit number as aforesaid shall be put in a conspicuous place on such can or vessel immediately below the opening thereof, so as to be plainly visible on superficial inspection; or if such milk is sold or exposed or offered for sale, delivery, distribution or exchange within a store or house, or on the sidewalk of any street in the City and County of Honolulu, then such permit number shall also be constantly exposed in some conspicuous manner at the place where such milk is sold or kept; so as to be plainly visible. (Ordinance No. 17, Section 5.)

SECTION 85. *Unwholesome, Adulterated, Skimmed Milk, Etc.* It shall be unlawful for any person or persons, firm or corporation, by themselves or by their agents, servants or employes, in the City and County of Honolulu to render or manufacture, sell, offer for sale or exchange, deliver, distribute, or have in his, their or its possession with intent to sell, expose or offer for sale or exchange, or distribute for human consumption, any impure, adulterated, unhealthful or unwholesome milk, or any milk from which the cream has been skimmed or separated unless the same is specifically and openly stated to be skimmed milk.

Milk shall be deemed to be impure, adulterated, unhealthful and unwholesome within the meaning of this Chapter under the following stated conditions, viz:

1st. Milk containing less than eight and one-half per centum (8.5%) of milk solids, excluding milk fat.

2nd. Milk containing less than three per centum (3%) of milk fat.

3rd. Milk drawn from cows within fifteen days before or within five days after parturition.

4th. Milk drawn from cows fed on any unhealthful or unwholesome food.

5th. Milk drawn from cows kept in an unhealthy or unsanitary condition, or from cows affected with any form of infectious, contagious or transmissible disease, or milk which contains more than one million bacteria per cubic centimeter.

6th. Milk from which any part of the cream has been removed, and milk which immediately upon being drawn from the cow shall not have been cooled by submerging the vessel in which the milk is contained in cool water to a depth equal to that of said milk in the vessel, or else cooled by a process of aeration, and kept in a cool place at a temperature of not higher than seventy-seven (77) degrees Fahrenheit until removed for delivery thereof.

7th. Milk which has been diluted with water or with any other fluid, or to which has been added or into which has been introduced any foreign substance whatever.

8th. Milk drawn from cows or by milkers that are themselves in a condition of filth or uncleanliness.

9th. Milk which is shown by analysis to contain any substance or substances of any character whatsoever not natural or normal constituents of milk, or to have been deprived either wholly or in part of any constituent naturally or normally contained in milk.

10th. Milk containing any preservative or antiseptic. (Ordinance No. 17, Sections 6 and 7.)

SECTION 86. *Carrying Swill, Garbage, Etc., or Adulterants on Milk Wagon.* It shall be unlawful for any person or persons, firm or corporation to have or carry on any wagon or vehicle upon or from which milk or cream is being or is brought, carried, stored, deposited, sold, exchanged, delivered or distributed or offered or exposed for sale or distribution as food for any human being, any swill, garbage, refuse or any decaying or fermenting, putrefying, foul, unwholesome, noxious or filthy matter, or any cans or receptacles containing any material or substance with which cream or milk might be diluted, adulterated or rendered impure, unwholesome or unhealthful. (Ordinance No. 17, Section 8.)

Am. 4-24-25
Ord. 261

SECTION 87. *Milk Inspector.* The Mayor with approval of the Board of Supervisors of the City and County of Honolulu shall appoint and may remove at pleasure one or more Milk Inspectors as may be necessary to carry into effect the provisions

of this Chapter. The salaries of such Inspectors shall be fixed by the Board of Supervisors. Said Inspectors shall have all the powers and shall perform all of the duties provided in this Chapter, and shall have such other powers and perform such other duties as may be hereafter prescribed by the Board of Supervisors. (Ordinance No. 17, Section 9.)

SECTION 88. *Supervision Milk Inspectors by City and County Physician—Reports.* It shall be the duty of the City and County Physician to exercise practical supervision in respect to such Milk Inspectors, and said Milk Inspectors shall be subject to the direction at all times of said City and County Physician. Said Milk Inspectors shall make weekly reports to the said City and County Physician of their official doings. (Ordinance No. 17, Section 10.)

SECTION 89. *Inspection of Premises, Etc.* The City and County Physician, the Milk Inspector or Inspectors and any other duly authorized officers of the City and County of Honolulu, and any member of the Health and Sanitation Committee of the Board of Supervisors, or such Committee as shall succeed to the duties of said Committee, shall have the right at any and all times to enter upon or into the premises of any producer or vendor or distributor of milk authorized under the provisions of this Chapter, and any refusal on the part of such producer or vendor or distributor to allow such entry and such inspection as may be required by such City and County Physician, Milk Inspector or other officers, may be punished by the revocation of the permit of such producer, vendor or distributor by the said Board of Supervisors. And it shall be unlawful for any person or persons, firm or corporation to obstruct or interfere with the City and County Physician, a Milk Inspector or any other duly authorized officer or employe of the said City and County in the performance of any of the duties required by this Chapter.

It shall be the duty of the Milk Inspector or Inspectors to inspect from time to time all dairies and other milk establishments in the City and County of Honolulu, for the purpose of satisfying himself or themselves that the provisions and requirements of this Chapter are being observed and obeyed.

The City and County Physician, the Milk Inspector or Inspectors and other officers of the City and County as hereinbefore described shall have the right to enter and have free access, egress and ingress to all places where milk is stored or kept for sale, and to all wagons, carriages or other vehicles, railroad cars, steamboats, or conveyances of every kind used for the carrying or transportation or delivery of milk for the purpose of consumption in the City and County of Honolulu. (Ordinance No. 17, Sections 11, 12 and 13.)

SECTION 90. *Samples.* The City and County Physician and the Milk Inspector or Inspectors shall have the right at any time to take samples of milk from any person, persons or concern selling or exposing for sale or exchanging or delivering or distributing milk in the City and County of Honolulu not exceeding one quart for each sample, such sample to be taken in full view and in the presence of the person from whom said sample is taken, and shall then and there furnish to the person from whom such milk is taken one-half of such sample sealed, and shall retain and seal the other half of said sample. Such sample so retained shall have written thereon an identification number, the date of the taking of the sample and the name of the person by whom it was taken, and a memorandum thereof shall be made by the person taking such sample in a book to be kept for that purpose, showing the name of the owner or driver from whom taken, the date when the same was taken and the number of the dealer's permit. (Ordinance No. 17, Section 14.)

SECTION 91. *Condensed Milk, Buttermilk, Etc.* Nothing herein contained shall be construed to prevent the use, sale or manufacture of what is known as condensed milk, or what is known as buttermilk, or what is known as sour milk, provided the same are made, compounded or prepared from pure, clean, fresh, wholesome and unadulterated milk within the meaning of this Chapter, and are in sound and wholesome condition; and provided also that in the case of condensed milk the proportion of milk solids shall be not less than twenty-eight per cent. (28%), of which not less than twenty-seven and one-half per cent. (27½%) shall be milk fat. (Ordinance No. 17, Section 15.)

SECTION 92. *Skimmed Milk, Labeling of, Etc.* Pure skimmed milk shall be permitted for sale or delivery, provided that the cans or vessels containing shall be distinctly labeled "Skimmed Milk" in letters one and one-half inches high. (Ordinance No. 17, Section 16.)

SECTION 93. *Penalty.* Any person who shall violate any of the provisions of Sections 81 to 92 inclusive shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than Five Dollars ($5.00) and not more than One Hundred Dollars ($100.00), or by imprisonment for a term of not exceeding three months, or by both such fine and imprisonment. (Ordinance No. 17, Section 17.)

CHAPTER ~~II~~ VI

Rep. 9-13-29
Ord. 490

Buildings

CITY AND COUNTY
MUNICIPAL
REFERENCE
LIBRARY
OF HONOLULU

BUILDINGS.

SECTION 94. *Definitions.* The words and phrases used in this Chapter shall have the following meaning:

1. "City of Honolulu" or "City" shall designate that portion of the City and County of Honolulu included within the following boundaries: Commencing at a point on Black Point at the foot of Diamond Head where the military boundary cuts the water edge; thence N. 11° 30′ E. 4.25 miles; thence N. 66° W. approximately 6.03 miles to the military boundary of Fort Shafter; thence along this boundary to the waterfront, thence along the waterfront to the point of beginning.

Rep. 9/3/29
Ord. 498

2. "Fire District No. 1" shall include that portion of the City within the following boundaries: Commencing at a point on the waterfront where a line 100 feet Waikiki from the Waikiki property line of Punchbowl Street extended and parallel to Punchbowl Street cuts the water's edge; thence mauka and parallel to Punchbowl Street to a point 100 feet mauka of the mauka boundary of Beretania Street; thence Ewa and parallel to Beretania Street to a point 100 feet Ewa of the Ewa property line of River Street; thence parallel to the Ewa boundary of River Street to the waterfront; thence along the waterfront to the point of beginning.

3. "Fire District No. 2" shall include that portion of the City within the following boundaries: Commencing at the most southerly corner of Fire District No. 1 near Punchbowl Street, and the waterfront; thence along a line parallel to and 100 feet Waikiki of the Waikiki boundary of Punchbowl Street to a point 100 feet mauka of the mauka boundary of Beretania Street; thence Waikiki and parallel to Beretania Street to a point 100 feet Waikiki of the Waikiki boundary of Alapai Street; thence makai and parallel to Alapai Street to a point 100 feet makai of the makai boundary of King Street; thence Ewa and parallel to King Street to a point 100 feet Waikiki of the Waikiki boundary of South Street; thence parallel to South Street to the center line of Ala Moana; thence southwesterly and parallel to the U. S. Bulkhead line to the waterfront; thence along the waterfront to point of beginning.

Again commencing at a point 100 feet Waikiki of the Waikiki boundary of Punchbowl Street and 100 feet mauka of the mauka boundary of Beretania Street; thence mauka and parallel to

Punchbowl Street to a point 100 feet mauka of the mauka boundary of Vineyard Street; thence parallel to Vineyard Street to a point 100 feet Ewa of the Ewa boundary of Liliha Street; thence parallel to Liliha Street to a point 100 feet mauka of the mauka boundary of King Street; thence parallel to King Street to Asylum Road; thence along the center line of Asylum Road extended to a point 100 feet makai of the makai boundary of King Street; thence parallel to King Street to a point 100 feet Ewa of the Ewa boundary of River Street; thence parallel to River Street to a point 100 feet mauka of the mauka boundary of Beretania Street; thence parallel to Beretania Street to the point of beginning.

Am. 128
Ord. 410

4. "Industrial District No. 1" shall include that portion of the City within the following boundaries: Commencing at the most westerly corner of Fire District No. 1 near Queen and River Streets; thence parallel to River Street to a point 100 feet makai of the makai boundary of King Street; thence parallel to King Street to the intersection with the center line of Asylum Road extended; thence mauka along said line to a point 100 feet mauka from the mauka boundary of King Street; thence Ewa parallel to King Street to the center line of Houghtailing Road; thence makai along the center line of Houghtailing Road to a point 200 feet mauka from the center line of the Oahu Railway and Land Company's present Kalihi branch; thence Ewa and parallel to and at a distance of 200 feet from the said tracks to the present southeastern boundary of the Pacific Fertilizer and Guano Company's boundary; thence mauka along this boundary to the makai boundary of King Street; thence Ewa along the makai boundary of King Street to the intersection with the military boundary of Fort Shafter; thence makai to a point 200 feet mauka of the center line of the present main tracks of the Oahu Railway and Land Company; thence Waikiki and parallel to the center line of said tracks to the center of the present channel of the Kalihi Stream; thence mauka along the center of the channel of the Kalihi Stream to the intersection with the center line of Kamehameha IV Road extended; thence mauka along the extended center line of Kamehameha IV Road to a point 200 feet makai of the center line of the present Kalihi branch of the Oahu Railway and Land Company's tracks; thence Waikiki parallel to and at a distance of 200 feet from the said track to the center line of Waiakamilo Road; thence makai along the center line of Waiakamilo Road to a point 200 feet mauka of the center line of the right of way of the main tracks of the Oahu Railway and Land Company; thence Ewa and parallel to and at a distance of 200 feet from the center line of said right of way to the intersection with the military boundary at Fort Shafter; thence makai along the military boundary at Fort Shafter to a point

200 feet makai of the center line of the said right of way; thence Waikiki and parallel to and at a distance of 200 feet from the center line of said right of way to the center line of Waiakamilo Road extended; thence makai along the center line of Waiakamilo Road extended to the waterfront; thence along the waterfront to the point of beginning.

5. "Industrial District No. 2" shall include that portion of the City within the following boundaries: Commencing at the most southerly corner of Fire District No. 2 at Fort Armstrong; thence mauka along the southern boundary of Fire District No. 2 and parallel to South Street to a point 100 feet makai of the makai property line of King Street; thence Waikiki and parallel to King Street to a point 100 feet Waikiki from the Waikiki property line of Alapai Street extended; thence mauka and parallel to Alapai Street to a point 100 feet mauka of the mauka boundary of King Street; thence Waikiki and parallel to King Street to a point 100 feet Waikiki of the Waikiki boundary of Ward Avenue extended; thence makai and parallel to Ward Avenue to a point 100 feet mauka from Waimanu Street; thence Waikiki and parallel to Waimanu Street to a point 100 feet Waikiki of the Waikiki boundary of Kamakee Street; thence makai and parallel to Kamakee Street to the waterfront; thence Ewa along the waterfront to the point of beginning.

6. "Residential District" shall include all that portion of the City of Honolulu not included in the Fire and Industrial Districts.

7. "Hotel and Apartment District" shall be that portion of the City within the residential district included within the following described boundaries:

"A." Commencing at a point on the waterfront where the most southerly boundary of Fort De Russy cuts the water edge; thence mauka along said boundary to the makai boundary of Kalia Road; thence southeasterly along the makai boundary of Kalia Road to the southeasterly boundary of Lewers Road; thence mauka and parallel to Lewers Road to a point 500 feet mauka of the mauka boundary of Kalakaua Avenue; thence southeasterly and parallel to Kalakaua Avenue to the intersection with the northern boundary of Kapiolani Park; thence makai along said Kapiolani Park boundary extended to the waterfront; thence along the waterfront to the point of beginning.

"B." Commencing at the most easterly corner of Industrial District No. 2, near King Street and Ward Avenue; thence Ewa along the mauka boundary of Industrial District No. 2 to a point 100 feet Waikiki of the Waikiki property line of Alapai Street; thence mauka and parallel to Alapai Street to a point 100 feet mauka of the mauka property line of Beretania Street; thence

Ewa and parallel to Beretania Street to a point 100 feet Ewa of the Ewa property line of Alapai Street; thence mauka and parallel to Alapai Street to a point 100 feet mauka of the mauka property line of Kinau Street; thence along a line parallel to and 100 feet mauka of the mauka property line of Kinau Street to a point 100 feet Ewa of the Ewa property line of Makiki Street; thence along a line parallel to and 100 feet Ewa of the Ewa property line of Makiki Street to a point 100 feet mauka of the mauka property line of Dominis Street; thence along a line parallel to and 100 feet mauka of the mauka line of Dominis Street to a point 100 feet Waikiki of the Waikiki property line of Punahou Street; thence along a line parallel to and 100 feet Waikiki of the Waikiki property line of Punahou Street to a point 100 feet mauka of the mauka property line of Wilder Avenue; thence along a line parallel to and 100 feet mauka of the property line of Wilder Avenue to a point 100 feet Waikiki of the Waikiki property line of Alexander Street extended; thence along a line parallel to and 100 feet Waikiki of Alexander Street to a point 100 feet makai of the makai property line of King Street; and thence along a line parallel to and 100 feet makai of the makai property line of King Street to the point of intersection with Industrial District No. 2; thence mauka along the boundary line of Industrial District No. 2 to the point of beginning.

8. "Alterations" means any change.

9. "Apartment House" same as tenement.

10. "Approved" refers to any device, material or construction which has been approved by the Building Inspector as a result of tests or investigations made under his direction, or upon the satisfactory evidence of competent or impartial investigation conducted by others.

11. "Basement" a story partly or completely below the level of the curb.

12. "Boarding or Lodging House" a building used for boarding or lodging purposes containing not less than 5 or more than 20 sleeping rooms for guests.

Rep. 5/21/26
Ord. 296

13. "Business District" shall designate that portion of the residential district set aside as provided in Section 124 hereof.

14. "Cellar" that part of a building more than 40 per cent. (40%) of which is below the grade of the street, and in third class buildings that part of the building which is below the sills.

15. "Church," for the purpose of this Ordinance "church" shall designate any building designed to be used or used as a place of worship by any religious organization or sect.

16. "Fire Limits" shall mean "Fire Districts Nos. 1 and 2."

17. "First-Class Building" is a building constructed of fireproof materials throughout with floors and roof constructed of steel or reinforced concrete beams, filled between with terra cotta tile, or concrete, or masonry arches, or with concrete or reinforced concrete slabs and otherwise constructed as in this subdivision provided. The outer walls shall be constructed of concrete, brick, stone, tile or similar approved material.

No woodwork or other combustible material shall be used in the construction of any first-class building except wooden floors, sleepers, grounds, bucks and nailing blocks when entirely embedded in incombustible material, also the finish flooring and the interior doors and windows when not otherwise specified, with their frames, trims and casings, and also interior finish when solidly backed with fireproof material may be of wood.

Wood wainscotings more than 4 feet high are prohibited.

There shall be no air space between the top of any floor and the floor boarding.

All exposed structural steel shall be fireproofed with plaster, terra cotta or other fireproofing material approved by the Building Inspector.

Within the Fire and Industrial Districts, first-class buildings shall be provided with fire doors and shutters or wire glass and metal frames on all exterior openings which do not abut a street. Such fire doors and shutters shall be approved.

18. "Second-Class Building" is a building with walls of masonry brick, concrete, or equivalent approved fireproof material supporting the adjacent floor loads, with interior floors supported by studded partition protected by lath and plaster or approved fire-protected columns, or other approved means—with the roof and ceiling construction made fire-resistive by fire-protected steel, or approved fire-protected wood construction and roof covering of fire-resisting material.

Wood or combustible material may be used throughout except as herein noted.

Within the Fire and Industrial Districts, second-class buildings having exterior openings which do not face an abutting street shall be protected with approved shutters or metal frames and wire glass.

19. "Third-Class Buildings" are all those not first or second-class as hereinbefore defined.

20. "Curb," whenever the word "curb" is used with reference to the height of a building or to the definition of a basement, it shall be construed to mean the established curb grade at the center of the established curb grade at the center of the front of the building. In case of a building fronting on two or more

streets, the center of the building facing the highest curb shall be taken.

21. "Curtain Wall." An interior or exterior non-bearing wall that is supported at each floor level by the skeleton frame of the building.

22. "Dwelling." A residence building designed for use as the home of not more than three separate and distinct families. A dwelling within the meaning of this Ordinance shall include necessary out-buildings, servants' quarters and private garage therefor, and may include a private stable for not more than three animals.

23. "Exterior Walls." Any outside wall of a building other than a party wall.

24. "Factory." A building or portion thereof designed or used to manufacture, assemble goods, wares or merchandise, the work being performed wholly or partly by machinery.

25. "Fire Door." A door frame and sill which will successfully resist fire for one hour in accordance with the test specifications of the National Board of Fire Underwriters' Laboratories.

26. "Fireproof." Refers to the materials of construction not combustible in the temperatures of ordinary fires, and which will withstand such fires without serious impairment of their usefulness for at least one hour.

27. "Fire-Resisting." For the purpose of this Ordinance a five-ply tar and gravel roof over wood sheathing, laths or plaster work, woodwork completely covered with sheet metal when approved, wireglass or any material of equal or greater fire-resistive properties than these enumerated, if such is approved, shall be considered fire-resisting.

28. "Fire Window." A window frame, sash and glazing which will successfully resist a fire for one hour in accordance with the test specifications of the National Board of Fire Underwriters.

29. "Foundations." That part of a wall below the level of the highest part of the street curb, or if a wall is not on a street, that part of the wall below the level of the highest ground next to the wall or that part of a party or partition wall below the cellar floor.

30. "Height of Building." The vertical distance from t curb level to the highest point of the roof beams in the cas flat roofs, or the average height of gable in case of roofs ha a pitch of over 20° with the horizontal. In case of dwell

not flush with the street, the height shall be measured from the average height of the corners of the buildings. In measuring the height of a wall the height of the parapet shall not be included.

31. "Hotel." Any building or portion thereof designed or used for supplying food or shelter to residents or guests and containing more than 20 sleeping rooms for guests.

32. "Mill Construction." The term "Mill Construction" applies to buildings having exterior walls of masonry with heavy timber interior construction, with no concealed spaces, the openings between floors enclosed with brick and protected with fire doors and otherwise constructed as in this subdivision provided.

The main floor spaces shall not be cut up into small rooms unless the partitions are incombustible.

The floor construction shall be at least two-ply, at least a total of 3 inches in thickness, and boards placed so that all joints are closed and supported over comparative long spans with heavy beams.

Before a structure shall be classed as "mill construction" it shall be approved.

33. "Office Building." A building which is intended or used for office purposes, no part of which is used for living purposes except by the janitor and his family.

34. "Parapet Wall." That portion of a wall which extends above the roof line and bears no load except as it may serve to support a tank.

35. "Partition Wall." An interior subdividing wall.

36. "Party Wall." A wall that separates two or more buildings, and which is used or adapted for the use of more than one building.

37. "Public Hall." A public hall is a room for public assemblages, having a total seating capacity of 100 or more persons, but which does not include a theater.

38. "Story." A story is that part of a building between any floor and the floor or roof next above.

39. "Street." A public passage, alley, lane or right of way at least 20 feet in width suitable or intended for pedestrians and vehicles.

40. "Structures." Includes the terms buildings, appurtenances, wall, platform, staging or flooring used for standing or other purposes, a shed, fence, sign or billboard on public or private property, or on, above, or below a public highway.

41. "Tenement House" or "Tenement" shall include apartment house or apartments and shall designate any houses or buildings or portions thereof which are designed, built, rented, leased, let or hired out to be occupied or which is occupied as the home or residence of four or more families living independently of each other and doing their cooking in said building.

42. "Theatre." A building, containing a room, for theatrical or operatic exhibitions or other public entertainments, having a total seating capacity of 300 or more persons.

43. "Thickness of Wall." The minimum thickness of any wall.

44. "Wire Glass." Glass not less than one-fourth inch in thickness enclosing a layer of wire fabric reinforcement having a mesh not larger than seven-eighth inch and the size of wire not less than 24 Brown & Sharpe gauge.

45. "Waterfront" shall mean the contour of the mean lower low tide.

46. "Warehouse." A warehouse is a building used for the storage of goods, wares or merchandise.

47. *Measurement of Set-back Distances For Restricted Districts.* Wherever in subdivisions 2, 3, 4 and 5 of this Section it is provided that the boundary be 100 or 200 feet from the street, the distance shall be measured in each case so that such boundary shall be back a full 100 or 200 feet, as the case may be, measured on a perpendicular from the street property line. (Ordinance No. 207, Section 1; Ordinance No. 26, Section 15; Ordinance No. 217, Section 1.)

Am. 6/3/25
Ord. 266

Am. 2/17/27
Ord. 324

Rep. 9/13/29
Ord. 748

SECTION 95. *Building Inspector, Assistant and Employees, Etc.* The Mayor, with the approval of the Board of Supervisors of the City and County of Honolulu shall appoint a suitable person as Building Inspector of the City and County of Honolulu, whose salary shall be fixed by said Board. The Building Inspector may be removed in the same manner as he is appointed. Such Building Inspector shall have all of the powers and shall perform all of the duties hereinafter provided, and shall have such other powers and perform such other duties as may hereafter be designated by the Board of Supervisors. (Ordinance 18, Section 1.)

The Building Inspector of the City and County of Honolulu is hereby authorized to appoint and remove an Assistant Building Inspector and such clerks, janitors and other employees with such qualifications and at such salaries as may be allowed by the Board of Supervisors of the City and County of Honolulu. (Ordinance 158, Section 1.)

The Assistant Building Inspector shall have such powers and duties as are prescribed for the Building Inspector. (Ordinance 158, Section 2.)

The Building Inspector shall have power and supervision over all school buildings and school grounds and other public buildings under the control of the City and County of Honolulu. (Ordinance 158, Section 3.)

SECTION 96. *Permits to Build or Excavate For Building Purposes.*

(a) No person or persons or corporations shall erect, repair, change, alter, remove or re-roof any building or structure, or excavate any cellar or lot for building purposes within the City and County of Honolulu, unless he or they shall first obtain a permit for the work from the Building Inspector of the City and County of Honolulu. The application for such permit shall be made on a prescribed form, and shall state the site to be occupied by the proposed building or structure or work to be done, the materials to be used in the construction of the same, the dimensions and estimated cost of the same, the probable time required for its erection, the use for which the same is intended and is to be put when completed, and the names of the owner, the architect, and the builder; provided, that the provisions of this Section shall not apply to painting, papering, the restoration of plastering, or to repair work not exceeding in cost the sum of One Hundred Dollars ($100.00) and not affecting the construction of outside or party walls, chimneys or stairways or the height of building, and provided further, that if any frame building or structure or corrugated iron building heretofore constructed within the fire limits shall be repaired, the owner of such building or structure shall, before the commencement of such repairs, file with the Building Inspector a statement showing the estimated cost of such repairs, and the cost of all repairs theretofore made upon such building or structure.

Rep. 9/13/2
Ord. 490

(b) Fees for permits and inspection by the Building Inspector shall be as follows:

Work to cost more than $100.00 and not more than $500.00, the sum of $2.00.

Work to cost more than $500.00 and not more than $1500.00, the sum of $3.00.

Work to cost more than $1500.00 and not more than $2,500.00, the sum of $4.00.

Work to cost more than $2,500.00 and not more than $3,500.00, the sum of $5.00.

Work to cost more than $3,500.00 and not more than $5,000.00, the sum of $6.50.

Work to cost more than $5,000.00 and not more than $100,000.00, $6.50 for the first $5,000.00, and 10 cents for each $100.00 or fraction thereof in excess of the sum of $5,000.00.

Work to cost more than $100,000.00, $105.00 for the first $100,000.00, and 5 cents for each $100.00 or fraction thereof in excess of $100,000.00.

Where separate structures are included in one application, a permit shall be issued for each structure. (Ordinance 26, Section 1, and Ordinance 33, Section 1.)

Rep. 9/13/29
Ord. 490

SECTION 97. *Plans and Specifications to be Filed.* (a) Any person applying for a permit for work, the cost of which will exceed one thousand dollars, shall file with the Building Inspector plans and specifications of the proposed work. Plans of all buildings shall show the details of all construction. Such plans and specifications shall become the property of the City and County of Honolulu and shall be for official use only. Pencil plans and specifications will not be accepted. Computations and strain sheets shall be submitted, when required.

(b) For work the cost of which will not exceed One Thousand Dollars ($1,000.00), a statement on an approved form setting forth the particulars of the work may be filed in lieu of plans and specifications. (Ordinance 26, Section 2.)

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SECTION 98. *Building Inspector to Issue Permit.* The Building Inspector shall without delay ascertain whether such plans and specifications embody all the requirements applicable by law and ordinance to the case, and if the requirements be met, shall, upon the payment of the stated fee, issue a permit to perform the work or improvement, at the place described and in accordance with said plans and specifications. The one to whom the permit is issued shall cause the same to be at place of work for which it was issued during working hours. (Ordinance 26, Section 3; Ordinance 217, Section 6.)

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SECTION 99. *Effect of Approval of Plans and Specifications.* The approval of any plans and specifications shall not relieve the architect, contractor or owner from any liability as regards damages or loss of life from the failure of any structure or part thereof due to faulty or improper design, materials or workmanship, or from any liability that may accrue by reason of the use or occupancy by either of such persons of the sidewalk, street or sub-sidewalk space, or any liability that may accrue by reason of the noncompliance by either of such persons with any of the provisions of this Chapter. (Ordinance 26, Section 4.)

SECTION 100. *Forms to be Furnished by Building Inspector.* Blank application and other forms shall be furnished by the Building Inspector upon request to any person desiring a permit. (Ordinance 26, Section 5.) Rep. 9/13/2 Ord. 490

SECTION 101. *Notice to Building Inspector Before Beginning Work.* Written notice of the intention to commence work shall be given to the Building Inspector at least twenty-four hours before beginning the work covered by permit. (Ordinance 26, Section 6.) Rep. 9/13/ Ord. 490

SECTION 102. *Building Inspector's Right to Enter Buildings.* The Building Inspector, so far as may be necessary for the performance of his duties, shall have the right of way to enter at any reasonable time any new or unoccupied building or any building under construction, repair, alteration or removal or any building alleged to be unsafe. (Ordinance 26, Section 7.) Rep. 9/13/ Ord. 490

SECTION 103. *Expiration of Permit.* If the work authorized by any permit is not begun within ninety days from the date thereof, said permit shall be thereafter void, and before such work can be commenced a new permit shall be taken out, and the same fees as fixed for the original permit shall be paid. (Ordinance 26, Section 8.) Rep. 9/13/2 Ord. 490

SECTION 104. *Revocation of Permit.* If the work upon any building shall be conducted in violation of any of the provisions of the ordinances of the City and County of Honolulu, or if work shall be not commenced or abandoned for a period of more than 90 days, the Building Inspector shall revoke the permit. (Ordinance 217, Section 3.) Rep. 9/13/29 Ord. 490

SECTION 105. *Accounting For Fees.* The Building Inspector shall keep accurate record in proper form of all fees received which record shall be open for public inspection. He shall pay all fees received by him to the City and County Treasurer, within thirty days after receipt of same, and render an account thereof to the Board of Supervisors once each month. (Ordinance 26, Section 10.) Rep. 9/13/2 Ord. 490

SECTION 106. *Power of Building Inspector to Order Repairs.* Whenever any building or any portion thereof, of any structure, chimney, smokestack, stove, oven, furnace or other appurtenance connected with any building or upon any premises, or place, is dangerous, defective or unsafe, the Building Inspector shall so declare the same to the owner and shall order and cause the same to be torn down, altered, repaired, or rebuilt, and such Rep. 9/13/29 Ord. 490

owner shall forthwith comply with such order. It shall be unlawful for any owner to maintain any building or any portion thereof, or any structure, chimney, smokestack, stove, oven, furnace or other appurtenance connected with any building or upon any premises or place, which is dangerous, defective or unsafe and which has been so declared and ordered to be torn down, altered, repaired or rebuilt by the Building Inspector as aforesaid. (Ordinance 26, Section 11; Ordinance 33, Section 2; Ordinance 198, Section 1.)

Rep. 9/13/29 Ord. 498

SECTION 107. *Alteration of Existing Buildings.* It shall be unlawful to enlarge, build upon or remove any building unless at the completion of such work the whole building, and every part thereof, shall conform to the provisions of the ordinances of the City and County of Honolulu; provided, however, that when any part of an existing building within Fire Districts Nos. 1 and 2 is taken for the public use by condemnation, it shall be lawful to repair the remaining portion of such building with materials similar to those of which the building was orginally constructed. It shall be unlawful to make repairs or alterations excepting painting, papering or replastering upon any frame or corrugated iron building within the said fire districts to an extent in all (including repairs theretofore made) greater than fifty per cent. (50%) of its assessed value. (Ordinance 26, Section 13; Ordinance 161, Section 10; Ordinance 217, Section 4.)

Rep. 1/12/29 Ord. 498 a

SECTION 108. *Appeal.* An applicant who has been refused a permit or the holder of a permit which has been revoked by the Building Inspector may appeal for an order requiring the Building Inspector to issue or reissue such permit to said applicant, to the Board of Supervisors. A written statement of the matter in controversy and the reasons for refusal or revocation shall be made by the applicant and the Building Inspector, either or both of whom may be called upon to testify by the Board of Supervisors. The findings of a majority of the Board shall be final. (Ordinance 26, Section 14.)

Am. 3/14/28 Ord. 409

SECTION 109. *First-Class Buildings in Fire District No. 1.* Within Fire District No. 1 all buildings hereinafter erected shall be first-class buildings and subject to the requirements of area, height or any other requirements of this Chapter.

Rep. 9/13/29 Ord. 498

Provided, however, that this Section shall be construed to affect existing buildings when the alterations on such total more than one hundred per cent. (100%) of the assessed value of the structure in the case of second-class buildings and fifty per cent. (50%) of the assessed value of the structure in case of third-class buildings. The assessed value used shall be that taken

just prior to the proposed repairs. When the total repairs exceed the above, such structure shall be made to entirely conform to the requirements of this Section, or removed.

Provided, further, that when any part of an existing building is taken for public use by condemnation, it shall be lawful to repair the remaining portion of such building with materials similar to those with which the building was originally constructed.

Provided, further, that nothing in the foregoing requirements for first- and second-class buildings within Fire District No. 1 and Fire District No. 2 shall be construed to affect third-class temporary buildings to be erected in accordance with the following requirements:

1. Permits for such structures shall expire thirty (30) calendar days from the date of issue.

2. Such structures shall be confined to open lots, parks or similar open spaces and shall not be closer than thirty feet to the nearest existing structures.

3. Such structure shall be so constructed and maintained as to reduce the probability of fire to a reasonable minimum and shall be subject to the approval of the Chief Engineer of the Fire Department and the Building Inspector of the City and County of Honolulu, and shall conform to the requirements of structural safety provided in this Chapter. (Ordinance 207, Section 2; Ordinance 217, Section 2.)

Note: For buildings without walls, see Section 116.

SECTION 110. *Class of Buildings in Fire District No. 2.* Within Fire District No. 2 all buildings hereafter erected shall be either first- or second-class buildings or of mill construction. Rep. 9/13/21 Ord. 490

Provided, however, that this Section shall be construed to affect existing buildings when the alterations on such total more than fifty per cent. (50%) of the assessed value of the structure just prior to the proposed alterations, in which event the owner shall make the entire building conform to the requirements of this Chapter and/or remove the structure or such other procedure as may be required. (Ordinance 207, Section 3.)

Note: For buildings without walls, see Section 116.

SECTION 111. *Class of Buildings in Other Districts.* Within Industrial Districts Nos. 1 and 2 and the remainder of the City and County of Honolulu, buildings may be first, second or third-class building, but subject, however, to the spacing, area and height or other applicable requirements elsewhere in this Chapter. (Ordinance 207, Section 4.) Am. 7-31-25 Ord. 274 Am. 3-14-28 Ord. 409

SECTION 112. *Height of Buildings.*

(1) No building or structure hereafter erected, except, church spires, water towers, clock towers, smokestacks or chimneys, shall exceed in height twice the width of the widest street upon which it fronts within Fire District No. 1, or one and one-half times the width of the widest street upon which it fronts in Fire District No. 2 and Industrial Districts Nos. 1 and 2, or once the width of the widest street upon which it fronts within the remainder of the City of Honolulu, nor shall the height exceed the following limits:

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rd. 490

	Stories	Height in Feet
Frame buildings used for purposes other than a single dwelling	2	30
Frame dwelling occupied by not more than one family	3	35
Buildings having bearing walls of hollow terra cotta or concrete blocks	4	55
Second-class buildings	4	55
Mill construction	5	65
First-class buildings	6	75

(2) If a single story building exceeds 30 feet in height the roof shall be fire-resisting.

(3) A single story building not exceeding 30 feet in height may have a monitor not excedding 10 feet in height.

(4) No story of any building except first-class buildings above the first story shall exceed 15 feet in height. (Ordinance 207, Section 5.)

SECTION 113. *Areas and Distances of Buildings.*

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Ord. 490

(1). FIRST AND SECOND-CLASS BUILDINGS.

In every first or second-class building, the maximum area of any floor between fire walls or exterior walls either without or with a full equipment of automatic sprinklers, shall be as follows:

I. FIRST-CLASS BUILDINGS.

(a) All buildings used for public gatherings or residence, light and power stations, office buildings—No restrictions as to area.

(b) All other buildings—

Fronting on	Without Sprinklers	With Sprinklers
One street	10,000 sq. ft.	16,666 sq. ft.

Two streets	12,000 sq. ft.	20,000 sq. ft.
Three streets	15,000 sq. ft.	25,000 sq. ft.

(c) The first floor only of any "first-class building" occupied as a store may have an area of 20,000 square feet, and if protected with an automatic sprinkler system may have 30,000 square feet.

II. SECOND-CLASS BUILDINGS.

(a) Tenement Houses ..... 3,000 sq. ft.

(b) All other second-class buildings, height not over 55 feet.

Fronting on	Without Sprinklers	With Sprinklers
One street	5,000 sq. ft.	8,333 sq. ft.
Two streets	6,000 sq. ft.	10,000 sq. ft.
Three or more streets.....	7,500 sq. ft.	12,500 sq. ft.

(c) Mill construction buildings, height limit 65 feet.

One street	6,500 sq. ft.	13,000 sq. ft.
Two streets	8,000 sq. ft.	16,000 sq. ft.
Three streets	10,000 sq. ft.	20,000 sq. ft.

(2) "THIRD-CLASS BUILDINGS" WITHIN "INDUSTRIAL DISTRICTS NOS. 1 AND 2."

Every third-class building within Industrial Districts Nos. 1 and 2 shall be built in accordance with the following table:

ONE STORY NOT TO EXCEED 30 FEET IN HEIGHT.

Distance to nearest interior lot boundary in feet	Distance to nearest building in feet	Fronting on one street sq. ft.	Fronting on two streets sq. ft.	Fronting on three or more streets, sq. ft.
5	10	800	900	1,000
8	15	1,000	1,500	2,000
10	20	1,500	2,000	2,500
13	25	2,500	3,000	4,000
20	40	4,500	5,000	6,000

(a) In the foregoing table, the minimum distances and areas are given, and whichever distance from either lot or boundary or the nearest building gives the lesser corresponding area, that distance shall govern.

(b) No third-class building within Industrial Districts Nos. 1 and 2 shall be closer than five feet to any interior lot

boundary, or within ten feet of any other building, nor shall it exceed 6500 square feet in area as provided in paragraph (e).

(c) Any third-class building may be built on any street property line provided the allowable area does not exceed the requirements of paragraph (a) of this Section for distance from the nearest buildings.

(d) Any third-class building within Industrial Districts Nos. 1 and 2 may be increased sixty-six and two-third per cent. (66⅔%) in area if equipped with approved automatic sprinkler systems.

(e) Third-class buildings within the industrial districts may be constructed adjacent to each other provided the sections are separated with a parapet wall extending three feet above the roof and six inches on the sides with all openings protected with approved fire doors, and provided, further, that the floor area of any section shall not exceed 2300 square feet nor shall any part of the structure be nearer than 15 feet to any interior lot boundary, nor shall it be over one story, or thirty feet in height, nor shall such adjacent structure be used as a tenement, apartment, or dwelling or living quarters.

(3) THIRD-CLASS BUILDINGS OUTSIDE THE FIRE AND INDUSTRIAL DISTRICTS.

(a) Outside the fire and industrial districts the areas of the third-class buildings and distances of said buildings from interior lot boundaries shall be as follows:

ONE STORY NOT OVER 30 FEET IN HEIGHT.

Distance to nearest interior lot boundary in feet	Distance to nearest building in feet	Fronting on one street sq. ft.	Fronting on two streets sq. ft.	Fronting on three or more streets, sq. ft.
5	10	1,000	2,000	3,500
10	15	2,000	3,500	6,000
15	20	3,500	6,000	8,000
20	25	6,000	8,000	10,000

MORE THAN ONE STORY IN HEIGHT.

10	15	1,000	2,000	3,500
15	20	2,000	3,500	6,000
20	25	3,500	6,000	10,000
25	30	6,000	10,000	10,000
30	35	10,000	10,000	10,000

(b) No third-class building in the City of Honolulu and outside the fire and industrial districts shall exceed 10,000 square

feet in area nor shall the same be nearer any interior lot boundary than the minimum distances in the preceding tables, except that garages and servants' quarters not exceeding 800 square feet or one story in height may be placed on the rear lot boundaries if such is approved.

(4) BUILDINGS ON INTERIOR LOTS.

(a) No building which does not face a street* for a distance of one complete dimension of the building shall be constructed in excess of the following table of allowable heights and areas:

District	Second-class Bldgs. Max. Height	Second-class Bldgs. Max. Area sq. ft.	Third-class Bldgs. Max. Height.	Third-class Bldgs. Max. Area
Fire District No. 1....	No restrictions.			
Fire District No. 2....	2 story	5,000 sq. ft.	Not permitted	
Industrial Districts Nos. 1 and 2.....	2 story	5,000 sq. ft.	1 story or 30 ft.	1,500 sq. ft.
Remainder of the City of Honolulu.....	2 story	5,000 sq. ft.	1 story or 30 ft.	1,500 sq. ft.

Buildings shall be considered to face a street if no structure other than a fence not over eight feet high exists between such building and the street.

(b) No third-class building shall be constructed on an interior lot over one story or thirty feet in height.

(c) In the case of a deep lot which allows the construction of several buildings, but abuts a street, all portions of the lot beyond a line 75 feet back from the street property line and which does not have a direct fronting on the street, shall for the purpose of this Chapter be considered as an interior lot, and all buildings erected thereon shall comply with the requirements for an interior lot.

(d) Every building on an interior lot shall provide a minimum passage of five feet for the occupants of such building or buildings thereon and an additional one-inch width for each person over ten persons who occupy or for whom accommodations are provided by such building or buildings. (Ordinance 207, Section 6.)

SECTION 114. *No Building Within Five Feet of Boundary.* No building hereafter constructed or erected within the Residential District shall be nearer than five feet to any interior lot boundary, except that one story garages and servants' quarters, which do not exceed 800 square feet in area may be built on

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Ord. 251
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* See definition of street, Sec. 94.

the rear property line if such is approved. (Ordinance 217, Section 12.)

p. 9/13/24 d. 490 SECTION 115. *Buildings Partly in Different Districts.* In applying the provisions of this Chapter whenever a structure or building is partly within a district, all parts of the building or structure shall conform to the requirements of the more stringently regulated district. (Ordinance 207, Section 7.)

ep. 9/13/24 rd. 490 SECTION 116. *Sheds and Buildings Without Walls.* Within any district garage sheds consisting of metal roofing and supports will be permitted—one story or 20 feet in height, the sides of which are open and the interior exposed.

Within the Industrial Districts and Fire District No. 2, steel mill buildings without walls for ten feet above the ground may be constructed—one story or 40 feet in height for use as machine shops, foundries or other similar use. (Ordinance 207, Section 8.)

p. 9/13/24 d. 490 SECTION 117. *Measurements or Distances.* The distance between buildings, or the distance to the lot lines shall be taken to mean the minimum distance measured horizontally from any portion of the building projected vertically giving the minimum measurement. Eaves and cornices to the extent of two feet six inches are exempt. Metal or fire-proof ladders or stairs are exempt. Steps and stairs may be exempt if their location is such as not to defeat the purpose of this Section, and such construction has the approval of the Building Inspector. (Ordinance 207, Section 9.) Note: For space requirements, see Secs. 113 and 114.

Rep. 9/13/24 Ord. 490 SECTION 118. *Permissible Lot Occupied In All Districts.* Except as hereinbefore provided, all buildings except theaters, special industry buildings and tenement houses shall have uncovered spaces for providing light and air. These spaces shall be open to the sky from the top of the second-story window sill and shall be in accordance with the following provisions:

(1) Rooming houses, club houses, hotel and lodging houses or lots other than corner lots:

20% of total lot area.

(2) Buildings as enumerated in provisions 1 on corner lots:

15% of total lot area.

(3) All buildings not enumerated in provisions 1 and 2 on lots other than corner lots:

10% of total lot area.

(4) All buildings not enumerated in provisions 1 and 2 on corner lots not exceeding 2500 square feet in area:

5% of total lot area.

(5) When buildings are on corner lots more than 2500 square feet in area, that portion of the building upon the excess lot area over and above 2500 square feet shall be provided with open spaces in accordance with the requirements of provisions 1, 2 or 3, as the case may be, of this Section.

(6) Every building (other than buildings enumerated in paragraph 2) which occupies lots fronting on three or more streets may occupy the entire lot area.

(7) The total area of the uncovered spaces of all buildings which are more than 75 feet in width and occupy the entire block front facing upon three or more streets may be less by twenty-five per cent. (25%) than required by provisions 3, 4, 5 and 6 of this Section.

(8) There shall be a clear space not less than five feet in width at and above the second-story window sills between the rear line of every building and rear lot except corner lots. This shall not apply to buildings which extend through from one street to another.

(9) In every court or yard the minimum width between walls shall be five feet.

(10) Additions to existing buildings may be considered as only one complete unit for space requirements. (Ordinance 207, Section 10.)

Rep. 9/13/29
Ord. 490

SECTION 119. *Roofs.* Within the Fire and Industrial Districts the use of wooden shingles or other similar forms of combustible roof covering is prohibited. (Ordinance 207, Section 11.)

Rep. 9/13/29
Ord. 490

SECTION 120. *Fences.* No fence of combustible material shall be constructed within Fire Districts No. 1 or No. 2, or shall be used as a wall of any building or roofed over and in conjunction with other fences or walls as the wall of any building, unless such fence shall be constructed in the same manner as walls in Class 1 and Class 2 buildings. And no fence shall be erected between buildings or any interior lot boundary within the residential district exceeding six feet in height; provided, however, that open-wire fences that do not obstruct the free passage of light or air may be built in excess of six feet. (Ordinance 207, Section 12; Ordinance 217, Section 13.)

Rep. 9/13/29
Ord. 490

SECTION 121. *Other Provisions of Chapter Applicable.* All buildings within the City of Honolulu shall conform to the re-

quirements of construction, allowable loads, sanitation, area, height or any other applicable requirement of this Chapter. (Ordinance 207, Section 13.)

Rep. 9-13-29
Ord. 490

SECTION 122. *Tenements.* No wooden tenement or apartment house two stories in height shall have less than two independent stairways, neither one of which shall be less than thirty inches wide, leading to the ground floor. These stairways shall be at least a total of sixty inches wide with an addition two inches for each family over four families occupying the second or upper floors of such tenement or apartment house. The stairways shall be so located that no matter in what room fire might occur, the remaining rooms shall have free access to one of the stairways. (Ordinance 207, Section 14.)

Am. 2-8-23
Ord. 231
Am. 3-21-33
Ord. 234
Am. 5-21-26
Ord. 296
Am. 12-13-26
Ord. 313
Am. 5-1-28
Ord. 420
Rep. 9-13-29
Ord. 490

SECTION 123. *Buildings in Residential and Business Districts.* No building, except a publicly owned building, designed to be used or intended to be used for any purpose except as a dwelling, boarding house or church shall be erected within the "Residential District," except as in this Section provided.

No building now being used for a "dwelling" or "boarding house" or "church" shall hereafter be used any differently except as in this Section provided.

Hotels and apartments may be erected within the "Hotel and Apartment Districts."

Buildings may be used or erected to be used for any purpose within the "Business District."

Drawings of buildings to be erected or altered to provide a change in use in the "Residential District" shall be furnished to the Building Inspector together with sufficient data to show whether the applicant is entitled to a building permit under the terms of this ordinance. (Ordinance 207, Section 15; Ordinance 217, Section 14.)

A 313 add
124-124A
124B 124C
124D

A 336-340 new -343-344-352-354-
367-371-372-374-378-385-386-389-
390
392
394-
398-
401-
413-
429-

Am. 6-21-23
Ord. 237
Am. 8-23-23
Ord. 239
Rep. 5-21-26
Ord. 296

SECTION 124. *Setting Apart Business Districts.* The owner or owners of at least 60 per cent of the property within any area in the Residential District containing at least 500,000 square feet may have the said area set apart as a business district in the manner and in conformity with the terms of this Section. Such area must be approximately rectalinear in shape, must abut on or contain a public street, and must, where practicable, contain both sides of any street, any part of which abuts on or is contained in said area, and must contain land not less than 100 feet in depth on each side of such street or streets. The said owner of owners shall file with the Building Inspector a petition setting forth all the requisite facts, and shall deposit with him the sum of Ten Dollars ($10.00) to cover the costs of pub-

lishing the notice of hearing. The Building Inspector shall forthwith verify its contents and if it complies with the provisions hereof he shall call a public hearing thereon and give notice thereof by publication and by posting within said area at least ten days prior to the hearing. The signers of the petition may withdraw their names at any time prior to the closing of the hearing. If, after said public hearing said petition shall still be supported by the owner or owners of at least 60 per cent of the property in said area, the Building Inspector shall by order, set aside the area described in said petition as a business district, and thereafter such area shall be included in the term "Business District" as used in this Chapter. Any owner of porperty within said area aggrieved may appeal from any order of the Building Inspector made under this Section to the Board of Supervisors by filing a written notice of appeal with the City and County Clerk on or before ten days from the date of said order.

If any property in said area is under lease, the unexpired term of which is over five years, the lessee or lessees must approve of said petition in addition to the owner or owners before the area can be counted in the percentage required to set aside a Business District. (Ordinance 207, Section 16; Ordinance 217, Section 15.)

SECTION 125. *No Building Permit.* The Building Inspector shall not issue any building permit for any building to be erected in violation of the terms and provisions of this Chapter, and any building permit issued contrary to the terms and provisions thereof shall be void. (Ordinance 207, Section 17.) Rep. 9-13-29 Ord. 490

SECTION 126. *Penalty.* Any person violating the provisions of Sections 94 to 126, inclusive, shall, upon conviction, be punished by imprisonment for not more than one (1) year, or by a fine of not more than One Thousand Dollars ($1,000.00), or by both such fine and imprisonment. (Ordinance 207, Section 18.) Rep. 9-13-29 Ord. 490

SECTION 127. *Quality of Material.* All materials used shall be of good quality for the purpose for which they are intended, and shall conform to the trade and manufacturers' standards. Each class of material shall be free from imperfections whereby its strength or durability may be impaired. Rep. 9-13-29 Ord. 490

Brick—The brick referred to in this Chapter is the merchantable brick of imported or domestic manufacture.

Stone—The stone referred to in this Chapter is the building stone in common use, and may be Island stone or imported build-

ing stone, and shall be subject to such tests as the Building Inspector may direct, and shall not be used where such tests show it to be insufficient for the superimposed load.

Sand—Sand shall be clean and free from organic matter.

Lime—Lime shall be the fresh-burned quicklime or ordinary lime of commerce.

Cement—The cement referred to is the standard Portland cement of commerce, which, when tested, must fill the requirements of Section 147, relating to cement.

Concrete—Concrete shall be composed of Portland cement, sand, and broken stone, or coarse gravel. For the purpose of filling in above floor arches it may be used as an aggregate in cinder concrete.

Lumber—The lumber used for building purposes shall be the native or imported merchantable lumber of commerce.

Wrought Iron—All wrought iron shall be fibrous, tough and ductile.

Cast Iron—Cast iron shall be of good foundry mixture, producing a clean, tough, gray iron.

Steel—Structural steel shall be either the Bessemer or the open-hearth steel, and shall conform to manufacturers' standard specifications. (Ordinance 217, Section 5; Ordinance 26, Section 16.)

Rep. 9/13/29
Ord. 490

SECTION 128. *Test of Materials.* All structural materials of whatever nature shall be subject to test at the option of the Building Inspector to determine their character and quality, by methods prescribed by the American Society of Testing Materials. No new class of structural material shall be used until the same has been tested and found to fulfill the minimum conditions necessary for good and safe building. (Ordinance 26, Section 17.)

Rep. 9/13/29
Ord. 490

SECTION 129. *Calculation of Stresses.* The allowable working stresses in materials, the strength of parts, and combinations of materials used, shall be determined in accordance with the rules and in the manner prescribed by standard modern authorities on the strength of materials, applied mechanics and the best engineering practice. (Ordinance 26, Section 18; Ordinance 33, Section 2-A.)

Rep. 9/13/29
Ord. 490

SECTION 130. *Safe Loads on Soils.* Good, sound, natural earth shall not be subjected to a greater loading than the following, in tons, per square foot:

Gravel and coarse sand, four:

Loam or fine sand compacted, three:

Soft, wet sand, two.

In the construction of buildings on soft, wet soil, piling or other approved methods of compressing the soil shall be used. When doubt arises as to the safe sustaining power of the ground upon which a building is to be erected, the Building Inspector may direct that the sustaining power of the soil shall be tested by and at the expense of the owner, in order that its class may be definitely determined. (Ordinance 26, Section 19.)

SECTION 131. *Foundation* Walls. No foundation walls in buildings of classes one and two shall rest upon any filled or made ground. The depths of foundations of such buildings as do not rest on solid coral or rock shall be not less than the depths prescribed in the following schedule: Rep. 9/13/29 Ord. 490

In one-story buildings, not less than one foot below natural surface of ground; in two and three-story buildings, not less than two feet below natural surface of ground; in four-story buildings not less than three feet below natural surface of ground; in five or six-story buildings not less than five feet below natural surface of ground; in seven, eight, nine and ten-story buildings not less than six feet below natural surface of ground.

Provided, however, that nothing in this Section contained shall prevent the Building Inspector from requiring a greater depth for foundations, if it is necessary for the stability of said foundations and the structure proposed to be erected thereon. The width of the foundations of the several parts of any building shall be proportioned to the load to be carried, as hereinafter specified.

No course of brick footings shall project more than two inches from the footing of wall above.

Foundations shall be proportioned to the actual loads they must sustain. (Ordinance 26, Section 20.)

SECTION 132. *Standard Depth of Foundations.* The depth of ten feet below the adjacent curb level is hereby fixed as the standard depth of foundations. Any person excavating to a greater depth than the above standard shall protect the adjoining property from any damages due to said excavation. No person constructing foundations to the standard depth or less shall be liable for damages to contiguous buildings, the walls of which have not been constructed to the standard depth. (Ordinance 26, Section 21.) Rep. 9/13/29 Ord. 490

SECTION 133. *Retaining Walls.* The thickness of all retaining walls shall be sufficient to secure the required stability and strength. The thickness of ordinary stone or brick retaining walls at their base shall not be less than one-quarter of their height. (Ordinance 26, Section 22.) Rep. 9/13/29 Ord. 490

Rep. 9/13/29 Ord. 498 SECTION 134. *Steel Frame Construction, Steel.* No material shall be used, in any steel columns, of less than one-thirty-second of its unsupported width, measured between centers of rivets transversely, or one-sixteenth of the distance between centers of rivets in the direction of the stress.

The ends of all columns shall be faced to a plane surfaced at right angles to the axis of the column, and the connections between them shall be made with splice plates near and above the floor line.

Steel and wrought-iron columns may be made in one, two, and three-story lengths. (Ordinance 26, Section 23.)

Rep. 9/13/29 Ord. 498 SECTION 135. *Rolled Steel Beams.* All rolled-steel beams used in buildings shall be of full weight and free from injurious defects. (Ordinance 26, Section 24.)

Rep. 9/13/29 Ord. 498 SECTION 136. *Connections.* All steel and iron framing shall have shop and field connections made by riveting, if possible. When riveting is not possible, field connections may be made with bolts. (Ordinance 26, Section 25.)

Rep. 9/13/29 Ord. 498 SECTION 137. *Riveting of Structural Steel and Wrought Iron Work.* The distance from center of rivet hole to the edge of the piece shall not be less than one and one-half times the diameter of the rivet. Wherever possible, however, the distance should be equal to two diameters. When practicable, rivets shall be machine driven. The pitch of rivets shall never be less than three diameters of the rivet nor more than eight inches. (Ordinance 26, Section 26.)

Rep. 9/13/29 Ord. 498 SECTION 138. *Steel Trusses.* Trusses shall be of such design that there will be no uncertainty in the stresses. All trusses shall be held rigidly in position by efficient systems of lateral and sway bracing. (Ordinance 26, Section 27.)

Rep. 9/13/29 Ord. 498 SECTION 139. *Wall Plates.* Bearing plates of stone or metal shall be used to reduce the pressure on a bearing wall to the allowable working stress. (Ordinance 26, Section 28.)

Rep. 9/13/29 Ord. 498 SECTION 140. *Bracing of Frames.* The iron or steel frames of any building shall be carried up true and plumb and be rigidly braced from the floor beams of every story. (Ordinance 26, Section 29.)

Rep. 9/13/29 Ord. 498 SECTION 141. *Cast Iron Columns.* In computing the strength of a cast-iron column its thickness shall be taken at its thinnest part, and the column shall be condemned if the compu-

tation shows that the strength of the piece be less than required by these regulations. Whenever blowholes or imperfections are found in the cast-iron column which reduces the area of the cross-section at the point more then 10 per centum, such column shall be condemned. Cast-iron posts or columns without one side or back open, before being set in place, may at the option of the Building Inspector be drilled to exhibit to the Inspector the thickness of the metal. Such hole shall be drilled, under the supervision of the Inspector, by and at the expense of the owner or contractor. (Ordinance 26, Section 30.)

SECTION 142. *Painting of Structural Metal Work.* All structural metal work shall be cleaned of all scale, dirt, and rust and except when embedded in cement or concrete shall be thoroughly coated with at least one coat of non-oxidizing paint before leaving the shop or before erection. After erection, all places left for shop marks, all abrasions, and all rivet heads and bolts shall be painted, after which the entire frame shall be painted with at least one additional coat of tint different from the first. Rep. 9/13/29 Ord. 490

All iron or steel used below the ground water-level shall be inclosed by Portland cement concrete. (Ordinance 26, Section 31.)

SECTION 143. *Skeleton Frame. Proportioning of Frame.* In proportioning the skeleton frame each part shall be constructed of sufficient strength to carry the superimposed load without assistance from the walls below. Girders for the support of inclosing walls shall be placed at the level of the floors. Irregular or eccentric loading shall be avoided as far as possible. (Ordinance 26, Section 32.) Rep. 9/13/29 Ord. 490

SECTION 144. *Floor System.* The floor system of a skeleton frame shall be constructed with steel or reinforced concrete floor beams, so designed that the maximum load imposed shall not cause a greater deflection than one three-hundred-sixtieth part of the span. The floor beams shall be tied together at intervals not exceeding eight times the depth of the beams by suitable or other approved methods. (Ordinance 26, Section 33.) Rep. 9/13/29 Ord. 490

SECTION 145. *Frame Protection.* All iron or steel used as supporting members of the external construction of a building shall be protected by a covering of brick, terra-cotta, or other fireproof material completely enveloping said structural member. If of brick or terra-cotta, this covering shall not be less than four inches in thickness. If the whole column or frame be cast in concrete, all the exterior members shall be inclosed in concrete at least two inches in thickness. Rep. 9/13/29 Ord. 490

If a facing of granite or marble, or other stone, which is subject to disintegration by heat, is used, every beam and column shall be protected independently of such facing with not less than two inches of fireproof material. In no case shall a stone or marble column be used to carry a wall exceeding one story in height. (Ordinance 26, Section 34.)

CONCRETE CONSTRUCTION.

Rep. 4/13/29 Ord. 498 SECTION 146. *Proportions and Mixing of Reinforced Concrete For Buildings.* Concrete for slabs, walls, beams and girders shall not be of a leaner mix than one part cement, two and one-half parts sand, and five parts stone. Concrete for footings, foundations, sidewalks, etc., shall not be of a leaner mix than one part of cement, three parts sand and six parts of stone. (Ordinance 26, Section 35.)

Rep. 4/13/ Ord. 498 SECTION 147. *Cement and Inerts.*

(a) *Cement.* Only Portland cement shall be used which conforms to the Standard Specifications of the American Society for Testing Materials.

All cement shall be tested in lots of not more than one car load, and the Building Inspector may at any time demand that certified copies of all test records be submitted to him for examination.

The minimum requirements for tensile strength for briquettes one inch square in section shall be:

Neat cement—

24 hours in moist air.....200 lbs.
7 days (one day in air, six in water).....500 lbs.
28 days (one day in air, twenty-seven in water).600 lbs.

One part cement, three parts standard sand—

7 days (one day in air, six in water).....175 lbs.
28 days (one day in air, twenty-seven in water).250 lbs.

(b) *Sand.* Sand used for concrete shall be clean and free from refuse, and shall contain not less than one-half its volume of crushed lava rock sand.

(c) *Aggregate.* The aggregate shall consist of broken stone free from dust, or clean gravel.

The Building Inspector may demand that any material in question be tested, at the expense of the owner, in an approved testing laboratory, and the result submitted to him to aid in forming his opinion as to the fitness or unfitness of the material for the purpose intended. (Ordinance 26, Section 37.)

SECTION 148. *Materials Prohibited.* The following inerts shall be excluded in floor slab construction: Limestone, boiler cinder, plaster of paris, sulphate of lime ,and all similar unsuitable materials. (Ordinance 26, Section 38.) Rep. 9/13/29 Ord. 490

SECTION 149. *Cement Brick.* Brick made of sand and Portland cement of the same dimensions as common brick, may be substituted for common brick if the use of such brick will in no way endanger the stability or safety of the wall according to its exposure. (Ordinance 26, Section 39.) Rep. 9/13/29 Ord. 490

SECTION 150. *Artificial Stone.* Artificial stone made of Portland cement and incombustible and fire and waterproof material may be used as a substitute for any natural stone, but no artificial stone containing more than twelve (12) per cent. of lime or crushed lime stone as an ingredient shall be used in a lintel, or bearing part in any building over three stories high. (Ordinance 26, Section 40.) Rep. 9/13/29 Ord. 490

SECTION 151. *Building Blocks.* Cement or concrete building blocks with hollow spaces not exceeding one-third the area of the block and having an annulus of uniform thickness, and not exceeding nine inches high nor less than eight inches on the beds may be substituted for brick in all buildings of the second class in which the thickness and heights of walls (as given in table of thickness of walls hereinbelow) up to four stories, are prescribed, provided, that an eight-inch block shall be deemed the equivalent of one brick in thickness of measure. (Ordinance 26, Section 41.) Rep. 9/13/29 Ord. 490

SECTION 152. *Measure of Thickness.* The required thickness of all concrete walls or fireproofing or floor construction is for the full thickness of the material only, exclusive of the plastering or floor ballasting. (Ordinance 26, Section 42.) Rep. 9/13/29 Ord. 490

SECTION 153. *Thickness of Walls.* Concrete walls without reinforcement shall be of the full thickness given in table for masonry walls hereinafter set out. Rep. 9/13/29 Ord. 490

Reinforced concrete exterior bearing walls and party and division walls, either bearing or non-bearing, in which there is sufficient reinforcement to safely sustain all imposed stresses, shall be not less than two-thirds the thickness given in table for masonry walls hereinafter set out.

Reinforced concrete exterior non-bearing curtain walls, and interior non-bearing partition walls, shall be of not less than the following minimum thicknesses in inches:

No. of Stories in Building	Basement	Thickness at Each Story. 1	2	3	4	5	6
One	12	4	..	..	..	..	..
Two	12	4	4	..	..	..	..
Three	12	6	4	4	..	..	..
Four	16	8	6	4	4	..	..
Five	16	10	8	6	4	4	..
Six	16	12	10	8	6	4	4

(Ordinance 26, Section 43; Ordinance 217, Section 7.)

Rep. 9/13/29 Ord. 490 SECTION 153A. *Reinforced Concrete Construction.* By reinforced concrete is meant concrete in which steel is embedded in such a position that it will resist all tensile stresses and assist in the resistance to shear along proper structural lines so that the stresses in the combination can be ascertained by computation and verified by tests.

The concrete should be mixed in such proportions and so handled that after it is placed in the form, all voids in the aggregate will be filled with mortar, and all voids in the mortar filled with cement.

Thirty days after mixing the concrete shall develop a crushing strength of not less than two thousand pounds per square inch. (Ordinance 26, Section 44.)

Rep. 9/13/29 Ord. 490 SECTION 154. *Reinforced Concrete Stresses.* The following unit working stresses shall not be exceeded:

	Lbs. per Sq. In.
Iron in tension	12,000
Medium steel in tension	16,000
High steel in tension	20,000
Steel in compression	10,000
Steel in shear	10,000
Concrete in direct compression	500
Concrete extreme fibre in compression	700
Concrete in shear	50

(Ordinance 26, Section 45.)

Rep 9/13/29 Ord 490 SECTION 155. *Reinforced Concrete Assumptions.* All reinforced concrete work shall be designed in accordance with best standard engineering practice.

The following assumptions may be made:

When beams and girders are made monolithic with the floor slab, they may be computed as "T" beams. The width of slab which may be considered part of the beam will depend upon the

shearing stresses, but in no case shall such total width exceed three times the width of the beam.

Reinforced Concrete Columns. The column rods shall be tied together by steel hoops spaced not more than twelve inches apart.

When the unsupported length of a concrete column exceeds twelve times its least side or diameter, the allowable compression of the concrete shall be taken as five hundred pounds multiplied by the least side or diameter of the column in inches and divided by the unsupported length in feet.

For exterior columns subject to eccentric loading or bending of an indeterminate amount, the above stress shall be reduced at least twenty per cent. When the bending stresses in a column can be definitely determined, the combined bending and direct stresses shall not exceed five hundred pounds per square inch.

In buildings over four stories high sufficient steel reinforcement shall be used to carry at least seventy-five per cent. of the dead load of the floors and roof, figuring ten thousand pounds per square inch on the steel, except when in buildings of any number of stories the columns are large enough so that the concrete alone will carry the total live and dead loads with the stress of not over five hundred pounds per square inch the amount of steel reinforcement may be reduced to not less than one per cent. of the cross section area of the column.

Proper provision shall be made for transmitting the stresses at the splices in column rods.

In buildings over four stories high all splices in the reinforcing steel below the upper three floors shall be made by means of riveted connections, sleeve nuts, turnbuckles, or some approved position connection. (Ordinance 26, Section 46.)

SECTION 156. *Columns Filled With Concrete.* Columns composed of structural steel shape, latticed together by riveting and filled in solidly and surrounded by concrete, may be computed as reinforced concrete columns except that the allowable stress in the steel may be increased to twelve thousand pounds per square inch. (Ordinance 26, Section 48.) Rep. 9/13/29 Ord. 490

SECTION 157. *Concrete Column Protection.* The outer shell of a concrete filled steel column shall be considered only as a fireproof covering. (Ordinance 26, Section 49.) Rep. 9/13/29 Ord. 490

SECTION 158. *Protection of Steel.* For the purpose of fire protection the reinforcing steel shall be kept away from the surface of the concrete one and one-half inches in columns, one inch in beams and girders, and one-half inch in slabs. (Ordinance 26, Section 50.) Rep. 9/13/29 Ord. 490

Rep. 9/13/29
Ord. 490

SECTION 159. *Steel in Concrete.* All reinforcing steel shall be subject to test by an approved testing laboratory and certified copies of all test records shall be submitted to the Building Inspector for examination, upon demand. (Ordinance 26, Section 51.)

Rep. 9/13/29
Ord. 490

SECTION 160. *Reinforced Concrete Floor System.* A reinforced concrete floor system is a system which employs reinforced concrete for all its members except the columns. (Ordinance 26, Section 52.)

Rep. 9/13/29
Ord. 490

SECTION 161. *Reinforced Concrete Frame.* A reinforced concrete frame is a framework in which all the iron and steel members of a "skeleton" frame are replaced by reinforced concrete. (Ordinance 26, Section 53.)

Rep. 9/13/29
Ord. 490

SECTION 162. *Reinforced Frames and Floors.* The proportioning of trussed or reinforced concrete frames and floor systems and their construction in buildings, shall be governed by all provisions of this Chapter, which regulate and pertain to iron and steel "skeleton" frames, their framing and enclosing. (Ordinance 26, Section 54.)

Rep. 9/13/29
Ord. 490

SECTION 163. *Working of and Removal of Concrete.* All concrete work shall be designed along proper structural lines and during construction when a section or panel of reinforced concrete or any trussed concrete member is started, it shall be poured in its entirety in one operation.

The concrete shall be kept damp, for at least a week after placing, by frequent drenching with water.

Special care shall be used to see that each piece of reinforcement is in its proper position before pouring, and is not moved in placing the concrete.

In filling columns the concrete shall be poured in small batches. During the operation the concrete in the column shall be constantly churned with a pole or spader to prevent arching in the interior of the column.

All unfinished and unsafe panels or sections shall be removed before starting a new one and any batches or remnants of materials containing cement, not used on the first set, shall be condemned and removed whether in the wall or floor, or in the vicinity of the work. (Ordinance 26, Section 55.)

Rep. 9/13/29
Ord. 490

SECTION 164. *Centering and Forms.* All forms shall be built up in a substantial manner, plumb and true, with tight joints, so that no appreciable part of the concrete mixture can escape, and shall be so supported and braced that they will carry

all the usual loads which may come upon them without springing or deflection.

An opening shall be left at the bottom of all column forms for cleaning and for adjusting the steel. This opening shall not be closed until all is in readiness for pouring the columns. The forms shall be carefully cleaned just before concreting, and all chips and other foreign matter removed.

Before removing the shores under any beam or girder, the column supporting it shall be stripped, so that the columns may be examined on all sides. Pouring columns in chases left in the masonry shall not be allowed.

Provided ample shores are used to carry the full weight of the floor, column forms may be removed in not less than four days after pouring.

The time which should elapse before removing the shores under beams and girders varies with the design, but in no case shall they be removed in less than three weeks after pouring.

The supports under floor slabs, shall not be removed in less than ten days after pouring, but this clause is not intended to prevent removing the joists and lagging in less time, provided the slabs are kept properly shored up. (Ordinance 26, Section 56.)

SECTION 165. *Thickness of Outer, Party, and Interior Bearing Walls of Masonry Buildings.* Every exterior masonry wall of any building must be built to conform in thickness to the following schedule except as otherwise provided for concrete construction; thickness is given in inches, to-wit: Rep. 9/13/29 Ord. 490

No. of Stories in Building	Basement	Thickness of Wall at Each Story 1	2	3	4	5	6
One Story	16	12	..	..	..	..	..
Two Stories	16	16	12	..	..	..	..
Three Stories	20	16	16	12	..	..	..
Four Stories	20	20	16	16	12	..	..
Five Stories	24	20	20	16	16	12	..
Six Stories	24	24	20	20	16	16	12

(Ordinance 26, Section 57.)

SECTION 166. *Existing Party Walls.* Existing walls built for or used as party walls, the thickness of which at the time of their erection was in accordance with the requirements of the then existing ordinance, but which are not in accordance with the requirements of this Chapter, may be used, if in good condition, for the ordinary uses of party walls, provided the height of the same be not increased. (Ordinance 26, Section 58.) Rep. 9/13/29 Ord. 490

Rep. 9/13/29
Ord. 496

SECTION 167. *Curtain Walls.* Outside of the fire limits as defined in this Chapter, hollow tile curtain walls must be of a minimum thickness of 8″ for two stories, or 30′ in height, provided, however, that such walls shall not exceed 14′ in height in the clear between beams or 20′ in span between column centers.

Within the said fire limits, hollow tile curtain walls may be of a minimum thickness of 8″ for one story structures not exceeding 15′ in height; provided, however, that a reinforced concrete or protected steel beam be placed around and bonded to the top of such walls.

Curtain walls, other than as hereinbefore described, shall be of a minimum thickness of 12″ for 40′ of the uppermost height thereof, and shall be increased 4″ in thickness for every additional section of 40′ in height. (Ordinance 26, Section 59; Ordinance 198, Section 2.)

m. 2/13/25
rd. 255

SECTION 168. *Parapet Walls.* All exterior, division, and party walls shall have parapet walls carried to a height of not ness than two feet above the roof, and shall be coped. No parapet wall to be less in thickness than the wall in the top story of the building, except when the parapet wall is not over three feet high in any part it may be carried up nine inches thick when laid in cement mortar. Where a skylight or structure of any kind in a roof is located within five feet of a parapet wall the said parapet wall is to be increased to a height of at least fourteen inches above the highest point of the skylight or structure for a length of twenty-five per cent. more than the length of the said skylight or structure. (Ordinance 26, Section 60.)

Rep. 9/13/29
Ord. 496

Rep. 9/13/29
Ord. 496

SECTION 168A. *Brickwork.* The brickwork in all walls, piers, buttresses or pilasters of a building shall be well bedded in mortar, laid in single courses across the walls, and be well flushed up with mortar. No more than six courses of stretches are to be laid without a course of headers in any part of building, and the headers to extend entirely through the wall except where face brick are used and in one-story structures. All brickwork to be built to a line and carried up plumb, straight and level, from the bottom to the top of a building.

Pressed brick facings, except hereinafter specified, must be bonded to the backing with galvanized metallic wall ties at least every sixth course, the ties to be placed not more than two feet apart, or ties can be used every sixth course, and a row of solid headers every ninth course; provided, however, that in one-story structures a row of clipped and splayed bricks every fifth course will be allowable as a tie for the face brickwork.

Walls may be built with a facing of stone, tile, terra-cotta or other incombustible material if securely tied to a backing not

less than nine inches in thickness of hard burned properly laid brick, but the thickness of the backing shall not be less than required for brick walls of the same height, if the facing is less than one-half brick in thickness.

No wall of brick or stone shall be supported in whole or in part by wooden posts, beams or girders. (Ordinance 26, Section 61.)

SECTION 169. *Walls Under Sidewalk.* In building where the space under the sidewalk is utilized, all exterior, party or division walls shall be extended across any sidewalk basement against which they abut, but need not exceed twelve inches in thickness unless they act as restraining walls. (Ordinance 26, Section 62.) Rep. 9/13/29 Ord. 490

SECTION 170. *Roofs.* The roof of every building of class one shall be constructed of fireproof material, either concrete, brick arches of tile, the upper surface of which may be covered with cement, concrete, tile, asphaltum and gravel, 3-ply asbestos roofing, or other fire-resisting composition roofing. (Ordinance 26, Section 64.) Rep. 9/13/29 Ord. 490

SECTION 171. *Combustible Roofing.* The use of wooden shingles or other forms of combustible roof covering, upon buildings erected or altered within the fire limits is prohibited. (Ordinance 26, Section 65.) Rep. 9/13/29 Ord. 490

SECTION 172. *Floor and Roof Beams.* No floor or roof beam or joist used in any building shall be of thickness less than two inches. The ends of all floor joists or roof beams shall have a bearing of at least four inches. All wooden floor or wooden roof joists shall be properly bridged with cross-bridging, unless such bridging be unnecessary for the span in question. (Ordinance 26, Section 67.) Rep. 9/13/29 Ord. 490

SECTION 173. *Roof Spaces.* The space between the ceiling of the top story and the roof in buildings of class two shall be divided by tight partitions of one-inch wood, into sections each having an area not exceeding two thousand square feet. All doors or openings in said partitions shall have self-closing doors of similar material. (Ordinance 26, Section 68.) Rep. 9/13/29 Ord. 490

SECTION 174. *Structures Above Roofs.* No structure built partly or wholly upon or above the roof of any building within the fire limits shall project above the highest point of the roof more than seven feet, and every outside wall of the same, facing on any street or party line shall be of masonry or concrete and Rep. 9/13/29 Ord. 490

shall be built and parapetted as required under Section 168, "Parapet Walls." In buildings of class two walls other than masonry or concrete, as above required, may be lathed with metal lath on both sides and plastered, and all ceilings on the interior of same shall be plastered. The total area of such roof structures on any buildings shall not exceed two hundred square feet for each five thousand square feet of area of the upper floor of such building. The roof of every roof structure shall be constructed in the same manner as the roof of the main building. (Ordinance 26, Section 69.)

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SECTION 175. *Downspouts and Gutters.* All buildings abutting upon any public way shall be provided with proper metallic downspouts and eave or cornice gutters for conducting water from the roof to the ground, or street in such a manner as to protect from damage the walls and foundations, and in no case shall water from roofs be allowed to flow upon any public way or over sidewalks. Such downspouts shall discharge under the sidewalk into the gutter, or into a storm sewer or storm drain. (Ordinance 26, Section 70.)

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SECTION 176. *Ventilators and Skylights.* All attics in buildings of classes one and two not otherwise provided with window or ventilating apparatus shall be provided with one or more sheet-metal ventilators, protected by galvanized iron or copper wire screen with mesh not larger than one-quarter inch. (Ordinance 26, Section 71.)

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SECTION 177. *Stables.* No buildings shall be erected, altered or reconstructed for stabling animals below or above the first or ground floor unless the building be made of fireproof construction. (Ordinance 26, Section 72.)

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SECTION 178. *Automobile Stables.* Where any automobile stable, storage room or garage contains oil, gasoline or fuel of any character, the floor of such room shall be of fireproof material. (Ordinance 26, Section 73.)

Am. 7/6/25
Ord. 358
Rep. 9/13/29
Ord. 490

SECTION 179. *Exhibition Buildings, Observation Stands, Etc.* Buildings and structures for fair and exhibition purposes, stands for observation and reviewing purposes, and structures for similar uses, whether temporary or permanent in character, and located outside of the fire limits shall be constructed in such manner and under such conditions as shall make the same safe. (Ordinance 26, Section 74.)

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SECTION 180. *Boiler Rooms.* All walls of boiler rooms situated within Fire Districts Nos. 1 and 2 shall be of masonry,

concrete or terra-cotta for their full height, and the roof shall be of corrugated iron or concrete or asbestos. If there is a ceiling it shall be of metal asbestos or plaster on metal lath.

Openings into a boiler room as above described shall have fire doors or shutters constructed as specified in Section 201 of this Chapter, arranged to close automatically; and where oil is burned under gravity feed, every doorway shall have a masonry, concrete or terra-cotta sill rising not less than eight inches above the floor. No wood or other inflamable material shall be used in the construction of the floor of any boiler room.

Boiler rooms outside Fire Districts Nos. 1 and 2 shall be constructed of fireproof material. Every boiler room where shavings or other refuse are used for fuel shall be provided with a stand pipe not less than 1½ inches in diameter located near the door, with at least 25 feet of 1½-inch hose attached thereto. (Ordinance 26, Section 75; Ordinance 217, Section 8.)

SECTION 181. *Drying Rooms.* All walls, ceilings and partitions enclosing drying rooms, when not made of fireproof material shall be wire lathed and plastered, or covered with metal, tile or other hard incombustible material. (Ordinance 26, Section 76.) Rep. 9/13/29 Ord. 490

SECTION 182. *Washing Rooms.* All rooms or buildings used for washing clothes for hire shall have reinforced concrete floors not less than three inches thick, finished with a smooth troweled surface. (Ordinance 26, Section 77.) Rep. 9/13/29 Ord. 490

SECTION 183. *Openings in Sidewalks.* There shall be no permanent opening in any sidewalk, except it be covered with metal sidewalk trap doors, the outer edge of which doors shall not be within two feet of the outside edge of the sidewalk curb. All such openings in sidewalks shall have metal covers flush with the walk, with upper surface roughened. Every such door shall be provided with metal guards for the protection of the public when open. All parts of sidewalks, including illuminating tile or other structural parts, shall be capable of sustaining a uniformly distributed load of four hundred pounds per square foot. There shall be no permanent openings in the form of gratings of any description in any sidewalk. (Ordinance 26, Section 78.) Rep. 9/13/29 Ord. 490

SECTION 184. *Straps and Anchors.* Each tier of beams shall be anchored to the side, front, rear or party walls at intervals of not more than eight feet with wrought iron or steel anchors of not less than one and one-half inches by three-eights of an inch, well fastened to the side of the beams by three or Rep. 9/13/29 Ord. 490

more nails made of steel or wrought iron and at least one-fourth of an inch in diameter.

The ends of wood beams resting upon girders shall be butted together end to end and strapped by wrought iron straps of the same size and distance apart, and in the same beam as the wall anchors, and shall be fastened in the same manner as wall anchors, or they may lap each other at least twelve inches and be well spiked or bolted together where lapped.

Steel girders shall be secured to the supporting walls by anchor bolts, or by properly formed angle anchors riveted or bolted to the ends or sides of girders, and well bonded into the masonry. (Ordinance 26, Section 79.)

Rep. 9/13/29 Ord. 490 SECTION 185. *Hollow Walls.* Partition walls built of hollow tile or hollow concrete blocks, shall be of sufficient thickness to safely bear the loads to be imposed thereon. (Ordinance 26, Section 80.)

Rep. 9/13/29 Ord. 490 SECTION 186. *Arches and Lintels.* Openings for doors and windows in all buildings of classes one and two shall have good and sufficient arches of stone, brick, concrete or terra-cotta, and shall have a bearing at each end of not less than five inches on the wall. (Ordinance 26, Section 81.)

Rep. 9/13/29 Ord. 490 SECTION 187. *Inside Lintels.* Inside wooden lintels shall not be used in openings over five feet in width. Relieving arches shall be built over all wooden lintels, and the lintel shall be shaped to fit the arch. (Ordinance 26, Section 82.)

Rep. 9/13/29 Ord. 490 SECTION 188. *Tie Rods.* Tie rods shall be used where necessary to prevent deflection in accordance with best modern practice. (Ordinance 26, Section 83.)

Rep. 9/13/29 Ord. 490 SECTION 189. *Off-sets.* Off-sets used for reducing the size of a chimney or for corbelling out a wall to receive a joist, shall not exceed one inch for each course. Wall shall not be corbelled out to a distance exceeding the thickness of the wall. (Ordinance 26, Section 84.)

Rep. 9/13/29 Ord. 490 SECTION 190. *Floor Lights.* Floor lights shall be constructed of metal frames and if any glass therein measures more than sixteen square inches, the glass shall be provided with a mesh of wire either in the glass or under the same, and the floor lights shall be of the same proportioned strength as the floors in which they are placed. (Ordinance 26, Section 86.)

Rep. 9/13/29 Ord. 490 SECTION 191. *Balconies, Porches and Awnings.* Wooden balconies or porches shall be so designed as to be supported by

the projection of the floor beams, but shall be stiffened by suitable brackets from the main walls or posts.

No bay window, balcony or porch shall be allowed to project over any public street or alley.

No balcony or porch shall be enclosed for a greater height than three feet six inches from the floor.

All awnings and shades shall be at least eleven feet in the clear above the line of the curb level, and shall be of fireproof material except cloth or canvas awnings as herein provided, and shall be securely supported on wrought iron or steel brackets, built into the walls. The height above the curb level of all movable canvas or cloth awnings or shades shall not be less than eight feet.

No cloth or canvas awnings shall be constructed in the rear or on the sides of any building within the fire limits. (Ordinance 26, Section 87.)

SECTION 192. *Cutting Beam Supports.* No wooden beam or joist shall be cut for pipe or bored for electric work when the cut is deeper than, or the center of the bore hole is below, one-fifth of its depth from the top. Cut or centers of bore holes shall never be more than two inches below the top. (Ordinance 26, Section 88. Rep. 9/13/29 Ord. 490

SECTION 193. *Stud Partitions.* No stud in a bearing wall in buildings of more than one story shall be of less dimensions than two inches by four inches, but studding for non-bearing partition walls may be two inches by three inches. No wooden stud partition shall pass through from floor to floor, but shall rest on the floor on the plates. All angles and corners shall be framed solid from the foundations to the roof. (Ordinance 26, Section 89.) Rep. 9/13/29 Ord. 490

SECTION 194. *Cornices.* The exterior cornices of all buildings within the fire limits shall be of fireproof material. Rep. 9/13/29 Ord. 490

All cornices shall be well secured to the walls with iron anchors, independent of any wood work.

No cornice, not including pedements, shall extend more than five feet above the highest point of the roof beams of any building.

Every metal cornice shall have riveted joints. (Ordinance 26, Section 90.)

SECTION 195. *Skylights.* All skylights in buildings of classes one and two shall be of corrugated, prismatic or wire glass not less than one-fourth inch thick, set in a metallic frame. Rep. 9/13/29 Ord. 490

Every skylight other than wire glass shall be protected both above and below by a wire screen not less than No. 12 wire supported on an iron frame. (Ordinance 26, Section 91.)

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SECTION 196. *Stairways*: Buildings of classes one and two shall have one main stairway, not less than four feet wide, from first to highest story, but in no case shall there be less than two stairways from the top floor to the second floor in any building having more than four thousand square feet area. (Ordinance 26, Section 92.) See Section 122, Tenement Stairways.

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SECTION 197. *Interior Partitions—Light Courts.* Interior partitions in any building of class one shall be constructed of tile, brick or concrete, or shall be of bars of metal, lathed with metal lath and both sides plastered, or shall be of wire glass not less than one-fourth inch thick set in metal frames and sash. interior partitions in buildings of class two may be constructed of wooden studs with lath and plaster on each side. (Ordinance 26, Section 93; Ordinance 33, Section 3.)

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SECTION 198. *Chimneys and Flues.* All chimneys of masonry or concrete construction shall have walls at least eight inches thick, or in dwellings may be constructed of four-inch brick walls with an outside lining of terra-cotta or well-burnt clay pipe not less than one inch thick. No chimney shall be built on wooden brackets or supports. No smoke pipe shall project through any external wall or window. Every instantaneous heater, gas stove or grate shall be provided with a vent pipe not less than three inches in diameter extending at least twelve inches above the roof with a "T" connection or equivalent at top and around every such vent at all places not exposed there shall be a galvanized iron sleeve extending the full length of the concealed portion with a clear air space of not less than one inch surrounding the vent. The sleeve to extend through the ceiling or floor below and the roof above. (Ordinance 26, Section 94.)

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SECTION 199. *Smoke Stacks.* Smoke stacks connected to steam boilers under which sawdust, shavings or wood are burned shall extend not less than twenty-five feet above the roof or any adjacent roof and shall be provided with an approved spark arrester. (Ordinance 26, Section 95.)

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SECTION 200. *Ranges, Ovens, and Similar Appurtenances.* Wooden floors under ranges, ovens, kilns, coffee roasters, candy kettles, and similar devices, shall be protected by a sheet of asbestos not less than 1-16 inch in thickness covered by a sheet of metal not less than twenty-four gauge extending one foot

beyond the base of such device. A layer of properly-cemented brick or tile may be used in lieu of the above. (Ordinance 26, Section 96.)

SECTION 201. *Fire Doors and Shutters.* Every exterior opening in the sides or rear of buildings within the fire limits shall have metal covered shutters or doors, constructed and arranged as specified in this Section, or in lieu thereof may have frames and sashes of hollow metal glazed with wire glass not less than one-quarter of an inch thick, no pane in which shall be larger than twenty-four by thirty inches. Rep. 9/13/29 Ord. 490

Rolling iron steel shutters may be used on the first story only.

Fire doors and shutters shall be constructed of two thicknesses of matched boards not over six inches wide, at right angles to each other, or crossing diagonally, nailed with wire nails clinched, and securely covered with tin on both sides and edges, sheet to be not larger than ten by fourteen inches in size, put together with tin roofers' lock joint and securely nailed, the nails to be driven inside the lap and the joints hammered down over the nail heads. No solder shall be used. Doors shall never be less than two inches thick, nor shutters less than one and one-half inches thick.

Hinges and hangers shall be of wrought iron and fastened to the door or shutter with bolts. Latches shall be so arranged on shutters that they can be opened from either side.

Swinging doors and shutters shall extend at least one inch below top of sill, or they may close into the opening provided the wall be rabbetted one and one-half inches at the top and sides and one inch at the bottom.

All sliding doors shall extend at least three inches over the masonry at sides and top of doorway or opening, and one inch below top of sill.

Sliding doors may run at the bottom in a channel iron so set as to give the door a bearing of one inch below top of sill.

Sills shall break the floor and rise at least one inch above floor level to prevent passage of flame and smoke, and be constructed of metal, masonry or concrete. Wood sills shall not be used.

Rail or track for sliding doors or shutters must be heavy enough to withstand heat without warping, and may be made of angle or channel iron, and both rails must be secured to wall whenever possible by bolts passing through the wall, otherwise expansion bolts shall be used. In lieu of channel or angle iron, the track can be made of common flat bar steel not less than three-eighths inch thick and four inches wide, bolted through the wall with three-fourths inch bolts or fastened with heavy expansion bolts.

Binders shall be placed so as to prevent the door from rolling off the track at either end, and also to hold it in position when closed. (Ordinance 26, Section 97.)

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rd. 276

SECTION 202. *Fire Escapes.* Every building of three stories or more in height shall be provided and equipped with a sufficient number of galvanized metallic balconies, platforms and railings, strongly made and firmly secured to the outer walls, and erected and arranged in such a way and in such proximity to one or more windows of each story or to as many windows of each story above the first as may be necessary to make and render said fire escapes readily accessible, safe and adequate for the escape of the inmates in case of fire, and when placed on the rear or sides of buildings not adjoining a street they shall extend down to within eight feet of the ground.

Fire escapes in front of building shall extend from the level of the ceiling of the first story to and over the roof, and shall be either vertical galvanized metallic ladder fire escapes, galvanized metallic stair fire escapes, or other sufficient fire escapes constructed of fireproof materials.

All fire escapes shall be kept in good order and repair, and free from all obstructions. (Ordinance 26, Section 98; Ordinance 33, Section 3A.)

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Ord. 490

SECTION 203. *Standpipes.* Every building of three stories or more in height shall have inside or outside of the exterior walls one or more metallic standpipes at least four inches in diameter, which shall extend from four feet above the sidewalk to and over the roof and rest on the fire walls, and at each story there shall be branches with three-inch gate valves with reducer from three inches to two and one-half inches, provided with cap and chain; and there shall be a two-way Siamese inlet with two and one-half-inch connection attached to each standpipe four feet above the line of the sidewalk; and a two-way outlet over the roof with two three-inch gate valves with reducer from three inches to two and one-half inches, provided with cap and chain. All hose connections to fit the standard connections of the Fire Department of the City and County of Honolulu.

All iron or steel material used in the construction and erection of standpipes shall be galvanized or thoroughly painted and shall be kept in good order and repair and free from any and all obstructions.

All standpipes shall be capable of sustaining a hydrostatic pressure of three hundred pounds to the inch throughout their entire length after the same are erected. (Ordinance 26, Section 99.)

SECTION 204. *Safes and Machines in Buildings.* No metallic safe or vault exceeding ten cubic feet in size or two thousand five hundred pounds in weight, or any machine exceeding two thousand five hundred pounds in weight, shall be placed in any part of any building above the basement, without first obtaining a permit so to do from the Building Inspector. Before issuing any such permit the Building Inspector shall ascertain the bearing capacity of the floor upon which it is proposed to place such safe, or machine, and, if such floor is of the necessary strength to sustain such safe or machine with safety, shall grant such permit. (Ordinance 26, Section 100.) Rep. 9/13/2 Ord. 490

SECTION 105. *Use of Sidewalks and Streets.* It shall be unlawful for any person, firm or corporation to commence the erection of any building abutting upon sidewalk, or to continue the erection thereof, unless there shall exist along the center line of such sidewalk, for the protection of pedestrians, a good and substantial board fence at least eight feet high, enclosing the inner half of the width of such sidewalk. Rep. 9/13/2 Ord. 490

It shall be unlawful for any person, firm or corporation to make any excavation in that part of any sidewalk lying between the curb line and the center line thereof unless there shall exist over such excavation a good and substantial temporary walk, so constructed and maintained as to afford at all times safe, free and unobstructed passage for pedestrians over and along all that part of such sidewalk above mentioned. Such temporary walk shall be constructed and maintained on a level with the surface of the street or at an elevation of not more than four feet above the same, having steps at each end and a railing not less than three feet high along the side next to the street.

No person or persons shall occupy or obstruct any portion of any street, alley or sidewalk in any other manner or to any greater extent than is allowed by the provisions of this Chapter applicable in the premises, without first obtaining a permit therefor. Such permit may be issued by the Board of Supervisors of the City and County of Honolulu on application therefor in writing, and shall be accompanied by the building permit for the building proposed to be erected. Such obstruction shall be permissible only during period of construction.

It shall be unlawful for any person, firm or corporation to fail or neglect to have at least one-half of width of the sidewalk and not less than one-half of the width of an alley unobstructed and free from rubbish at all times, except that a passageway across such space may be used for carriage of materials.

It shall be unlawful for any person, firm or corporation to store for more than one day any earth taken from any excavation, or rubbish or material taken from any building, upon the

sidewalk or the roadway of any street or alley; such materials shall be removed from day to day as produced. Any dry rubbish liable to produce dust shall be kept wetted down in order to prevent dust.

No door on the ground floor of any building shall be so constructed or arranged as to swing or open upon or over any public street, highway, sidewalk or public place. (Ordinance 26, Section 101; Ordinance 33, Section 3B.)

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SECTION 206. *Lights and Obstructions.* It shall be unlawful for any person, firm or corporation using, occupying or obstructing any portion of any street, alley or sidewalk, for the storage of building material to fail or neglect to display and maintain a red light during the whole of every night at each end of every pile of such material. (Ordinance 26, Section 102.)

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Ord. 490

SECTION 207. *Sidewalk Protection, Scaffolding Ladders, Hoists and Temporary Floors.* It shall be unlawful for any person, firm or corporation, erecting any building on line of the sidewalk to fail or neglect, during the construction, alteration, demolition, or repair thereof, to erect and maintain a safe temporary canopy at least eight feet above the sidewalk the full length of the front of the building, and extending the full width of the sidewalk. (Ordinance 26, Section 103.)

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SECTION 208. *Outbuildings, Tents, Sheds, Etc.* No outbuilding or structure shall be built within the fire limits except as otherwise provided, unless the same is of regular class one or class two construction, except that cook houses and sheds not more than three hundred square feet in area and not more than twelve feet high with one side open may be built with eight-inch masonry walls or of four-inch reinforced concrete walls, provided it is not less than ten feet from the main building and five feet from any other building on rear or sides.

No wood or iron building now erected within the fire limits shall be enlarged or built upon in any manner except as otherwise provided in this Chapter.

(a) Temporary enclosed wooden sheds, not to exceed twelve feet in height, may be erected within the fire limits to facilitate the erection of buildings, but when said buildings are completed the sheds shall be removed.

(b) Every extension of any building within the fire limits in the form of an addition or separate structure of any size for any purpose, shall be of class one or class two construction.

(c) No person, firm or corporation shall erect, maintain or occupy any tent, or movable structure, of combustible material,

nor shall any wooden or canvas sign be placed on any building within the fire limits. (Ordinance 26, Section 105.)

SECTION 209. *Theaters.* All theaters hereafter built within the City and County of Honolulu shall be of class one or class two construction. The City and County Treasurer shall not issue a license for any performance in any such building until a certificate in writing has been issued, signed by the Building Inspector and the Chief Engineer of the Fire Department, that the requirements of this Chapter have been complied with. Rep. 9/13/2 Ord. 490

No theater shall be within eight feet of any other building.

All theaters shall have at least one frontage on the street or on a right of way free to the patrons of the theater not less than sixteen feet wide which opens directly on to a street. In such front there shall be suitable and ample means of entrance and exit. There shall also be on each side of the exterior of the theater building an open court or space for use as a means of exit by the patrons of the theater, each of which court or space shall be not less than eight feet wide and shall extend the full length of the building. These courts or spaces and rights of way shall be kept clear during performances.

Opening from the auditorium into these courts or spaces there shall be not less than two exits from each side of each floor and gallery; these openings shall be closed by doors easily opened from the inside by pressure during all performances. They shall be of ample width and shall swing outward in such a way as not to block the balcony upon which they open. All such exits must open from the aisles.

The exterior balconies upon which these exits open, and the stairways leading to the ground must be not less than four feet wide and shall be constructed of iron or steel of ample strength to safely sustain a load of eighty pounds per square foot, with a factor of safety of four.

There shall be also one exit on each side of the stage into the courts or spaces.

At each and every exit in any theater in the City and County of Honolulu there shall be placed and maintained a lamp in which only mineral, sperm, nut or other noninflamable oil, or electricity upon an independent circuit, shall be used, and said lamp or lamps shall be lighted previous to the opening of the doors of such theater for any performance therein and shall be kept lighted until the audience shall have departed from the premises, and there shall be inscribed upon said lamp or lamps the word "Exit" in distinctly visible letters not less than six inches high.

Stairways shall have handrails on each side firmly secured to strong supports or to the walls. There shall be no flight of more than twenty steps, there shall be no winders, and no step shall be less than four feet wide in the clear. Such steps shall have a rise not greater than six inches and a tread not less than ten inches.

There shall be a fire wall of brick or reinforced concrete above the proscenium arch, between the stage and the auditorium, which wall shall extend at least three feet above the roof. The proscenium shall be the only opening in said wall above the level of the stage, and all openings through this wall below the stage level shall be provided with self-closing fire doors, constructed as provided in Section 201. The wall above the proscenium arch shall be supported by reinforced concrete girders or by steel girders covered with fireproof material.

The proscenium opening shall be provided with a curtain of asbestos or fireproof material, sliding at each end in grooves securely fastened to the masonry wall, and extending into such grooves to a depth of not less than four inches. The fireproof curtain may, however, be furnished with steel cable guides not less than one-quarter inch in diameter; provided, that such curtain laps over the stage opening at the sides and top for a distance of not less than eight inches, and that attached to said curtain at the top and bottom, to full width thereof, shall be wrought iron or steel pipe of not less than one and one-fourth inches diameter. The fireproof curtain shall be kept lowered between acts, during intermissions and at the close of each performance, except during rehearsals. The curtain shall be hung not nearer to the footlights than three feet.

All seats except those in the boxes shall be firmly fastened to the floor, and no seat in the auditorium shall have more than six seats intervening between it and the aisles. Seats shall not be less than thirty-one inches from back to back, nor less than twenty inches in width.

Center aisles and passageways shall be at least forty-eight inches wide at the narrowest point, side aisles at least thirty-six inches, and all shall increase in width toward the point of exit at least one-quarter inch for each foot of length. The grade of aisles shall not be greater than one and one-quarter inches per foot.

A ventilator shaft of sufficient capacity, lined with fireproof material, shall be placed over the center of the stage and shall extend at least three feet above the roof. The roof over the stage shall be provided with skylights in area equal to one-fourth of the stage area, and said skylights shall be made to open automatically in case of fire.

Theater floors shall be of sufficient strength to support an imposed live load of one hundred pounds per square foot.

Every theater shall be equipped with at least two lines of standard three-inch cast iron or galvanized water pipe, leading directly from the street main, and provided with the standard coupling of the Fire Department, with not less than twenty-five feet of hose attached. Such water pipe and hose shall be ready for immediate use at any time during the performance in said building.

Electric wires, footlights and all apparatus for extinguishing fires or guarding against the same shall be in charge of and under the control of the Fire Department, and the Chief of said Department shall be responsible for the execution and enforcement of this regulation.

Gradients or inclined planes shall be employed instead of steps to overcome slight difference of level in or between aisles, corridors and passages.

Walls separating the actors' dressing rooms from the stage and partitions dividing the dressing rooms, together with partitions of every passageway from the same to the stage, and all partitions on or about the stage, shall be constructed of fireproof material. All shelving and cupboards in each and every dressing room, property room or storage room shall be constructed of fireproof material. Dressing rooms may be placed in the fly galleries, provided that proper exits are secured therefrom to fire escapes in the open courts and that the stairs leading to the same shall be fireproof. Dressing rooms shall have an independent exit, leading directly into an open court or street, and shall be ventilated by windows in the external wall; and no dressing room shall be more than one story below street level. All windows shall be arranged to open, and none of the windows in outside walls shall have fixed sashes, iron grills or bars.

If any arrangement or construction or appliance of any theater is unsafe to life, full authority is hereby invested in the Building Inspector and the Chief Engineer of the Fire Department, or either of them, to order and enforce such changes or additions as may be necessary. (Ordinance 186, Section 1.)

SECTION 210. *Moving-Picture Theaters and Theaters.* Theaters outside of the fire districts containing no balconies and only a small stage and little movable scenery must be first or second class buildings or buildings constructed of corrugated iron with iron roofs or iron or steel frames. No moving-picture machine shall be used in a building unless the said machine is enclosed within a fireproof booth. (Ordinance 26, Section 108; Ordinance 217, Section 9.)

Am. 9/25/28
Ord. 451
Rep. 9/13/29
Ord. 490

a. 2/20/26
rd. 290

p. 9/13/29
d. 490

SECTION 211. *Electrical Work.* No electrical wiring or installation of electrical apparatus or appliances for furnishing light, heat or power shall be introduced into or placed in any building or structure in the City and County of Honolulu except in compliance with the standard practice therefor. The rules and regulations of the National Board of Fire Underwriters, known as the "National Electrical Code" shall be taken as the guide for standard practice. (Ordinance 26, Section 109; Ordinance 217, Section 10.)

ep. 9/13/29
rd. 490

SECTION 212. *Elevators.* The strength of the ropes, gearing and all other portions of the mechanism of passenger elevators shall be calculated with a factor of safety of twenty.

For all other elevators ten is to be used as the factor of safety.

The main suspension ropes or cables of all elevators used for passengers or freight must be of steel.

Every elevator shall be provided with an approved device for preventing the car from falling in case of accident.

All freight elevator shafts must be provided at each floor through which they pass, with the latest and best appliances, style and design of automatic opening and closing safety gates.

Doors opening into passenger elevator shafts shall be entirely under the control of the operator, and shall be so arranged that they can be opened only from the inside. (Ordinance 26, Section 110.)

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rd. 490

SECTION 213. *Tenements.* No tenement house constructed of wood shall be more than two stories in height. In the rear of every tenement house there shall be a clear yard extending across the entire width of the lot the depth of such yard, measured from the extreme rear of the house to the rear line of the lot shall never be less than ten feet, and the side of every tenement, and in at least every one hundred feet of every tenement or abutting tenements over one hundred feet in length, running from the front to the rear of the tenement, there shall be an alleyway open to the sky, not less than five feet wide, which shall be kept clear, which shall be concreted with a four-inch slab, and the ground under any tenement shall be concreted to the same thickness. All porches shall be connected to the ground by stairways with handrails. A tenement situated in the rear of another tenement shall be separated from the front building by a clear space across the lot of not less than ten feet. This space shall be concreted and kept clear.

No tenement house shall be altered or repaired except such alterations, repairs, or changes shall be made to conform to the provisions of this Chapter. (Ordinance 26, Section 111.)

SECTION 214. *Woodworking Mills and Factories.* In every mill or factory in which shavings, sawdust or other light material is used for fuel under the boiler, a vault to contain such fuel shall be constructed of fireproof material with a fireproof cover. The said vault shall not be constructed opposite the furnace feeds, but at the right angles thereto and shall be closed when not in use. (Ordinance 26, Section 112.) Rep. 9/13/2 Ord. 490

SECTION 215. *Baths.* No bath, in which the water is heated by an open fire made outside and under the building, shall be installed in any building unless the building is used for no other than bathing purposes, and the floor of which is concrete. (Ordinance 26, Section 113.) Rep. 9/13/29 Ord. 490

SECTION 216. *Duties of Building Inspector.* It shall be the duty of the Building Inspector to inspect all work for which a permit has been issued under the provisions of this Chapter, and generally to enforce the provisions thereof. The Building Inspector shall keep on file in his office for the inspection of the public at all reasonable hours a copy of what are known as the Manufacturers' Standard Specifications, The Tests Prescribed by the American Society for Testing Materials, Standard Modern Authorities on Calculation of Stresses and the Rules and Regulations of the National Board of Fire Underwriters known as the "National Electrical Code." (Ordinance 26, Section 114.) Rep. 9/13/29 Ord. 490

SECTION 217. *Chief Officer of Fire Department to Approve Certain Permits.* No permit shall be issued for the erection, alteration or removal of any building or other structure within the fire limits of the City and County of Honolulu, or for any public building or for any theater or other places of amusement, or for any tenement, or for any building or other structure estimated to cost $10,000 or over, unless the same shall be approved by the Chief Engineer of the Fire Department. (Ordinance 26, Section 115.) Rep. 9/13/29 Ord. 490

SECTION 218. *Plumbing.* All buildings containing plumbing or plumbing fixtures shall conform to the provisions relating to plumbing. (Ordinance 26, Section 116.) Rep. 9/13/29 Ord. 490

SECTION 219. *Penalty.* Any person, firm or corporation who shall molest, hinder or in any manner prevent any Inspector or other officer from performing any duty imposed upon him by the provisions of Sections 94 to 108 inclusive and Sections 127 to 218 inclusive, and any person, firm or corporation who shall erect, construct, alter, repair or remove any building or other structure in the City and County of Honolulu contrary to Rep. 9/13/29 Ord. 490

the provisions of said Sections, or who shall violate any of the provisions of said Sections, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than $500, or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment. (Ordinance 26, Section 11b.)

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SECTION 220. *Awnings, Balconies, Etc., Within Fire Limits.* No person shall construct or cause to be constructed or maintain or cause to be maintained any awning, shade or balcony extending over any part of any public sidewalk, on any building within the fire limits, without a gutter thereon to conduct the water to the building and a pipe to conduct such water to the outer line of the sidewalk so constructed and in such condition as not to permit water to accumulate and stand therein or to obstruct or interfere with public traffic upon such sidewalk.

Provided, however, that the provisions of this Section shall not apply to cloth or canvass awning or shades. (Order 9, Section 1.)

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SECTION 221. *Penalty.* Any person violating any provision of Section 220 shall, upon conviction, be fined in a sum not exceeding Three Hundred Dollars ($300.00). Order 9, Section 2.)

The continuance of any such violation after conviction shall be deemed a new offense for each day on which the same is so continued. (Order 9, Section 3.)

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SECTION 222. *Tenement Houses.* No room of any tenement shall afford less than four hundred cubic feet of air to each person over twelve years of age and two hundred cubic feet of air for each child under twelve years of age, occupying the room. There shall be no cooking done on the porches. The floors of all outside water closets and urinals and eight inches high on all walls of same shall be of concrete. No wallpaper shall be put on the walls of a tenement house unless the former wallpaper shall have been removed and the walls thoroughly cleaned, nor shall cloth lining be used on ceilings or walls. The owner of and person controlling the property shall be responsible for all violation of Sections 222 to 228 inclusive by his tenants.

No owner, agent of owner or lessee, and no person in charge of or in control of any tenement, shall permit any person or persons to occupy any room of any tenement, and no person or persons shall occupy any room of any tenement, in which the air space afforded is less than four hundred cubic feet of air to each person over twelve years of age, and two hundred cubic

feet of air for each child under twelve years of age occupying the room. (Ordinance 27.)

SECTION 223. *Air Space Between Buildings.* Outside of the City of Honolulu no building not flush with a street or streets bounding the lot on which it is to stand, shall hereafter be erected within five feet of any other boundary line of said lot, unless the nature and location of such building and the purposes for which it is to be constructed and adapted, do not require said vacant space for the preservation of public health and public sanitation. There shall be a clear air space of ten feet between all said buildings, except such as are flush with a street or streets bounding the lot on which they stand, unless the nature and location of such buildings and the purposes for which they are to be constructed and adapted do not require said vacant space for the preservation of the public health and public sanitation. The word "building" in this paragraph shall be construed to mean and include sheds, leantos, outhouses and all other structures of similar character. (Ordinance 27; Ordinance 217, Section 11.) Rep. 9/13/29 Ord. 490

SECTION 224. *Light and Ventilation of Dwellings.* Each and every room intended or used for habitation shall be provided with at least eight square feet of window area having unobstructed access into the open air for each one hundred square feet of floor space in said room, and free access shall, at all times, be had to the same by the occupants of the room; and, at least, one-half of such window space shall be movable and available for ventilation. (Ordinance 27.) Rep. 9/13/29 Ord. 490

SECTION 225. *Air Space Under Buildings.* Every building except as otherwise provided, shall have at least twenty inches of clear air space for the circulation of air, between the floor timbers and the highest point of the ground under same, and shall have sufficient openings for ventilation in the outer walls to admit a free circulation of air; but said air space shall not be secured by excavating below the level of the street or lot on which the building is to stand, and this air space shall not be used for storage, but shall be kept clean and sanitary. In case said air space is not provided for in accordance with this regulation, the ground floor of all of such buildings shall be of bitumen, concrete or masonry, so constructed as to leave no spaces or openings beneath the same. (Ordinance 27.) Rep. 9/13/29 Ord. 490

SECTION 226. *Yards, Areas, Courts, Etc.* Yards, areas, courts, alleyways and other open spaces within or between buildings, where water is used for washing of any kind, shall be Rep. 9/13/29 Ord. 490

properly grated and cemented, or paved so as to be waterproof and drained into trapped drains properly connected with sewer or cesspool and no permanent wooden floor or grating shall be maintained over the same.

All houses, structures, rooms or parts thereof, in which water is used or intended to be used in such quantity as to render the floor or floors or the ground under the floor or floors damp, shall have such floor or floors made waterproof, with proper drainage into trapped leaders conveying the water away into cesspool or sewer.

No building or structure shall be used as a residence or place for human habitation which is situated upon land that has been made by filling in with dangerous and unsanitary refuses or garbage or any substance dangerous to the public health. (Ordinance 27.)

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SECTION 227. *Rain Water.* Where the space between buildings is less than ten feet the water from the roofs of the buildings shall be conducted in watertight leaders and made to discharge into suitable drains leading into street or alley gutters and if any building is so situated that the water from the roofs of said building will run under the building and not drain off, the same rule shall apply.

This regulation shall not apply to buildings where the amount of water discharged from the roofs will not be detrimental to the public health or public sanitation. (Ordinance 27.)

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SECTION 228. *Cesspools and Privy-vaults.* No privy-vaults, sink or cesspools shall hereafter be located or constructed within fifty feet of any stream, lake, pond, well or spring of water, unless the sides and bottom are cemented and made watertight, nor within two feet of the line of any lot, nor shall it be made more than eighteen or less than six feet deep or placed in such a position that it is not easily accessible for emptying and cleaning. No privy-vault nor cesspool shall be excavated or maintained within ten feet of any dwelling house or inhabited building or cookhouse or place where cooking is done.

The sides and bottom of privy-vaults, sinks, or cesspools shall be made watertight, when necessary in order to prevent saturation of the ground about the said vault, sink or cesspool, and each such receptacle shall be provided with suitable ventilating pipe.

A cesspool or other sanitary means of disposing of waste shall be completed or arranged for before any building hereafter to be constructed shall be occupied. No structure or cover shall be put upon or over any privy-vault, sink or cesspool, until

it has been inspected by the Plumbing Inspector, and approved as meeting the requirements of this Chapter.

Any privy-vault, sink or cesspool already constructed which shall become a nuisance, or in any way dangerous to life or detrimental to health, shall be removed, reconstructed, or altered to meet the requirements of this Chapter and of the public health. The Sanitary Inspector may order the emptying and disinfecting of any privy-vault, sink or cesspool at the expense of the owner or occupant of the premises after forty-eight hours' notice and failure to comply therewith. (Ordinance 27.)

Am. 9/5/25
Ord. 276

SECTION 229. *Ventilation of Water Closets and Urinals.* Every apartment or room containing a water closet or urinal shall be properly ventilated by means of a window opening directly into the open air. (Ordinance 27.)

Rep. 9/13/29
Ord. 490

SECTION 230. *Penalty.* Any person, firm or corporation, who shall construct any tenement, building or other structure contrary to the provisions of Sections 222 to 229 inclusive, or who shall violate in any manner the provisions of said Sections or fail to comply with the provisions thereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than $500, or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment. (Ordinance 27.)

Rep. 9/13/29
Ord. 496

CHAPTER ~~III~~ VII

Ord 6 & 7 added to Ord 490

Plumbing, Plumbing Inspectors and Board of Plumbing Examiners

Am. 2/19/35
Ord. 6 35

PLUMBING, PLUMBING INSPECTORS AND BOARD OF PLUMBINC EXAMINERS

SECTION 231. *Plumbing Inspectors.* The Mayor, with the approval of the Board of Supervisors of the City and County of Honolulu, Territory of Hawaii, shall appoint, and may remove, a suitable person as Plumbing Inspector of said City and County of Honolulu, who shall be a practical plumber with at least three years' experience, and who shall not engage in the plumbing business as a Master or Journeyman Plumber in the City and County of Honolulu during the term of his office. The salary of the Plumbing Inspector shall be fixed by the Board of Supervisors. Such Plumbing Inspector shall have all of the powers and shall perform all of the duties hereinafter provided, and shall have such other powers and perform such other duties as may hereafter be designated by the Board of Supervisors.

Said Plumbing Inspector may appoint an Assistant Plumbing Inspector whenever such position is created by the Board of Supervisors. Such Assistant Plumbing Inspector shall possess all the qualifications required of the Plumbing Inspector, and shall have all of the powers and may perform all of the duties of the Plumbing Inspector. The salary of the Assistant Plumbing Inspector shall be fixed by the Board of Supervisors. (Ordinance 43, Section 1.)

SECTION 232. *Board of Plumbing Examiners.* The Mayor, with the approval of the Board of Supervisors, shall appoint three journeymen plumbers who shall act as an examining board to be known as the Board of Plumbing Examiners; two members of said board shall constitute a quorum for the transaction of any business.

The Plumbing Inspector of the City and County of Honolulu shall act as secretary of the board, but shall not be a member thereof and shall serve without compensation.

The Board of Plumbing Examiners shall meet regularly once a month for the transaction of its business; provided, however, that if, at any such regular monthly meeting, the business to be transacted proves too great to be accomplished within a period of two hours, such regular meeting may be adjourned to date not more than one week subsequent to such regular meeting.

The compensation of the members of such Board of Plumbing Examiners shall be fixed by the Board of Supervisors at the rate of One Dollar per member for every such regular or adjourned meeting.

The members of the Board of Plumbing Examiners shall hold office at the pleasure of the Mayor and the Board of Supervisors.

In case of the absence from the Territory or inability or disability or illness of any member of such board, the Mayor is hereby given power to declare the office of such examiner vacant, and to appoint a new examiner in his place to serve until his successor is appointed and qualified. (Ordinance 43, Section 2; Ordinance 49, Section 1; Ordinance 86, Section 1; Ordinance 171, Section 1.)

SECTION 233. *Examination.* It shall be the duty of the Board of Plumbing Examiners to examine all who apply for examination and to test and ascertain the ability and qualifications of each such applicant to do plumbing work, or to be a Master Plumber. Such examination for Journeyman Plumbers shall consist of tests in practical plumbing, the correction of defective plumbing on plans and tests of the applicant's knowledge of the Ordinances of the City and County of Honolulu, the regulations of the Board of Health of the Territory of Hawaii, and the laws of the Territory of Hawaii regulating plumbing. The examination may be oral or in writing or by actual work with tools and materials, or by any or all of such methods, at the discretion of the Board of Examiners. The examination for Master Plumbers shall consist of tests of the applicant's knowledge of the Ordinances of the City and County of Honolulu, the regulations of the Board of Health of the Territory of Hawaii, and the laws of the Territory of Hawaii regulating plumbing. The Board of Examiners shall issue to each applicant who satisfactorily passes such examination a Certificate of Competency as a Journeyman Plumber or as a Master Plumber, as the case may be, but no certificate shall be issued to any applicant whose general average upon such examination is less than seventy-five per cent. Should the applicant fail to pass an examination, he shall not be eligible for another examination for a period of six months thereafter.

The Board of Examiners shall hold examinations from time to time whenever necessary, and shall notify each applicant in writing of the time and place of examination.

Any person desiring to take the examination provided for in this Section shall make written application to the Plumbing Inspector, which application shall set forth the full name, age and address of the applicant, the length of time spent by the applicant in learning or working at the trade or business of plumbing, and the place where his knowledge or experience was gained. Before being examined the applicant shall pay to the Plumbing Inspector a fee of three dollars for such examination,

and if the applicant fails to pass an examination, he shall pay a fee of three dollars for each subsequent examination. (Ordinance 43, Section 3.)

SECTION 234. *Registration.* It shall be unlawful for any person or persons, firm or corporation to carry on the business of Plumber or do any plumbing work in the City and County of Honolulu, until he or they shall have first registered at the office of the Plumbing Inspector. No person shall be registered in the office of the Plumbing Inspector who shall not have received from the Board of Plumbing Examiners and filed with the Plumbing Inspector a Certificate of Competency as a Journeyman Plumber or as a Master Plumber from the Board of Plumbing Examiners.

Any person so registered shall be deemed to be a registered plumber within the requirements of this Chapter, and it shall be the duty of such registered plumber to promptly notify the Plumbing Inspector of any change in his address. The Plumbing Inspector shall issue a registration card, signed by him, to every person so registered, which card shall contain the name and address of the applicant and shall state that the person therein named is duly qualified and a registered plumber. When two or more persons wish to engage in the plumbing business as copartners, registration shall be made in the name of the copartnership. Any member of the firm or copartnership may pass the examination and qualify for the firm or copartnership, but no plumbing work shall be done by any person who has not received a Certificate of Competency as a Journeyman Plumber from the Board of Plumbing Examiners. (Ordinance 43, Section 4.)

SECTION 235. *License.* The Treasurer of the City and County shall issue to any person or persons, firm or corporation, who has registered and acquired a Certificate of Competency from the Board of Plumbing Examiners, a license to do plumbing work in the City and County of Honolulu.

No person shall do any plumbing work without first paying the license fee and receiving a license as in this Chapter provided. The amount of said fee shall be, for Master Plumbers $10.00 per annum, and for Journeymen Plumbers $1.00 per annum, or fraction thereof. Any person who shall work as both Master and Journeyman Plumber shall secure both licenses and pay both fees. All licenses shall expire on the 30th day of June of each year. Provided that, while learning the plumber's trade, an apprentice may work with and help a regularly qualified and licensed Journeyman Plumber under the immediate instruction and direction of such licensed plumber.

No license shall be issued pursuant to this Chapter to any person who is not a registered plumber as defined in this Chapter. (Ordinance 43, Section 5.)

SECTION 236. *Master Plumbers.* Every Master Plumber must have a permanent place of business before registering as a plumber or transacting or doing any plumbing business. When a registered plumber or the member of a firm who has passed the required examination retires from business or dissolves copartnership, he shall forfeit his or their license and no other license shall be granted him or said firm until he or one of the remaining members of the firm shall have passed a further examination before the Board of Plumbing Examiners. (Ordinance 43, Section 6.)

SECTION 237. *Bond For Master Plumber.* Before or at the time a license is issued to a Master Plumber as provided in this Chapter, the applicant therefor shall file with the Treasurer of the City and County of Honolulu a bond to the City and County of Honolulu with two sureties, in the sum of Five Hundred Dollars ($500.00). The condition of such bond shall be to indemnify and save harmless the City and County of Honolulu, and the officers and agents thereof, from all claims, demands, suits, actions or proceedings of every name, character or description which may be brought against said City and County of Honolulu, or any officer or agent thereof, for or on account of any injuries to any person or persons, or property received or sustained by any person or persons, firm or corporations, by or in consequence of any act or acts of the person to whom such license is issued, or his agents or servants, in or about the work permitted to be done by such license, or by or on account of any accident in connection therewith, or by or on account of any violation of any of the provisions of this Chapter by the person to whom such license is issued or by his agents or servants, and to pay to the City and County of Honolulu any penalty recovered against the person to whom such license is issued, or his agents or servants for any violation of the provisions of this Chapter and any expense which may have been incurred by the City and County of Honolulu by reason of any violation of this Chapter by such person, or by his agents or servants. Sureties on such bonds shall severally qualify before the City and County Clerk in the amount of the penal sum specified therein. In lieu of the bond above provided, the bond of a surety company, authorized under the laws of the United States to become surety on bonds of public officers and lawfully doing business in the Territory of Hawaii under the laws of the United States and of the Territory of Hawaii, may be accepted. All bonds shall receive

the approval of the Board of Supervisors before the issuance of any license. (Ordinance 43, Section 7.)

SECTION 238. *Plans of House Plumbing and House Sewers and Application For Connections to Be Filed.* It shall be unlawful for any person or persons, partnership or corporation to do any plumbing work of any description in any building or upon any property or to do any sewer work in the City and County of Honolulu, except in case of stoppage in pipes or repair of leaks in drains, vent pipes, waste pipes, faucets, valves and water supply pipes, without first having filed with the Plumbing Inspector plans and specifications which shall clearly show and indicate the entire work to be done, the number and character of all fixtures, the size and locations of all drains, waste, soil and vent pipes, traps and clean-outs, and whether connection is to be made with the sewer or with a cesspool.

It shall be unlawful for any person, partnership or corporation to connect or to aid in, or to cause a connection to be made, or to make use of the public sewer system of the City and County of Honolulu without first having filed an application, written in ink, and obtained the written approval of the Plumbing Inspector.

Application shall be signed by the owner or by some one on his behalf, thereunto duly authorized, and the applicant shall upon such form answer truthfully without concealment all pertinent questions put to him by authority of any Ordinance of the City and County of Honolulu, or the Sanitary Code of the Territorial Board of Health, or general orders, governing the use of the sewer system of the City and County of Honolulu. (Ordinance 43, Section 8; Ordinance 98, Section 1.)

SECTION 239. *Fees For Permits.* No permits shall be issued to any person or persons, partnership or corporation for doing plumbing work in the City and County of Honolulu until the fees therefor have been paid to the general manager of the water and sewer works department, or his duly authorized agents or representatives, according to the following schedule: The fee for the installation of fixtures shall be fifty cents for each fixture; and for the inspection of any house sewer one dollar; provided that this Section shall not apply to the repair of leaks in drains, vent pipes, waste pipes, faucets, valves or water supply pipes or to the removal of obstructions in pipes. (Ordinance 43, Section 9; Ordinance 98, Section 2.)

SECTION 240. *Disposal of Plans.* When a permit is issued, the application, signed by the person or persons, firm or corporation, together with the plans and specifications, shall be filed

with the Plumbing Inspector and shall thereafter remain in the custody of said inspector. When it is desirable to make changes in the plumbing work from that shown on the plans and specifications as filed, the person or persons, firm or corporation to whom the permit has been issued shall give notice of such changes, and if such changes are found to be in accordance with the provisions of this Chapter, such changes shall be allowed. (Ordinance 43, Section 10.)

SECTION 241. *Sewer Connection Required.* In the construction, reconstruction or alteration of any building of any description, in which plumbing fixtures are to be placed all plumbing work shall be connected with the public sewer, where such sewer is accessible, and, where there is no sewer accessible, with a suitable and properly constructed cesspool. (Ordinance 43, Section 11.)

SECTION 242. *House Sewer.* The term "house sewer" as used in this Chapter designates that part of the drain between the "clean-out" at or near the property lines, or a cesspool, and to within five feet of the building connected or to be connected with the sewer or cesspool.

House sewers shall not be less than four inches in diameter, and shall be of cast iron pipe or salt glazed vitrified pipe, and shall be laid to a true grade, at least one foot underground. Changes in directions shall be made by "Y" branches and 1-6, 1-8 or 1-16 bends. Salt glazed vitrified pipe will not be allowed under any building. If salt glazed vitrified pipe is used in the construction of any sewer it shall have a fall of at least one-quarter of an inch to the foot, the joints shall be made of mortar, composed of equal parts of Portland or other good standard cement and clean-screened sand, and said joints shall be covered with cloth in laying. A disc entirely filing the house sewer pipe shall be kept in the pipe and drawn forward as each length is laid. When salt glazed vitrified pipe is used in tide or surface water, the same shall be concreted entirely around the pipe to a thickness of at least four inches. When cast iron pipe is used all joints shall be packed with picked oakum and run with molten lead, and shall be caulked, and shall have a fall of not less than three-sixteenths of an inch to the foot. In the construction of any house sewer no intermediate section of salt glazed vitrified stone pipe shall be used between sections of salt glazed vitrified stone pipe. The free flow of air shall not be obstructed in any house sewer when connected wth any cesspool or sewer. (Ordinance 43, Section 12; Ordinance 98, Section 3.)

SECTION 243. *House Drains.* The term "house drains" is herein used to designate that part of the drain under the first floor of the building or structure and extending five feet outside of the walls thereof. All house drains shall be of cast iron or galvanized wrought iron pipe not less than four inches in diameter and shall have a fall of not less than three-sixteenths of an inch to the foot. In buildings or structures of over three stories in height the grade of cast iron pipe commercially known as extra heavy or galvanized wrought iron shall be used for the house drain, soil, waste and vent pipes and fittings shall be of the same grade. All house drains shall be securely ironed to walls or laid in trenches of uniform grade or suspended to floor timbers by strong iron hangers. In no case shall double hubs be allowed and all hubs shall be laid opposite to the fall of the sewer. Brass cleanout connections located in accessible places shall be put in all house drains at the foot of each vertical riser and at every change of direction of the drain. (Ordinance 43, Section 13.)

SECTION 244. *Soil Pipe.* The term "soil pipe" as used in this Chapter shall designate the vertical pipe to which one or more water closets or other fixtures are connected. All soil pipe shall be of cast iron or galvanized wrought iron pipe not less than four inches in diameter, and, if of cast iron, in buildings of over three stories shall be of extra heavy grade. All soil pipe shall be continued unobstructed and undiminished in size not less than one foot above the roof of the building. All soil pipe shall be run on as straight a line as possible and shall not terminate within ten feet of any window or opening. If galvanized wrought iron pipe is used all the fittings must be recessed and the pipe reamed to full bore.

In the construction of soil pipes all cast iron pipes and fittings shall be covered inside and outside with a coating of asphaltum. Changes in direction of soil pipes shall be made by "Y" branches, and 1-6, 1-8 or 1-16 bends; and in no case shall double hubs be used except for vent fittings where the fittings are to be inverted. Sanitary "Ts" may be used in vertical runs. Tin pipes and pipes made from sheet metal shall not be used in the construction of soil or waste pipes.

No four by two or other heel outlet fittings shall be allowed to act as a waste or vent pipe through the heel opening, except on vertical lines. The use of cements of any description to repair splits or breaks in cast iron pipes or fittings shall not be allowed.

Not more than the following number of water closets may be connected on the various sizes of soil pipes designated below:

12 water closets on 4-inch soil or branch pipe.

25 water closets on 5-inch soil or branch pipe.

60 water closets on 6-inch soil or branch pipe.

No soil or drain pipe shall be more than six inches in diameter, and when a greater number than sixty water closets are in one building, two soil or drain pipes must be run to the main sewer in the street, and shall be continued up to and through the roof in full size; and where vertical lines of soil pipes extend to water closets on the third floor the same must extend full size through the roof. (Ordinance 43, Section 14; Ordinance 98, Section 4.)

SECTION 245. *Waste Pipes.* The term "waste pipe" is herein used to designate any pipe leading from any fixture to a soil pipe or house drain and receiving the discharge from any fixture. All waste pipes except as herein provided shall be of iron. Branch waste pipes may be constructed of lead or iron; provided, however, that if lead is used it shall be only as a branch to connect with an iron pipe and shall not exceed three feet in length. The size of waste pipes shall vary according to the fixtures they are to serve, and in no event shall be less than the following:

Closets	4	inches
Slop Sinks	3	inches
Floor Drains	2	inches
Baths	1½	inches
Sinks	1½	inches
Wash Trays	1½	inches
Urinals	1½	inches
Bar Wastes	1½	inches
Basins	1¼	inches

All waste pipes from grease traps shall be in size not less than the outlets of same. Waste pipes from refrigerators or other receptacles in which provisions are kept, shall not connect directly with the drain, soil or vent pipes, or discharge upon the ground beneath the building, but shall be trapped and the discharge therefrom allowed to drip into an open fixture in daily use, or be conveyed to the ground at least three feet away from the building.

No continuous wastes shall exceed sixteen feet in length and the traps for same shall not be less than one and one-half inches. Continuous wastes on urinals shall not be allowed. (Ordinance 43, Section 15.)

SECTION 246. *Traps.* All fixtures shall be separately and independently trapped as near the opening thereof as is practicable. All traps shall have a water seal of not less than one

and one-half inches in depth and shall be set true to water seal. The size of every trap shall be the same as the waste pipe it serves.

No grease traps shall in any case be placed under a building or structure. Grease traps shall be used only for restaurants, hotels, tenements and boarding houses. All grease traps shall have a capacity of not less than thirty gallons and shall be constructed subject to the approval of the Plumbing Inspector.

No bell trap shall be used in any case.

Anti-siphon traps shall be used only where the Plumbing Inspector finds that it is impracticable to use any other.

All traps in the ground or in concrete shall be of galvanized or cast iron pipe coated with asphaltum.

All traps with internal partitions or any mechanism forming a seal are strictly prohibited. (Ordinance 43, Section 16; Ordinance 98, Section 5.)

SECTION 247. *Vents.* In every building or structure where there is a water closet, there shall be at least one four-inch cast iron vent pipe, running from the house drain unobstructed and undiminished in size to a point not less than one foot above the roof of the building or structure or fire-wall, or if such building or structure has a fire-wall within ten feet of said vent, then not less than one foot above said fire-wall. The terminal of all vents shall be at least ten feet from any window or opening.

All traps within any building or within five feet of any building, shall be vented by special air pipes of lead or iron, but in no case shall a vent pipe end in a chimney or earthenware flue. No lead pipe shall be used for any vent except as a branch to connect with an iron pipe and then only for a distance not to exceed two feet. Vent pipes may converge into one pipe at any point not less than three feet six inches above the floor line of the building or structure. All vent pipes shall be extended above the roof of the building or structure in the same manner as the four-inch cast iron vent pipe herein referred to. All vent branches must be taken from the top of waste or crown of trap.

The size of vent pipes for each fixture shall not be less than the following:

Basins	1¼ inches
Sinks	1½ inches
Baths	1½ inches
Wash Trays	1½ inches
Urinals	1½ inches
Bar Sinks	1½ inches
Bidet	1½ inches

Sitz Baths	1½	inches
Water Closets	2	inches
Slop Sinks	2	inches
Dirt Catchers	2	inches
Floor Drains with 2-inch trap	1½	inches
Floor Drains with 3-inch or 4-inch trap	2	inches

All vent pipes shall have a grade towards the trap and shall not be carried more than twelve feet out of a vertical line to enter another pipe without increasing one size larger.

When two water closets are on a four-inch vent stack, such stack may vent both closets, provided it is within twenty-four inches of the traps of such closets on the line of the pipe.

Whenever fixtures are grouped the vents therefor shall not be less than the following:

One 1¼″ vent on one 1¼″ pipe;
Three 1¼″ vents on one 1½″ pipe;
Two 1½″ vents on one 1½″ pipe;
Six 1¼″, or five 1½″, or three 2″ vents on one 2″ pipe;
Ten 1¼″, or seven 1½″, or four 2″ vents on one 2½″ pipe;
Thirteen 1¼″, or ten 1½″, or six 2″ vents on one 3″ pipe;
Eighteen 1¼″, or thirteen 1½″, or eight 2″ vents on one 3½″ pipe;
Twenty-four 1¼″, or sixteen 1½″, or eleven 2″ vents on one 4″ pipe. (Ordinance 45, Section 17.)

SECTION 248. *Joints and Connections.* All joints of cast iron pipe shall be packed with picked oakum and run with molten lead and shall be well cauked. Joints and connections in lead pipe shall be made with wiped joints. Connections of lead with cast iron pipe shall be made with brass ferrule and wiped joints, caulked in connections of lead and wrought iron pipe shall be made with brass soldering nipple and wiped joints, screwed in. Connections of brass and wrought iron pipe shall be made with a brass screw collar. (Ordinance 43, Section 18.)

SECTION 249. *Water Closets.* The use of pan, hopper or plunger closets is prohibited. No water closet, slop sink or urinal shall be placed or maintained in any room in which there is not a window opening direct to the external atmosphere; provided that, in lieu thereof, such may be ventilated by means of a shaft or air duct at least eight inches in diameter or of equal area and as near the ceiling as possible, and carried thence through the roof. Stop cocks shall be placed on all supply pipes to water closet tanks, between the tank and the floor.

In factories, workshops, tenements and rooming houses there shall be provided one water closet for each ten persons, or fraction thereof, of each sex.

Range closets are strictly prohibited; provided, however, that an exception may be made, by special permission of the Board of Supervisors, in the case of hospitals for insane persons.

Toilets shall be separate in all cases. All residences shall be provided with at least one water closet and one sink.

All water closets, earthen or iron, having traps above the floor, using lead connections, shall be fastened to the floor and made perfectly tight with red lead putty connections or by such other method as may be approved of by the Plumbing Inspector. And when iron connections to water closet traps are used, they shall be cast of galvanized wrought iron pipe with case brass flanges not less than one-eighth of an inch thick and the flanges either caulked or screwed on.

Rubber gaskets shall not be used. (Ordinance 43, Section 19; Ordinance 98, Section 6.)

SECTION 250. *Urinals.* All urinals or groups of urinals shall be supplied with water. The floor and sides around all urinals shall be covered with non-corrosive and non-absorbing material. (Ordinance 43, Section 20.)

SECTION 251. *Safe Wastes.* No safe wastes shall be used in conjunction with urinals. Safe wastes from any fixture shall not be connected directly or indirectly with any sewer, house drain, soil or waste pipe. (Ordinance 43, Section 21.

SECTION 252. *Clean-outs. (a) General Provisions For All Clean-outs.* All "clean-outs" shall be so placed as to be accessible, and where a cement floor is laid said clean-out shall be brought up flush with the floor.

All "clean-outs" shall be sealed to the satisfaction of the Plumbing Inspector, and shall not be used as floor drains or for purposes other than the cleaning of fixtures, house or side sewers.

(b) Clean-outs For Plumbing Fixtures. "Clean-outs" shall be installed in all soil and waste pipes, and shall be so placed as to be accessible, and, where a cement floor is laid, said clean-outs shall be brought up flush with the floor.

(c) Clean-outs For House and Side Sewers. A "clean-out" for house and side sewer shall be installed in each sewer line between the "house and the side sewer"; and said "clean-out" shall be used only for the purpose of cleaning house and side sewer. (Ordinance 43, Section 22; Ordinance 98, Section 7.)

SECTION 253. *Remodeling or Removals.* Whenever a building is moved or remodeled, the plumbing work therein must conform in all respects to the provisions of this Chapter, and where

old fixtures are removed from any building and new fixtures substituted, or where old fixtures are changed, such work and the drainage and ventilation must conform to the provisions of this Chapter. When a building is moved, the plumbing in the building may remain, if, after having been tested the same is found to be water-tight, and free from all defects. New sewers for old houses shall be deemed new work. (Ordinance 43, Section 23.)

SECTION 254. *Sinks or Wash Trays.* No sinks or wash trays of wood shall be constructed or used except in hotel or restaurant kitchens or buildings used for industrial purposes and, provided, that when constructed or used in hotel or restaurant kitchens or buildings used for industrial purposes, sinks and wash trays may be built of two-inch sugar pine and as directed by the Plumbing Inspector. (Ordinance 43, Section 24.)

SECTION 255. *Laundries, Poi Manufactories and Stables.* All places used for the manufacture of poi for sale, for the washing of carriages, for the stabling of horses and mules and for the washing of clothes at laundries shall be provided with a floor of asphalt or cement mortar masonry, and shall be connected with the public sewer, where such sewer is accessible and where there is no sewer accessible with a suitable and proprly constructd cesspool.

In all such places the open end of any drain leading to the sewer shall be covered with a metal screen at least one-fourth of an inch in thickness and so secured in place that it cannot easily be removed. The meshes of such screen shall not exceed one-fourth of an inch in diameter. All such places shall be furnished with an efficient dirt catcher.

The discharge pipe from all wash floors, and in all poi factories shall be trapped and vented. (Ordinance 43, Section 25.)

SECTION 256. *Exhaust, Blow-off and Drip Pipes.* No steam exhaust, blow-out or drip pipe shall be connected to the public sewer except upon the written approval of the Plumbing Inspector. (Ordinance 43, Section 26; Ordinance 98, Section 8.)

SECTION 257. *Rain, Storm or Surface Water.* It shall be unlawful for any person or persons, partnership or corporation to allow rain, storm or surface water to enter directly or indirectly into a house, side or main sewer of the sewer system of the City and County of Honolulu. (Ordinance 98, Section 9.)

SECTION 258. *Removal of Buildings, Structures or Fixtures Connected to the Sewer System.* It shall be unlawful for any person or persons, partnership or corporation to demolish or remove any building or structure, or fixtures connected directly or indirectly with the public sewer system without first notifying the Plumbing Inspector of such intention to demolish or remove said building or structure or to disconnect said fixtures so connected.

It shall be unlawful for any property owner or his agent or any person to allow any opening in the sewer line caused by the removal of any building or structure or the disconnecting of fixtures to remain unsealed in such a manner as to allow rain, surface or storm water to enter the public sewer system of the City and County of Honolulu. (Ordinance 98, Section 10.)

SECTION 259. *Fixtures.* No open end of any waste pipe or water closet shall be placed less than two feet above high tide, as established by the datum used in government work. No wood work of any description shall be placed around any fixtures except for capping or frame. (Ordinance 43, Section 27.)

SECTION 260. *Exposed Plumbing.* All pipes and fixtures shall be left exposed to view as much as possible. (Ordinance 43, Section 28.)

SECTION 261. *Issuance of Blanks.* The Plumbing Inspector shall issue to any person, persons, firm or corporation all necessary plumbing blanks. (Ordinance 43, Section 29.)

SECTION 262. *Filing of Plans and Issuance of Permits.* After plans have been properly filed and approved by the Plumbing Inspector, he shall issue the required permit to the person, persons, firm or corporation applying therefor. (Ordinance 43, Section 30.)

SECTION 263. *Fees, Maintenance and Upkeep.* The general manager of the water and sewer works departments shall collect all fees provided for by this Chapter, except plumbers license fees, and shall deposit the same with the Treasurer of the city and county, or his deputy, daily as said collections are made. He shall have general charge of the operation, maintenance and upkeep of said department and expenditure of all moneys on account thereof. All warrants for such expenditure upon the City and County Treasurer shall be drawn upon the special fund derived from the revenue of said department, or upon any funds appropriated for the purposes of said department, and, unless it shall be so stated upon the face of said warrants, they shall not

be paid by him. (Ordinance 43, Section 31; Ordinance 98, Section 11.)

SECTION 264. *Testing.* All house-sewer, house-drain, soil, waste and vent pipes, inside and outside of the buildings, before being covered, shall have all openings stopped and be filled with water to the top of the highest vent pipe, and the entire system must be watertight. This test shall be made in the presence of the Plumbing Inspector. No house-sewer, house-drain, soil, waste, or vent pipe shall be covered or concealed in any way until after it has been examined and approved by the Plumbing Inspector. After all fixtures are connected and traps filled with water there shall be a final inspection made by the Plumbing Inspector. In no case shall the Plumbing Inspector accept or approve any job of plumbing work until the same has been made perfectly tight and to conform with this Chapter. (Ordinance 43, Section 32.)

SECTION 265. *Inspection and Certificate.* It shall be the duty of the Plumbing Inspector to inspect all plumbing work done in the City and County of Honolulu, and if after proper final inspection of any job of plumbing work the same is found to be properly done and to be perfectly tight as required by this Chapter, he shall issue to the proper person, persons, firm or corporation, a certificate setting forth the fact that the work has been inspected and the same found to have been done according to the requirements of this Chapter. The Plumbing Inspector shall have the right and authority to enter any building or go upon any premises where plumbing work is being done at all reasonable hours to ascertain if the provisions of this Chapter have been or are being complied with. When work has been tested or completed the Plumbing Inspector shall be notified in writing on forms furnished by the Plumbing Inspector's office, which notice shall state the time when such work will be ready for inspection and the location thereof, and the work shall be left open and convenient for inspection for two working days after such notification, or until inspected. The Plumbing Inspector shall inspect the work within two working days after having been notified that such work is ready for inspection. No work shall be considered ready for inspection until all pipes are tested and securely strapped in place with iron hangers made of not less than one-quarter inch round iron galvanized or one by one-sixteenth inch flat iron galvanized hangers placed every five feet apart, or if near the ground by good and substantial masonry piers back of the hub and five feet apart. No plumbing work shall be used until a final inspection has been made by the Plumbing Inspector and a final certificate of approval issued by him

to the plumbing contractor or to the owner of the premises of his agent.

The Plumbing Inspector shall keep a complete record of all registrations and inspections made, and also all permits granted by him as Plumbing Inspector, and shall make a report of the same each month to the Board of Supervisors. (Ordinance 43, Section 33.)

SECTION 266. *Defective Work.* If upon inspection, it shall appear that the work already done or the material used does not in all respects conform to the provisions of this Chapter, the Plumbing Inspector shall notify the person doing the work, and also the person holding the permit, that said work and materials do not conform to this Chapter and shall by such notice specify such changes in workmanship or materials as will make the same conform in all respects to the provisions of this Chapter, and all other work upon the plumbing of any such premises shall be immediately stopped until such notice and the provisions of this Chapter shall have been fully complied with. If any registered plumber shall be twice convicted of violating this Chapter by a refusal to comply therewith after being notified of defective work as in this Section provided, he shall upon a third conviction, in addition to the penalties imposed by Section 268 forfeit his plumbing license. (Ordinance 43, Section 34.)

SECTION 267. *Additional Inspections.* If an additional inspection becomes necessary by reason of any non-compliance with the provisions of this Chapter, or because the work is not ready for inspection at the time the Plumbing Inspector shall have been notified that it would be ready, a charge of one dollar shall be made for each such additional inspection. All fees for additional inspections shall be paid to the general manager of the water and sewer works departments or his duly authorized agents who shall issue a receipt therefor, and no additional inspection shall be made until said fees are paid. (Ordinance 43, Section 35; Ordinance 98, Section 12.)

SECTION 268. *Penalties.* Any person, persons, firm or corporation violating any of the provisions of this Chapter, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding Five Hundred Dollars ($500.00) or be imprisoned for a period not exceeding six months, or by both such fine and imprisonment. (Ordinance 43, Section 36.)

This Ch. never explicitly repealed. Ord 492 of 1929 – "County Water System" repeals "conflicting clauses"

CHAPTER IV

Water and Sewers

WATER AND SEWERS

SECTION 269. *Organization. Assumption of Control—Honolulu Water and Sewer Works.* The City and County of Honolulu hereby accepts the Honolulu Water and Sewer Works from the Territory of Hawaii, to take effect whenever the control of said works shall be transferred, in accordance with the provisions of Acts 138 and 139 of the Session Laws of 1913, and whenever said transfer is made, hereby assumes the operation, extension and improvement of said works, the collection and expenditure of all moneys on account thereof, and the exercise and performance of all powers and duties in relation thereto.

Until the City and County shall otherwise provide for the government of the Honolulu Water and Sewer Works all powers exercised by the officers or employees of the existing Honolulu Water and Sewer Works shall be exercised by the officers and employees in charge thereof at the date of transfer of said Water and Sewer Works to the City and County of Honolulu, and shall so continue in office or employment until appointments shall be made to fill such offices and employments. (Ordinance 65, Section 1.)

SECTION 270. *Water Works and Sewer Works Department Created. Departments Separated.* In order to keep correct accounts and ascertain the exact amounts expended upon the different works, there is hereby created the Honolulu Water Works Department and the Sewer Works Department. All warrants upon the City and County Treasurer shall be drawn upon the special fund derived from the revenue of the said respective works or upon any funds appropriated for the purposes of such works respectively; and unless it shall be so stated upon its face, such warrant shall not be paid by him. (Ordinance 65, Section 2.)

SECTION 271. *General Management.* The entire control of the Water and Sewer Departments shall be under a General Manager, subject to the directions of the Board of Supervisors. Such General Manager shall be appointed as by law provided and shall receive such salary as the Board of Supervisors of the City and County of Honolulu shall provide.

The General Manager shall have the general charge of the pipes, conduits and all apparatus and property of the Honolulu Water and Sewer Works, and of the operation, maintenance, extension and improvement of said works, the expenditure of all moneys on account thereof, and the exercise and performance of

all powers and duties in relation thereto, heretofore exercised by the Superintendent of Public Works, or otherwise, subject, however to the direction of the Board of Supervisors.

He shall give a bond to the City and County of Honolulu in a sum to be set by the Board of Supervisors with such sureties, and in such form as shall be approved by them for the faithful accounting for all moneys received by him as such officer. (Ordinance 65, Section 3; Ordinance 91, Section 1.)

SECTION 272. *Officers, Assistants and Employees: How Appointed.* All officers, assistants and employees of the Honolulu Water and Sewer Works Departments shall be appointed and removed by the General Manager, who shall prescribe their duties.

He shall make general rules and regulations for the government of his office and of his assistants, subject, however, to any statutes and the control of the Board of Supervisors.

Such officers, assistants and employees shall receive such compensation as may be appropriated from time to time by the Board of Supervisors. (Ordinance 65, Section 4; Ordinance 91, Section 2.)

SECTION 273. *Collections, How Made and Disposition of.* All moneys collected by or on account of the Honolulu Water and Sewer Departments shall be collected by the said General Manager, or his duly authorized assistants or employees, and shall be deposited with the Treasurer of the City and County of Honolulu, or his deputy, daily as said collections are made. (Ordinance 65, Section 5; Ordinance 91, Section 3.)

SECTION 274. *Bond Required of Officers, Assistants and Employees.* The General Manager and City and County Treasurer respectively shall require all officers, assistants and employees who may acquire control of public funds or personal property in the discharge of their duties, to give a sufficient bond to the City and County of Honolulu for the faithful accounting for all moneys and property received by such officers, assistants or employees. (Ordinance 65, Section 6.)

Am. 6-24-25
Ord. 268
Am. 4-21-27
Ord. 339
Am. 6-30-27
Ord. 357
Am. 12-28-27
Ord. 400

SECTION 275. *Water Rates, Regulations.*

(a) *Water Rates to Be Charged.* Rates for the use of all water and water power furnished by the Water Works Department are to be charged, whether to the United States Government, to the Territory of Hawaii or to the City and County of Honolulu, or to any department thereof, to vessels, corporations, persons, or others and except as otherwise required by contracts made prior to July 1, 1913.

(b) The following rates of charge shall be and the same are hereby fixed for water supplied by the Water Works Department of the City and County of Honolulu, upon a meter basis;

(1) Each privilege holder receiving water through a meter shall pay a minimum charge of fifty cents per month, in return for which charge said privilege holder shall be entitled to receive not more than five thousand gallons of water during said month.

(2) For all water used each month in excess of five thousand gallons each said privilege holder shall pay at the rate of five cents per thousand gallons. (Ordinance 65, Chapter 11, Section 1; Ordinance 113, Section 1; Ordinance 224, Section 3.)
nance 224, Section 3.)

SECTION 276. *Application For Water or For Use of Sewer.* Application for a supply of water from the Water Works or for connection with the sewer of the Sewer Works shall be made in writing, signed by the applicant or by some one on his behalf in writing, thereunto duly authorized, and shall state fully and truly all purposes for which such connection is required.

Such application shall be made upon a printed form to be supplied by the departments, and shall be made and filled out in conformity with any Ordinances or general orders governing the said departments.

Such applicant shall answer truly without concealment all pertinent questions put to him by authority of such general orders or regulations, pertaining to the consumption or use of water or use of sewer by the applicant.

When permission shall be granted, the applicant shall be entitled to the privilege described in the application. (Ordinance 65, Chapter 2, Section 2.)

SECTION 277. *Use of Water or Sewer Systems Without Application Prohibited.* It shall be unlawful for any person to connect with or make use of the water or sewer systems without written application and permission granted. It shall be unlawful for any person to connect with or make use of the water system for supply to shipping unless upon permission granted by a properly authorized agent of the Water Works Department upon oral application. (Ordinance 65, Chapter 2, Section 3.)

Am. 11-17-2
Ord. 496

SECTION 278. *Rates For Water Privileges—When Payable—Notice to Pay.* Water rates, if calculated upon a flat rate, shall be payable half yearly in advance on the 1st days of January and of July in each year for the period of six months following such dates respectively, at the office of the Water and Sewer Department.

Water rates, if calculated upon a meter rate, shall be due and payable on the first days of March, June, September and December of each year for the term of which the charge is made, at the office of the Water and Sewer Department.

Charges shall be made pro rata for unexpired terms of any period where such use begins after the commencement of such term. The charge for water rates shall be payable by the owners and occupants of the premises connected, who shall jointly and severally be liable therefor.

Not less than ten days before water rates are due and payable, the Water Works Department shall give general public notice to persons then holding water privileges as aforesaid by advertisement in one or more newspapers of general circulation published in the English language, in Honolulu, as to the date when such rates are due and payable, and that all rates so due and payable, whether flat or metered rates as the case may be, shall be delinquent thirty days after such rates become due.

The said department shall also mail a notice to each holder of a flat rate privilege on or about the 1st days of January and of July, and to each holder of a meter rate privilege on or about the first day of March, June, September and December in each year, addressed to the last known address of any privilege holder, stating when the rate becomes due, when it becomes delinquent and the amount thereof. Non-receipt of such notice shall not excuse the rate payer from the penalty for delinquency. (Ordinance 65, Chapter 2, Section 4; Ordinance 102, Section 1; Ordinance 224, Section 6.)

SECTION 279. (a) *Lien For Water Rates.* The charge for water rates, with interest and penalty, shall be a lien on real property served thereby, which lien shall attach as of the date when the water rates became due, and shall continue for a period of three years from the time the same became due.

(b) *Liens Foreclosed.* The liens provided for in this Chapter may be foreclosed in the same manner as is now or hereafter may be provided for the foreclosure of tax liens. (Ordinance 65, Chapter 2, Section 7; Ordinance 224, Section 5.)

SECTION 280. *Tapping Pipes, by Authorized Persons Only.* No person, except the properly authorized officers or agents of the Water Works or Sewer Works Department, shall be permitted to tap or make or break any connection with the main or distributing pipes of the Water Works, or to turn on or off the water from the main pipes, or to connect with the sewer system. (Ordinance 65, Chapter 2, Section 8.)

SECTION 281. *Private Premises, Access to Allowed.* In making repairs or in constructing new work, the Water and Sewer Works Departments shall have the right to shut off the water and keep it shut off as long as may be necessary for making such repairs or extensions, and no deductions will be made or damages allowed for the time the water is so shut off. (Ordinance 65, Chapter 2, Section 9.)

SECTION 282. *Shutting Off Water From Delinquent Privilege Holders.* In all cases in which water rates have become delinquent, the officer or officers in charge of the Water Works Department may cause the water to be shut off from such privilege, and charge the expense of the same to the holder of the privilege; the water so shut off from such privilege shall not be turned on again until the rate from such privilege and all penalties and expenses have been paid. (Ordinance 65, Chapter 2, Section 10.) Am. 4-9-25 Add 282-A Ord. 258

SECTION 283. *Penalty For Non-Payment of Water Rates.* If the amount of any water rate shall remain unpaid thirty days after the same becomes due, 10% in addition thereto shall be charged, which will be collected as part of such rate. All unpaid rates, and all charges arising because of failure to pay water rates shall be a lien upon the property supplied by the privilege, which lien shall attach to said property as of the date when such rate becomes due and payable. (Ordinance 65, Chapter 2, Section 11; Ordinance 224, Section 6; Ordinance 102, Section 4.)

SECTION 2848. *Meters to Be Kept Accessible.* All meters and other registers for measuring the supply of water shall be kept accessible at all times to the agents of the Water Works Department for examination and inspection. (Ordinance 65, Chapter 2, Section 12.)

SECTION 285. *Meters May Be Placed In All Cases.* In all cases the said department reserves the right to place a meter upon any premises. All privileges, existing at May 2, 1916, shall be entitled to one meter not more than two inches in size to be furnished by, and remain the property of said department.

Hereafter whenever a meter larger than a one and one-half inch is required, or whenever more than one meter is desired for any one building, the cost of said larger or additional meter or meters and the expense of installing the same shall be provided by the person or persons requesting said additional meter or meters. In all cases where the meter is furnished by the department, the owner, agent or tenant of the premises shall

provide at his own expense a meter box, cover or place, as the case may be, satisfactory to said General Manager wherein to place the meter. In the event that such owner, agent or tenant shall fail to provide such meter box, cover or place, the said department at the expiration of ten days after written notice to provide such meter box, cover or place shall proceed to provide said meter box, cover or place, as the case may be, and charge the expense thereof against said owner, agent or tenant. In the event that such charge and expense shall remain unpaid after the expiration of five days from notice that said meter box, cover or place has been furnished, as the case may be, water shall be shut off and not turned on until said charge and expense is paid.

After a meter belonging to said department has been placed, any damage which said meter may sustain, resulting from intentional injury by said owner, agent or tenant, or through the carelessness of said owner, his agents or tenants, or from the neglect of either of them to properly secure and protect the same as well as any damage which may result from allowing said meter to be injured by hot water or steam settling back from a boiler or otherwise, shall be paid to the said department on demand; and in case payment is not so made, water shall be shut off and not turned on until the charges are paid. (Ordinance 65, Chapter 2, Section 13; Ordinance 102, Section 5.)

SECTION 286. *Disconnecting Meters, Unlawful.* It shall be unlawful for any person to disconnect a water meter from any service after it has been attached by order of the Water Works Department. (Ordinance 65, Chapter 2, Section 14.)

SECTION 287. *Different Use of Water, Notice of, Required.* In case the premises connected with the water mains shall be put to a use different in nature or extent from that previously charged for, notice thereof in writing shall be given to the Water Works Department and the rates charged shall be in accordance with such new use. (Ordinance 65, Chapter 2, Section 15.)

SECTION 288. *Disputes Referred to Circuit Judge.* All disputes as to the right to connect with the sewer or water mains, as to water or sewer rates to be charged, and all other disputes arising under the provisions of this Chapter may be referred to a Circuit Judge of the First Circuit Court, at chambers, by filing a complaint by the moving party in the nature of a bill in equity setting forth the grounds of complaint, and the proceedings shall be conducted according to the rules of equity procedure.

Such judge shall have full power to decide the controversy and make all proper orders in relation thereto, and his decision upon the findings of facts therein found shall be final. (Ordinance 65, Chapter 2, Section 16.)

SECTION 289. *Water Rates to Remain Same Until New Rates Established.* The water rates, both flat and metered rates, charged for water supplied by the Water Works Department shall be the same as that charged hitherto by the Superintendent of Public Works, until new rates shall be established in place thereof. (Ordinance 65, Chapter 2, Section 17; Ordinance 224, Section 7.)

SECTION 290. *Rates For Water Privileges To Be Prepared.* It shall be the duty of the General Manager or other officer or officers in charge of the Water Works Department to prepare and submit to the Board of Supervisors, as soon as may be after July 1, 1914, a general water rate, both flat and metered, for persons, and special rates for departments and governments, which shall be sufficient to make such Water Works Department pay the interest and principal of all indebtedness incurred on its behalf, and all charges on its income as provided by Chapter 115 of the Revised Laws of Hawaii, 1915, as amended, and to make the same self-sustaining. (Ordinance 65, Chapter 2, Section 18; Ordinance 224, Section 8.

SECTION 291. *Board of Supervisors to Establish Rates.* After general water rates have been recommended by the General Manager, the Board of Supervisors shall establish, by resolution, water rates for all persons, departments and governments, and may revise the same from time to time. (Ordinance 65, Chapter 2, Section 19; Ordinance 224, Section 9.

SECTION 292. *Special Water Rates.* All water rates which, by reason of their special character, are not established by a general rate, shall be calculated by the General Manager, as nearly as may be to conform to the general rates, and the same, when fixed by Resolution shall be established as such special rates. (Ordinance 65, Chapter 2, Section 20; Ordinance 91, Section 4; Ordinance 224, Section 10.)

SECTION 293. *Special Water Rates For Municipal Use—Fire Department.* The Chief of the Honolulu Fire Department or his successor in office shall submit to the Board of Supervisors, on the 1st days of January and of July of each year, an estimate of the amount due for water rates in his department, for the period of six months following such dates respectively; said esti-

mate shall be based upon a rate per annum for each and every fire hydrant maintained for the use of the Fire Department and for other purposes and for sewer use. The Board of Supervisors shall pass upon said estimate and establish a rate per hydrant and other rates and the amount due. The amount so established shall be credited by the City and County Treasurer to the account of the Water and Sewer Works Department and charged to the appropriation for the maintenance of the Honolulu Fire Department on the 1st days of January and of July of each year. (Ordinance 65, Chapter 2, Section 21; Ordinance 224, Section 11.)

SECTION 294. *Water Rates For Honolulu Electric Light System.* The Superintendent of the Honolulu Electric Light System or his successor in office shall submit to the Board of Supervisors on the 1st days of January and of July of each year, an estimate of the amount due for water power and for water rates in his department, for the period of six months following such dates respectively; said estimate shall state the basis upon which the rate for power and other purposes is calculated. The Board of Supervisors shall pass upon said estimate and establish a rate for power and other purposes and the amount due. The amount so established shall be credited by the City and County Treasurer to the account of the Water Works Department and charged to the appropriation for the maintenance of the Honolulu Electric Light System on the 1st days of January and of July of each year. (Ordinance 65, Section 22, Chapter 2; Ordinance 224, Section 12.)

SECTION 295. *Water Rates For Public Schools.* The Building Inspector or his successor in office in charge of the public school buildings and grounds in the City and County of Honolulu shall submit to the Board of Supervisors, on the 1st days of January and of July of each year, an estimate of the amount due for water on account of such public school buildings and grounds, for the period of six months following such dates respectively; said estimate shall state the basis upon which said rates are calculated. The Board of Supervisors shall pass upon said estimate and establish the rates and the amount due. The amount so established shall be credited by th City and County Treasurer to the account of the Water Works Department, and charged to the appropriation for the maintenance of the public schools and grounds on the 1st days of January and of July of each year. (Ordinance 65, Chapter 2, Section 23; Ordinance 224, Section 13.)

SECTION 296. *Water Rates For Other Municipal Agencies —Public Streets and Parks.* The Committee on Roads, Bridges, Parks and Public Improvements or its successor in office in charge of such municipal agencies shall submit to the Board of

Supervisors, on the 1st days of January and of July of each year, an estimate of the amount due for water rates for the various municipal agencies for the period of six months following such dates respectively; said estimate shall state the basis on which said rates are calculated.

The Board of Supervisors shall pass upon said estimate and shall establish the rates and the amount due. The amount so established shall be credited by the City and County Treasurer to the account of the Water Works Department and charged to the appropriation for the maintenance of the various respective agencies of the City and County Government on the 1st days of January and of July of each year. (Ordinance 65, Chapter 2, Section 24; Ordinance 224, Section 15.)

SECTION 297. *Regulations May Be Made.* The General Manager of the Water and Sewer Works Department is hereby authorized to make rules and regulations for the government of the said department and for the carrying out of the purposes of this Chapter, including special charges to cover special costs, and to make rules and regulations in regard to the use of the sewers and in regard to the use of water by all privilege-holders for domestic, irrigation or other purposes, such rules and regulations to become effective upon the approval of the Board of Supervisors. (Ordinance 65, Chapter 3, Section 1; Ordinance 187.)

SECTION 298. *Penalty.* Any person violating any of the provisions of Sections 269 to 298 inclusive, except when a penalty is prescribed therein, shall be liable upon conviction thereof to a fine of not less than $5.00 nor more than $100.00 for each and every offense. (Ordinance 65, Chapter 3, Section 2.)

SEWERS—CONSTRUCTION, INSTALLING, COST, ETC.

Rep. 39
Ord. 281

SECTION 299. *Definitions of Words Used In Sections 299 to 306.* (a) Manager. The term "Manager" shall designate the Manager of the Water and Sewer Works Departments or his properly authorized agents, representatives or employees.

(b) Main Sewer. The term "Main Sewer" shall designate any sewer line in any highway, street, alleyway or other public place to which side sewers or laterals are connected.

(c) Side Sewer. The term "Side Sewer" shall designate that part of the sewer line from the "Clean-out" at or near the property line, to a main sewer line of the sewer system of the City and County of Honolulu. (Ordinance 100, Section 1.)

Rep. 39
Ord. 281

SECTION 300. *Size, Kind and Method of Laying Main and Side Sewers.* Main and side sewers shall be not less than six (6)

inches in diameter and shall be salt glazed vitrified pipe and shall be laid to a grade of not less than one-quarter inch to the foot; the joints shall be made of mortar composed of equal parts of Portland or other good standard cement and clean screened sand and said joints shall be covered with cloth in laying.

A disc entirely filling the main or side sewer shall be kept in the pipe and drawn forward as each length is laid. When main or side sewers are laid in tide or surface water, the joints shall be caulked with oakum and the pipe entirely encased in concrete at least four (4) inches in thickness. (Ordinance 100, Section 2.)

Rep. 39
Ord. 781

SECTION 301. *Manager Only to Have the Right to Lay Main or Side Sewers.* It shall be unlawful for any person or persons, partnership or corporation, except the Manager, to break up, dig up, disturb, undermine, or dig under any public highway, street, thoroughfare, alley or sidewalk or other public place in the City and County of Honolulu for the purpose of laying main or side sewers; provided, however, that nothing in this Section contained shall conflict with the provisions of the other Ordinances of this City and County, or prevent the said City and County of Honolulu from awarding contracts for laying main or side sewers. (Ordinance 100, Section 3.)

Rep. 39
Ord. 781

SECTION 302. *Removing or Tampering With Sewer Manhole Covers, Prohibited.* It shall be unlawful for any person or persons, partnership or corporation to tamper with or remove any sewer manhole cover except in the presence or by authority of the Manager. (Ordinance 100, Section 4.)

Rep. 39
Ord. 781

SECTION 303. *Application Necessary to Connect to the Sewer System.* It shall be unlawful for any person or persons, partnership or corporation to connect to, or to aid in connecting to, or to cause a connection to be made, or to make use of, the public sewer system of the City and County of Honolulu without first having filed a written application and obtained the written approval of the Manager. Application for a connection to the public sewer system shall be made in writing upon a printed form to be supplied by the Manager and signed by the owner or by someone on his behalf thereunto duly authorized. The applicant shall upon such form answer truthfully without concealment all pertinent questions put to him by authority of any Ordinance of the City and County of Honolulu, or the Sanitary Code of the Territorial Board of Health or general orders governing the use of the public sewer system of the City and County of Honolulu.

When the application properly signed shall be approved in writing, the applicant shall be entitled to the privilege described in the approved application. (Ordinance 100, Section 5.)

SECTION 304. *Installation and Payment of the Cost of Laying of Side Sewers, Upon Request Made by a Property Owner.* Whenever so requested in writing by a property owner the Manager shall cause the installation of a side sewer to the property line of said property owner and the cost of such installation shall be borne by the City and County of Honolulu. (Ordinance 100, Section 6; Ordinance 223, Section 1.) Rep. 39 Ord. 281

SECTION 305. *Installation, and Payment of the Cost of Laying of Side Sewers Prior to the Improving of Highways.* Whenever feasible prior to the improving of any public highway, street, thoroughfare, alley or any other public place in the City and County of Honolulu, where a main sewer line is laid or to be laid prior to such improvement, the Manager shall cause to be installed as many side sewers as may be advisable and the cost of such installation shall be borne by the City and County of Honolulu. (Ordinance 100, Section 7; Ordinance 223, Section 2.) Rep. 39 Ord. 281

SECTION 306. *Penalty.* Any person or persons, partnership or corporation violating or aiding, assisting or causing the violation of any of the provisions of Sections 299 to 306 inclusive shall be liable upon conviction thereof to a fine of not less than Ten Dollars ($10.00) nor more than One Hundred Dollars ($100.00) or by imprisonment not to exceed thirty (30) days, or by both such fine and imprisonment, for each and every offense. (Ordinance 100, Section 8.) Rep. 39 Ord. 281

WATERSHEDS, RESERVOIRS, ETC.

SECTION 307. *Being on Watershed, Etc., Illegal.* It shall be unlawful for any person whomsoever to be upon or about any public property in the District of Honolulu used as a water reservoir site or watershed for collecting waters for public consumption or upon or about any waterhead, water ditch-intake or water springs used for any public water system in the District of Honolulu, City and County of Honolulu, Territory of Hawaii, or upon or about any water, reservoir, waterhead, water ditch-intake or water springs in said District of Honolulu, from which water is taken for public consumption, without a written permit from the Superintendent of the Honolulu Water Works; provided, however, that this Section shall not apply to any public highway running through any of said watersheds. (Ordinance 168, Section 1.)

SECTION 308. *Interference, Etc., With Reservoirs, Etc.* It shall be unlawful for any person whomsoever to injure, destroy or interfere, in any manner whatsoever, with the public water reservoirs, pipe lines leading thereto or therefrom, ditches leading thereto or therefrom, ditch-intakes or other works for the collecting and disposing of water in or for the public water systems of the City and County of Honolulu, Territory of Hawaii. (Ordinance 168, Section 2.)

SECTIN 309. *Arrest, Etc.* Any officer or employee of the City and County of Honolulu working for the Honolulu Water Works may enforce the provisions of Sections 307 to 310 inclusive, by arresting or causing to be arrested offenders thereunder. (Ordiance 168, Section 3.)

SECTION 310. *Penalty.* Any person violating the provisions of Sections 307 to 310 inclusive, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be liable to imprisonment for not less than ten (10) days or more than six (6) months or to a fine of not less than Ten Dollars ($10.00) or more than Six Hundred ($600.00) Dollars, or to both such fine and imprisonment. (Ordinance 168, Section 4.)

CHAPTER V

Streets and Highways

STREETS AND HIGHWAYS

SECTION 311. *City and County Engineer, Appointment, Duties, Salary, Reports.* The Mayor, with the approval of the Board of Supervisors of the City and County of Honolulu, shall appoint and may remove at pleasure, a suitable person as Engineer of the City and County of Honolulu. (Ordinance 32, Section 1.)

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The City and County Engineer shall have charge of the construction, repair and maintenance of all public streets, highways, roads, alleys, trails, sidewalks, bridges and public places in the City and County of Honolulu. He shall appoint and remove at his pleasure one person in each of the Districts of Honolulu, Ewa, Waianae, Waialua, Koolauloa and Koolaupoko as road overseer, who shall have charge of the construction, repair and maintenance of all public streets, highways, roads, alleys, trails, sidewalks, bridges, and public places, within their respective districts. (Ordinance 32, Section 2.)

The salaries of said City and County Engineer and the salaries of the respective Road Overseers shall be fixed by the Board of Supervisors. (Ordinance 32, Section 3.)

The City and County Engineer shall make a full report to the Board of Supervisors, not later than the fifteenth day of each and every month, of the work done under his supervision during the preceding month. (Ordinance 32, Section 4.)

SECTION 312. *Permit to Dig Up Streets, Etc.* No person including all City and County officials and employees other than those in the department of the City and County Engineer, firm or corporation shall in any manner or for any purpose, break up, dig up, disturb, undermine or dig under or cause to be broken up, dug up, disturbed, undermined or dug under, any public highway, street, thoroughfare, alley or sidewalk or any other public place in the City and County of Honolulu, without having first obtained a written permit therefor from the City and County Engineer.

Am. 4/15/24 Ord 245

Am. 6/7/67 Ord. 687

Any person, firm or corporation desiring the permit required in this Section shall make application therefor to the City and County Engineer on a form prescribed by said Engineer. The said Engineer may prescribe in said permit the place where the work is to be done and as a condition precedent may require a bond to the City and County of Honolulu to protect it against any and all claims for damage due to any work done under said permit.

If any person, firm or corporation desires such permit for the purpose of laying underground wires, for any telegraph,

telephone or signal system, the application for such permit shall be made directly to the Board of Supervisors, and as a condition to the granting of such permit, the Board of Supervisors may require the applicant to furnish the City and County of Honolulu and place in position, conduit facilities for laying underground by the City and County of Honolulu of wires for any police, fire alarm and electric light systems for use by the City and County of Honolulu. (Ordinance 202, Sections 1, 2.)

SECTION 313. *Excavation, Manner of Making and Filling.* In doing any of the work specified in Section 312 of this Chapter the paving material must be kept separate and deposited in a manner that will occasion the least inconvenience to the public with provision for proper surface drainage and/or safe passage way for travel.

Am. 6/22/37
Ord. 687

The permit holder shall provide on the work covered by the permit sufficient barriers, and lights from twilight to sunrise and necessary watchmen for the proper safety and protection of the public and the said barriers, lights and watchmen shall be such as will effectually prevent any accident in consequence of the work done under permit. The permit holder shall be responsible for all damages of every kind or nature suffered because of the work done by him.

The holder of permit shall as soon as practicable after finishing any work causing any opening in or under any public highway, street, thoroughfare, sidewalk or other public place, carefully refill the same, the earth being placed in layers not more than six (6) inches thick and thoroughly compacted with tampers weighing not less than twenty-five (25) pounds for a face area of not less than thirty-six (36) square inches, one tamper being used to every two shovels.

If the opening is in a pavement with a foundation, the compact shall be brought to the under surface of same, the remainder of the cut being covered or filled with loose material and turned over to the City and County for repaving. If no street surface is to be replaced the original surface shall be restored as nearly as may be and the cut sodded. (Ordinance 202, Section 3.)

Am. Ord. 708
1937

SECTION 314. *City and County Engineer to Be Notified Upon Completion of Refilling.* Immediately upon the completion of the tamping and refilling of any opening as in this Ordinance provided, the holder of the permit shall notify the City and County Engineer that work under the permit is completed, stating the number of permit and location of opening. (Ordinance 202, Section 4.)

SECTION 315. *City and County to Cause Restoration of Foundation and Surface.* Upon receipt of notice provided for in Section 314 of this Chapter the City and County Engineer shall cause the proper repairs to be made to restore the foundation and surface to its original or equally good condition, provided, however, that this Section shall not apply to street railway companies having in their franchise the obligation to pave between and along their tracks.

Should it appear in the opinion of the City and County Engineer that any opening has not been refilled in accordance with this Ordinance, he may cause same to be again excavated and refilled and the expense thereof shall be charged to and collected from the permit holder. (Ordinance 202, Section 5.)

SECTION 316. *City and County to Be Reimbursed.* The City and County Engineer shall cause bills for proper costs of resetting foundation and pavement or any other work made necessary by work done under the permit required by Sections 312 to 318 of this Chapter to be sent to the holder of the permit. If the bills are not paid within thirty (30) days the accounts shall be placed in the hands of the City and County Attorney for collection. (Ordinance 202, Section 6.)

SECTION 317. *Indemnification of City and County.* The holder of permit shall indemnify and save harmless the City and County of Honolulu, the officers and agents thereof, from all claims, demands, suits, actions or proceedings of every name, character and description which may be brought against the City and County for or on account of any injuries or damages to any person, persons, or property received or sustained by any person or persons, firm or corporation by or in consequence of any act or acts of the holder of permit on work done under the permit.

The City while making repairs shall use every precaution required of the holder of permit as to barricades, lights, and watchmen for the safety of the public, but such action shall not relieve the holder of the permit from responsibility for accidents, should any occur. (Ordinance 202, Section 7.)

SECTION 318. *Penalty.* Any person or persons, firm or corporation, who shall violate any of the provisions of Sections 312 to 318 inclusive shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding $250.00 or by imprisonment not exceeding three months, or by both such fine and imprisonment. (Ordinance 15, Section 8; Ordinance 202, Section 8.)

SIDEWALKS AND CURBS.

SECTION 319. *Sidewalks to Conform to Grade and Specifications.* All sidewalks and/or curbs hereafter constructed, repaired or renewed, shall conform to grades established by the Board of Supervisors and to such regulations as are hereinafter set forth and shall be built according to the specifications herein provided. (Ordinance 201, Section 1.)

SECTION 320. *Unlawful to Construct Sidewalk Without Permit.* It shall be unlawful for any person, firm or corporation to construct, repair or renew any sidewalk, and/or curb in any public place in the City and County of Honolulu without first obtaining a permit in writing so to do from the City and County Engineer. (Ordinance 201, Section 2.)

SECTION 321. *Procedure Upon Initiative of Owner of Abutting Property.* When the owner of the abutting property desires to construct, repair or renew sidewalks and/or curbs, he shall make written application for permission so to do to the City and County Engineer. The application shall be in such form and shall contain such information as shall be prescribed by the said Engineer.

The City and County Engineer, if the official grade has been established, or if not when it has been established, shall issue a permit to do the work specified in the application and he shall state in said permit the types, width and position of sidewalk required, and shall specify such appurtenant work as he may deem necessary. The permit shall be in a form to be prescribed by the Engineer.

Whenever any person, firm or corporation has completed any sidewalk or curb work for which a permit has been issued (except of less than thirty (30) lineal feet of curb, or less than one hundred (100) square feet of sidewalk), they shall so notify the City and County Engineer in writing.

The City and County Engineer upon receipt of this notice, shall inspect the same and if it conforms to the specifications of this ordinance he shall give the property owner a certificate of approval.

The City and County Engineer shall keep a complete record of applcations and permits, grades furnished and certificates given. (Ordinance 201, Section 3.)

SECTION 322. *When Board of Supervisors Deems Construction Proper and Necessary.* Whenever the Board of Supervisors of the City and County of Honolulu shall deem it proper or necessary that sidewalks and/or curbs shall be constructed,

renewed or repaired, it shall, by resolution, designate a location or area of sidewalk and/or length of curbs to be so constructed, renewed or repaired which location or area shall not be less in extent, that when taken by itself or with previously constructed sidewalks and/or curbs, it shall contain one side of a street between two streets intersecting or joining the same. Said resolution shall specifically state the kind of construction to be required and shall contain a provision requiring the owner or owners of land abutting on the public highway or street described along which said improvement is to be made to construct, renew or repair sidewalks and/or curbs as provided herewith and shall provide for the giving of notice of said resolution by the Engineer of the City and County of Honolulu to all whom it may concern, as required by law and this Chapter.

The notice to be in the following form:

"TO ALL TO WHOM IT MAY CONCERN:

"You are hereby notified that at a meeting of the Board of Supervisors of the City and County of Honolulu, Territory of Hawaii, duly held on the..... day of ....., A. D. 19...., a resolution was adopted by said Board to curb (or to curb, construct, and repair the sidewalk, or both, as the case may be), upon the established lines abutting on the adjoining property on..... Street, between..... ..... Street and ..... Street, in the District of ....., City and County of Honolulu, Territory of Hawaii, in accordance with the provisions of the statutes of the Territory of Hawaii and the Ordiances of the City and County of Honolulu.

"You are further notified that if you fail to comply with such direction within sixty (60) days after the tenth consecutive day of publication of this notice, the City and County of Honolulu will proceed to construct such sidewalk at the expense of the abutting owner as provided by law.

"BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII,

By.....

CITY AND COUNTY ENGINEER."

The Engineer shall prepare and file an affidavit of the proper posting of such notice and an affidavit of the due publication thereof. Said Engineer shall keep such proof of notice filed and readily accessible for reference in his office with proper indexes. (Ordinance 201, Section 4.)

SECTION 323. *Procedure, Owner Failing to Build.* If any owner after receiving notice to construct, maintain or repair sidewalk and/or curb as provided in Section 322 shall neglect and refuse to comply with such direction for sixty (60) days after the tenth consecutive day of publication the Engineer shall so notify the Board of Supervisors, which Board shall thereafter cause the Engineer to proceed to construct, maintain or repair such sidewalk and/or curb at the expense of such owner in the manner provided by law. (Ordinance 201, Section 5.)

SECTION 324. *Sidewalk Specifications.* All sidewalks constructed under the provisions of Sections 319 to 326 of this Chapter in the District of Honolulu shall conform to the following specifications:

CONCRETE SIDEWALKS.

To be of artificial stone flagging composed of cement concrete, construction in alternate strips. It shall consist of two courses, (a) a base course three and one-half (3½) inches thick and (b) a wearing or surface course three-fourths (¾) inch thick.

WIDTH OF GRADE.

The minimum width of sidewalk shall be four (4) feet except in such cases as the sidewalk area is less than four (4) feet in width, in which instance the sidewalk shall be full width.

Unless otherwise especially provided for, the finished surface shall be a true plane rising from the curb grade at the curb line at a rate of one-fourth (¼) inch to one (1) foot to the property line.

PREPARING SUBGRADE.

The space to be occupied by the walk shall be properly graded to a depth of four and a quarter (4¼) inches below top of finished work. Any soft, loose or unsuitable material found in the subgrade shall be removed and the space filled with suitable gravel, sand, fine broken stone or cinders after which the whole surface shall be thoroughly compacted by ramming or rolling and finished to repaired grade and cross section.

WIDTH OF STRIPS.

Sidewalks four (4) feet wide shall be laid in strips four (4) feet long and an edge used on all sides.

Sidewalks over four (4) feet in width shall be laid in strips not more than three (3) feet wide, said strips to run at right angles to the direction of the street, and are to be lined transversely, so as to form rectangles as nearly square as the dimensions will permit.

BASE COURSE.

The concrete for the base course, when the total area or sidewalk to be laid is more than nine hundred (900) square feet, shall be composed of 1:2½:5 mixture, consisting of one (1) part Portland cement, one and one quarter (1¼) parts of clean crushed rock sand that will pass through a screen of four (4) meshes to the inch, one and one-quarter (1¼) parts of clean Waianae beach sand that will pass a screen of 8 meshes to the inch, and five (5) parts of clean crushed blue lava rock of a size not larger than will pass through a three-fourths (¾) inch ring and not smaller than will be retained on a one-fourth (¼) inch ring. Where the area to be laid is less than nine hundred (900) square feet the concrete base course shall be composed of a 1:2½:5 mixture as specified, but the fine aggregate may consist entirely of crushed rock sand of the grade specified above.

MIXING.

When concrete is mixed mechanically the machine shall be of a type provided by the City and County Engineer. Each batch of concrete shall remain in the mixer not less than seventy-five (75) seconds, during which time the drum shall make not less than eighteen (18) nor more than twenty-five (25) complete revolutions. The drum shall be completely emptied, before materials for a new batch are admitted to it.

When mixing is done by hand it shall be on a tight platform, large enough to accommodate men and materials, and the following procedure shall be followed, unless some other method shall have the especial approval of the City and County Engineer.

When beach sand and crushed rock sand are used, spread one and one-quarter (1¼) parts of rock sand on the platform in a thin layer. Upon this spread uniformly one and one-quarter (1¼) parts beach sand and thereon spread as evenly as possible one (1) part Portland cement, then mix by turning not less than three (3) times till a mass of uniform color is obtained. Where crushed rock sand is used alone, spread it in one uniform layer on the platform and on this spread one (1) part Portland cement and mix the whole as specified above. Sufficient water shall then be added by applying evenly to make a wet mortar and mixing

continued till the mortar is of the same consistency. Spread this mortar out in a thin layer and thereon spread the five (5) parts of crushed rock which is to be drenched with water just before it is so placed, then turn till the crushed rock is thoroughly and uniformly incorporated in the mortar.

The concrete so mixed is to be deposited in place and well tamped within thirty (30) minutes.

FINISHING COURSE.

Within thirty (30) minutes after the base course has been deposited and thoroughly rammed, a finishing course three-fourths (¾) inch thick consisting of a mixture of one (1) part Portland cement and two (2) parts crushed rock sand, sufficiently wet for proper working, shall be deposited and brought to a true and even surface, thoroughly worked and trowelled to an even finish and properly marked in stones of the required size. Immediately after setting, the finished concrete surface shall be covered with a cloth of canvas cover or one (1) inch layer of sand and kept moist for at least three (3) days before being opened to pedestrian traffic.

DRIVEWAYS.

At driveways the thickness of sidewalk paving shall be not less than six (6) inches and the surface shall be finished with longitudinal grooves or corrugations six (6) inches apart.

Concrete driveways shall be constructed in accordance with details furnished or approved by the City and County Engineer.

In no case shall driveways extend beyond the curb line.

EXPANSION JOINTS.

Expansion joints shall be placed in the sidewalk within approximately twenty-five (25) feet of each corner. These joints to be ½"x4½" Carey Elastite or equal.

ROUGHENED SURFACE ON GRADES.

On grades steeper than four (4) per cent. the surface shall be roughened by finishing with a coarse brush or in such a manner as the City and County Engineer may direct. When sidewalks are laid on a grade of fifteen (15) per cent. or over the entire width of sidewalk shall be corrugated. (Ordinance 201, Section 6.)

SECTION 325. *Specifications For Curbs.* All curbs constructed in the District of Honolulu under the provisions of Sec-

tions 319 to 326 of this Chapter shall conform to the respective specifications below set forth for stone or concrete curbs, according to the type of curbing determined upon by the City and County Engineer and approved by the Board of Supervisors.

STONE CURBS.

Stone or lava rock curbs shall be constructed to established lines and grades.

The curbing shall be of good quality rectangular blocks of which not less than fifty per cent. (50%) shall be not less than thirty-six (36) inches in length and the remaining fifty per cent. (50%) shall be not less than thirty (30) inches in length except for proper closure pieces and shall be not less than sixteen (16) inches in depth and shall be of matched width six (6) inches on top.

The top of natural stone curbing shall have a smooth surface perpendicular to the face of the curbing.

The face of natural stone curbing shall be first class pean hammered and no holes allowed for a depth of ten (10) inches below the top. The dressed surface shall be trued and properly squared. The remainder of the face of the lava rock curbing shall be point dressed. The back shall be point dressed to a uniform thickness of six (6) inches for not less than three (3) inches from the top and shall be free of projections of more than two (2) inches below this point.

The curb for corners shall be cut and laid to the prescribed curb lines, and the joints shall be on true radial lines.

The ends shall be square with the top and shall permit of a joint not exceeding one (1) inch for the full thickness of the stone to a depth of not less than ten (10) inches from the top.

All curbing shall be well bedded, true to line and grade, and the joints between blocks shall be filled with cement grout of one (1) part Portland cement and two (2) parts No. 4 sand. The back filling shall be thoroughly tamped in, using water, when necessary in sufficient quantity to make the filling solid.

CONCRETE CURBS.

Concrete curbs shall be constructed of precast blocks, composed of a 1:2-¼:4 mixture of concrete consisting of one (1) part Portland cement, one and one-eighth (1⅛) parts of clean crushed rock sand that will pass through a screen of four (4) meshes to the inch and one and one-eighth (1⅛) parts of clean Waianae beach sand that will pass through a screen of eight (8) meshes to the inch, two (2) parts of clean blue lava rock of a size not larger than will pass through a three-fourths (¾) inch

ring and not smaller than will be retained on a one-fourth (¼) inch ring and two (2) parts of clean blue lava rock of a size not larger than will pass through a two (2) inch ring and not smaller than will be retained on a three-fourths (¾) inch ring. The concrete shall be mixed in the manner hereinabove specified for concrete for base course except for the variation in proportions. The blocks shall be built according to plans and dimensions approved by or furnished by the City and County Engineer.

Concrete curbing shall be laid in the manner specified for stone curbing. (Ordinance 201, Section 7.)

SECTION 326. *Penalty.* Any person who shall violate the provisions of Sections 319 to 326 of this Chapter shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding One Hundred Dollars ($100.00). (Ordinance 201, Section 8.)

RUBBISH, ETC., ON STREETS.

SECTION 327. *Rubbish, Etc., On Streets. Throwing Rubbish, Etc., On Streets, Highways, Public Places, Etc., in City and County.* It shall be unlawful for any person to wilfully scatter, throw, drop, deposit or place, or cause to be scattered, thrown, dropped, deposited or placed on any highway, street, road, alley, lane, sidewalk, sea beach or public place in the City and County of Honolulu, Territory of Hawaii, any glass, glass bottle, tin can, nail, tack, wire, piece of metal, stone, paper, fruit peeling, rag, wood, straw, hay, or sweeping, or any rubbish or debris of any kind whatsoever or anything or substance dangerous to traffic. (Ordinance 34, Section 1.)

SECTION 328. *Penalty.* Any person who shall violate any of the provisions of Section 327 shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than $3.00 nor more than $250.00, or by imprisonment for a term not exceeding three months, or by both such fine and imprisonment. (Ordinance 34, Section 2.)

SECTION 329. *Depositing or Draining Refuse Matter Into the Streets or Public Places Prohibited.* No person shall deposit, leave, drain or cause to flow, or cause or allow any of his subordinates or employees or other persons under his control to deposit, leave, drain or cause to flow, or to allow to be deposited, left, drained or caused to flow in any public street, lane, alley or in any gutter, with a drainage to or upon any public street, lane, alley or public place, any garbage, swill, ashes, rubbish or other filthy

matter, filthy water, or other filthy or noisome liquids. (Ordinance 60, Section 3.)

SECTION 330. *Sweeping Refuse Upon Streets Prohibited.* No person shall sweep or permit any person in his employ, control or direction to sweep from any building or lot owned or occupied by him or from the sidewalk in front of such building or premises, any dirt, paper or rubbish of any kind, nor shall any person throw, scatter or place within the limits of any public street, lane or alley, any paper bags, rags, dirt, garbage, ashes or any refuse whatever, except in proper receptacles, as provided by law. (Ordinance 60, Section 4.)

SECTION 331. *Sections 329 and 330 Applicable to District of Honolulu Only.* Sections 329 and 330 shall apply to the District of Honolulu only. (Ordinance 60, Section 5.)

SECTION 332. *Penalty.* Any person who shall violate any of the provisions of Sections 329 or 330 shall be deemed guilty of misdemeanor, and upon conviction thereof shall be punished by a fine of not less than $3.00, nor more than $250.00 or by imprisonment for a term not exceeding three months, or by both such fine and imprisonment. (Ordinance 60, Section 6.)

SECTION 333. *Scattering Material On Road From Vehicle.* It shall be unlawful for any person, firm or corporation to use any cart, wagon, truck, or other vehicle, for the purpose of transporting sand, earth, rock, coal, sawdust, paddy, coral, or any other material of like nature along or over any public street, unless such vehicle is constructed so as to prevent the filtering, spilling or falling therefrom of the contents thereof, in whole or in part, in or upon any public street along or over which such vehicle may be driven. (Ordinance 215, Section 1.)

SECTION 334. *Penalty.* Any person who shall violate any of the provisions of Section 333 shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not to exceed Five Hundred Dollars ($500.00), or by imprisonment in the City and County Jail for not more than six (6) months, or by both such fine and imprisonment. (Ordinance 215, Section 2.)

SECTION 335. *When Street Car Tracks To Be Located In Center of Street.* All persons, firms or corporations owning, operating or maintaining a street railway or street railways upon the public streets of the City and County of Honolulu shall, whenever the streets upon which street car tracks are located are permanently improved under the provisions of Chapter 112 of

the Revised Laws of Hawaii, 1915, as now or hereinafter amended, or otherwise, place the said tracks in the center of street, and when the grade of any street so improved is changed the street car tracks shall be made to conform to the new grade; provided, however, that where it is contemplated to install double tracks in the future where single tracks are now laid, said single tracks shall be placed in a double track location. (Ordinance 194, Section 1.)

SECTION 336. *Notice of Improvement To Be Given.* Whenever an improvement district or a frontage improvement has been established according to the provisions of Section 1796 of the Revised Laws of Hawaii, 1915, as now or hereafter amended, or whenever the Board of Supervisors has definitely decided to permanently improve any street upon which there are any street car tracks located the person, firm, or corporation owning or controlling said tracks shall be notified and shall likewise be notified and shall likewise be notified and served with a copy thereof, when the final plans for the pavement of any street upon which street car tracks are located have been adopted. It shall be the duty of the City and County Engineer to give the notices herein provided for. (Ordinance 194, Section 2.)

SECTION 337. *Tracks To Conform To Plans.* Within ten days, or such additional time as may be allowed by resolution of the Board of Supervisors, after the said person, firm or corporation referred to in Section 336 hereof has received a copy of said final plans for the pavement of any public street upon which there are street car tracks that are not located in conformity with the provisions of Sections 335 to 339 of this Chapter or not conforming to the established grade of said streets, the person, firm or corporation owning or controlling said street car tracks shall, in a bona fide manner, start the actual work of relocating said tracks to conform with the provisions of Sections 335 to 339 of this Chapter, to the established grade of the street, and to the plans for the pavement of said street and shall in a bona fide manner continue with said work until the completion thereof. The Board of Supervisors may by resolution fix a minimum period of time within which said work shall be completed in which event said work must be completed before the time so fixed shall expire; provided, however, that before the passage of such resolution, the person, firm or corporation effected thereby shall be given a chance to be heard.

If the person, firm or corporation effected fails to request an extension of time to commence work they shall be deemed to agree that ten days is sufficient. (Ordinance 194, Section 3.)

SECTION 338. *Applies To Existing Streets.* The provisions of Sections 335 to 339 of this Chapter shall be complied with by any person, firm or corporation, owning or controlling any street car tracks upon streets that have been or are to be improved in improvement districts or frontage improvements formed under the general improvement statutes and the plans for which improvement has been or are to be adopted by the Board of Supervisors. In such case the person, firm or corporation owning street car tracks affected hereby shall be served with a copy of the said plans and the time provided in Section 337 shall run from the date of service. (Ordinance 194, Section 4.)

SECTION 339. *Penalty.* Any person, firm or corporation failing to comply with the provisions of Sections 335 to 339 inclusive shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than One Hundred ($100.00) Dollars, nor more than One Thousand Dollars ($1,000.00) *each* day's failure to comply with said provisions shall be considered a separate offense. (Ordinance 194, Section 5.)

SECTION 340. *Unconstitutional Provisions.* If any part of Sections 335 to 340 inclusive be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of the said Sections as a whole, or any part thereof which can be given effect without the part so decided to be unconstitutional or invalid. (Ordinance 194, Section 6.)

SECTION 341. *Bishop Street a Boulevard.* Bishop Street and all future extensions thereof mauka are hereby set aside as a boulevard. (Ordinance 206, Section 1.)

SECTION 342. *Unlawful To Build Street Railway On Bishop Street.* It shall be unlawful to lay, construct, build or maintain any street railway, railroad, or railway tracks, and/or trolley wire upon, in, over, above or along Bishop Street or any extension thereof mauka. Provided, however, that nothing herein shall prevent the crossing of said Bishop Street by any street railway on intersecting streets. (Ordinance 206, Section 2.)

SECTION 343. *Penalty.* Any person, firm or corporation, violating the provisions of Section 343 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one thousand dollars ($1,000.00). Each day that any such person, firm or corporation lays, constructs, builds, or maintains any street railway, railroad tracks or trolley wire contrary to the provisions of said Section 342 shall be deemed a separate offense. (Ordinance 206, Section 3.)

SECTION 344. *Constitutionality.* If any part or Section or phrase of Sections 341 to 343 inclusive be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of the said sections as a whole or any part thereof which can be given effect without the part so decided to be unconstitutional or invalid. (Ordinance 206, Section 4.)

CHAPTER VI XI

RECREATION

Parks, Play Grounds and School Grounds

Parks, Play Grounds and School Grounds

Section 344. *Superintendent of Parks and Public Grounds.* The Office of Superintendent of Parks and Public Grounds is hereby established in the City and County of Honolulu. The Mayor with the approval of the Board of Supervisors, shall appoint a suitable person to fill this office who shall be removable by the same authority. (Ordinance 157, Section 1.)

Section 345. *Salary—Bond.* The Superintendent of Parks and Public Grounds shall receive such salary as shall be fixed from time to time by the Board of Supervisors. He shall give a bond to the City and County of Honolulu in such sum as the Board of Supervisors may determine for the faithful performance of the duties of the office. (Ordinance 157, Section 2.)

Section 346. *Powers, Assistants.* The Superintendent, subject always to the approval of the Board of Supervisors, shall have power and supervision over all public parks and playgrounds in the City and County of Honolulu. He shall appoint and remove all assistants, laborers and other employees, except prisoners engaged in the maintenance, upkeep and care of the same. Subject to the approval of the appointing power in any other department of the City and County of Honolulu, the said Superintendent may appoint any person already employed by the City and County of Honolulu to assist in his department without additional pay and such person shall be removable at the pleasure of the said Superintendent. (Ordinance 157, Section 3.)

Section 347. *Reports.* The Superintendent shall make a full report to the Board of Supervisors not later than the 15th day of every month of the work done under his supervision during the preceding month. (Ordinance 157, Section 4.)

Section 348. *Sale of Goods, Etc., In Parks.* No person or persons, firm or corporation other than the Municipal Corporation shall peddle, sell or exhibit for sale in or upon any public park, or any portion thereof, in the City and County of Honolulu, any goods, wares or merchandise, or any article of food or drink, without previously obtaining permission therefor from the Board of Supervisors of the City and County of Honolulu. (Ordinance 95, Section 1.)

SECTION 349. *Rubbish.* No person or persons shall place, deposit or leave in or upon any public park or any portion thereof, in the City and County of Honolulu, saving and excepting only in such receptacle or receptacles as may have been placed there for such purpose, any book, magaine, pamphlet, newspaper, waste paper, paper or cardboard box, glass, glass bottle, tin can, food stuffs or any waste material or rubbish whatsoever. (Ordinance 95, Section 2.)

SECTION 350. *Intoxicating Liquors.* No person or persons shall drink, or display to public view, in any public park in said City and County of Honolulu, whether in any bottle, demijohn, jug, container or otherwise, any intoxicating liquor. (Ordinance 95, Section 3.)

SECTION 351. *Penalty.* Any person or persons, firm or corporation violating any of the provisions of Sections 348 to 351 inclusive shall be punished by a fine of not more than $50.00. (Ordinance 95, Section 4.)

SECTION 352. *Loitering On Public School Premises.* No person or persons shall go upon or remain upon or loiter around, in or upon, or play or engage in any game or games in or upon any public school buildings or public school grounds, in the City and County of Honolulu, without lawful business or excuse for so doing. (Ordinance 126, Section 1.)

SECTION 353. *Presence Prima Facie Case.* A prima facie case of a violation of Section 352 shall be established upon the showing that any person or persons charged with the violation of said Section was or were found upon or seen upon or arrested upon any public school building or public school grounds in the City and County of Honolulu. Upon such showing the burden of proof shall be upon the accused to show his or their lawful business or excuse for going upon or being upon any public school building or public school grounds in said Honolulu. (Ordinance 126, Section 2.)

SECTION 354. *Certain Persons Not Prohibited.* The provisions of Section 352 shall not apply to bona fide visitors, whether residents of the Territory of Hawaii or tourists who may go upon public school buildings or public school grounds in said Honolulu for the purpose of observing or inspecting the same, nor to any school teacher, nor to any person in the Department of Public Instruction of the Territory of Hawaii, on the Island of Oahu, nor to any person employed upon or working upon any public school building or public school grounds actually engaged in his

employment or work, nor to pupils of any school in said Honolulu, in or upon the public school buildings or upon the public school grounds of the school of their enrollment during school hours or after school hours with the knowledge or consent of the principal or any teacher of the school of their enrollment. (Ordinance 126, Section 3.)

SECTION 355. *Penalty.* Any person or persons violating any of the provisions of Section 352 shall be punished by a fine of not less than Five Dollars ($5.00) nor more than One Hundred Dollars ($100.00). (Ordinance 126, Section 4.)

SECTION 356. *Pleading.* In any complaint or charge for the violation of Section 352 it shall be unnecessary to negative the exceptions contained in Section 354. (Ordinance 126, Section 5.)

CHAPTER VII

City Planning Commission

CITY PLANNING COMMISSION

SECTION 362. *City Planning Commission.* A City Planning Commission of the City and County of Honolulu is hereby established. Am. 8/19/24 Ord. 249

The City Planning Commission shall be composed of seven members to consist of the Mayor, the City and County Engineer, and five members to be appointed by the Mayor with the approval of the Board of Supervisors. At the first meeting of the Commission, the five appointive members shall choose their term of office by lot, as follows: Two (2) for one year and three (3) for two years, and shall immediately thereafter communicate such allotment to the Board of Supervisors. Their successors shall hold office for two years. Any vacancy shall be filled by the Mayor for the unexpired portion of the term. (Ordinance 90, Section 1, Section 2.) Am. 4/27/27 Ord. 342 Am. 10/1/35 Ord. 710

SECTION 363. *Organization.* Immediately upon their appointment, the members shall organize the commission and shall elect a president and secretary, the latter of whom need not be a member of the Commission, and other officers for such terms as the Commission shall prescribe. A majority of the appointive members shall be necessary for the transaction of business; but a less number may adjourn from time to time for want of a quorum, until a quorum can be obtained. The Commission shall establish a regular place of meeting and a regular time of meeting which shall not be less frequent than once a month. Special meetings may be called at any time on personal notice by the president. The Commission may make and alter all rules and regulations for its organization and procedure (except those above mentioned), consistent with the laws of the Territory of Hawaii and the Ordinances of the City and County of Honolulu. The members of the Commission shall serve without compensation. The Commission shall keep an accurate record of all its proceedings and transactions and shall make annually to the Board of Supervisors a full report of the Commission's transactions and recommendations. The Commission shall, upon demand of the Board of Supervisors, make other reports upon subjects within its jurisdiction. (Ordinance 90, Section 3.)

SECTION 364. *Employees and Funds.* Subject to the approval of the Board of Supervisors, the Commission may employ any person, firm or corporation to aid it in the performance of the duties placed upon it by this Chapter and may give or agree to give compensation for such employment from funds provided

by the Board of Supervisors. The Commission may receive gifts or bequests of money to carry out any of the purpose of this Chapter and may expend or contract to expend the said money for the purpose or purposes for which the same is given or bequeathed, without the authorization of the Board of Supervisors.

Neither the City and County of Honolulu, nor any officer, commission or department thereof, other than the City Planning Commission, shall be held liable to pay for work contracted to be performed or actually performed for the City Planning Commission, unless the same shall have received authorization of said Board of Supervisors. (Ordinance 90, Section 4.)

SECTION 365. *Purpose of Commission.* The purpose of the establishment of this Commission is to provide for and regulate the future growth, development and beautification of the City and County of Honolulu, in its public and private buildings, streets, parks, grounds and vacant lots, and to provide plans, consistent with the future growth and development of the City and County of Honolulu, for securing to the City and County of Honolulu and its inhabitants, sanitation, service of all public utilities, and harbor, shipping and transportation facilities. All powers exercised by this Commission shall be used to further these purposes and purposes incidental thereto. (Ordinance 90, Section 5.)

SECTION 366. *To Receive Copies of Ordinances.* The City and County Clerk shall, upon introduction thereof, furnish to the City Planning Commission for its consideration, a copy of all Ordinances and bills which relate to any of the matters within the jurisdiction of the Commission. (Ordinance 90, Section 6.)

SECTION 367. *May Publish Maps—Make Recommendation To Board of Supervisors.* The City Planning Commission may make, or cause to be made, and, in its discretion, cause to be published, a map or maps of the City and County of Honolulu, or any portion or portions thereof, including territory extending beyond the city limits and showing the streets and highways and any natural or artificial features; and also new sites or locations proposed by it for public buildings, civic centers, streets, parkways, boulevards, parks, playgrounds, or any other public ground or public improvement; or any widening, extension or relocation of streets, or any change in the city plan, by it deemed advisable; and it may make recommendations to the Board of Supervisors, from time to time, concerning any such matters for action by the Board of Supervisors. In all these matters, said commission shall have regard for the present conditions and future needs and growth of the city, and the distribution and

relative location of all the principal and other streets and railways, waterways and all other means of public travel and business communication, as well as the distribution and relative location of all public buildings, public grounds and open spaces devoted to public use. (Ordinance 90, Section 7.)

SECTION 368. *May Make Recommendations To Individuals, Etc.* The City Planning Commission may make recommendations from time to time to private corporations, firms and individuals with reference to the location, architecture and use of any buildings, structures or works owned or controlled by any of them or in course of erection, or proposed to be erected by any of them. (Ordinance 90, Section 8.)

SECTION 369. *Recommendations As To Buildings, Streets, Parks, Zones, Etc.* The City Planning Commission may, on its own initiative, or shall, on request of the proper authorities, make recommendations from time to time to the public authorities and to public agencies of every kind, with reference to the location, architecture and use of any buildings, structures, or works controlled by such authorities or agencies, or in course of erection or to be erected by any of them; with reference also to the building restrictions, Ordinances and codes and to the division of the city into residential, industrial, business and other zones; with reference also to the location, extension, widening, or closing, ornamentation or parking of any street, boulevard, alley, parkway, path or other public way, or the reservation, purchase, location or enlargement of any park, playground, school or other public building site; and with reference to the location of the harbor and use of property of the city adjacent thereto. The Board of Supervisors shall refer all Ordinances and resolutions relating to any of the matters within the terms of this Section to the City Planning Commission, for its suggestions or recommendations before taking final action thereon, except in case such reference or procedure would conflict with the provisions or requirements of existing laws. (Ordinance 90, Section 9.)

SECTION 370. *Owners Presumed To Have Notice.* Owners and purchasers of property within the City and County of Honolulu shall be deemed to have notice of the published plans, maps and reports of the Commission affecting such property, provided such plans, maps and reports are on file with the City Clerk and are properly indexed. (Ordinance 90, Section 10.)

CHAPTER VIII XV

Municipal Market

MUNICIPAL MARKET

SECTION 371. *Municipal Market Department.* There is hereby created and established a department for the City and County of Honolulu to be known as the "Municipal Market." This department shall be in charge of a superintendent who shall have power and supervision over the said department and over all of its functions. (Ordinance 192, Section 17.)

SECTION 372. *Superintendent.*

(a) Appointment. The Mayor, with the approval of the Board of Supervisors, shall appoint and may remove a person to and from this said office.

(b) Salary and Bond. The Superintendent of the Municipal Market shall receive such salary as shall be fixed from time to time by the Board of Supervisors. He shall give a bond to the City and County of Honolulu for the faithful performance of the duties of the said office in such sum as the Board of Supervisors may determine. (Ordinance 192, Sections 2 and 37.)

SECTION 373. *Duties of Superintendent.* The Superintendent shall:

(1) Have power and supervision over the Municipal Markets belonging to or in charge of the City and County of Honolulu. Am. 4-17-28 Ord. 416

(2) Appoint and remove all assistants, clerks, laborers and other employees in his department the number and compensation of whom, however, shall be fixed by the Board of Supervisors.

(3) Encourage in every possible manner the marketing of products in said market by small farmer and fisherman.

(4) Have the right and power to sell, on consignment, farm, dairy, stock and sea products in said market. In so selling he shall only make a charge to cover as commission the proper portion of the expenses of the market that should be covered thereby.

(5) Rent stalls in the Municipal Market and make a charge therefor sufficient to cover the proportion of the expnses of the market that should be covered in said rent.

(6) Prescribe rules, with the approval of the Board, for the governing of said market.

(7) Immediately establish and adopt a comprehensive system of accounting for the use in said department.

(8) Perform such other duties as the Board of Supervisors of the City and County of Honolulu shall direct. (Ordinance 192, Section 47.)

Am. 3-29-27
Ord. 337

Rep. 4-17-28
Ord. 416

SECTION 374. *Revolving Fund For Market—Consignment.* The sum of $15,000.00 is hereby appropriated from all moneys available in the General Fund of the City and County of Honolulu for a fund to be known as the "Revolving Fund—Municipal Market", from which fund the Board of Supervisors shall pay all the expenses of the said market and from which fund the Board of Supervisors may make advances to consignees as hereinafter provided. The Auditor of the City and County of Honolulu is hereby authorized, empowered and directed to draw a warrant in favor of the Superintendent of the Municipal Market upon said fund in the sum of $1,000.00 to be retaind by said Superintendent as a consignment fund from which he may make advances to consignees, any advance so made to be repaid to said fund by the Board of Supervisors from the Revolving Fund established herewith. The Board of Supervisors may advance additional sums to consignees from said Revolving Fund when in its opinion it may be necessary so to do. The amount advanced to consignees shall be held out from proceeds of the sale of the consigned products and be paid into the City and County Treasurer and upon payment thereunto shall be deemed re-appropriated for a fund to be known as "Revolving Fund—Municipal Market." All receipts from the operation of said market shall, upon payment into the City and County Treasurer, be deemed re-appropriated for a fund to be known as "Revolving Fund—Municipal Market." The said consignment fund shall be under the joint control of the Superintendent of the Municipal Market and the Auditor of the City and County of Honolulu and shall at all times be subject to audit by the said Auditor and it is hereby made the express duty of the Auditor of the City and County of Honolulu to keep check on the said fund and make a report thereof to the Board of Supervisors for each calendar month not later than the 15th day of the succeeding month. (Ordinance 192, Section 5.)

SECTION 375. *Report By Superintendent.* The Superintendent shall make a full report to the Board of Supervisors not nater than the 15th day of every month of the doings of his department during the preceding calendar month a copy of which shall be furnished the Auditor of the City and County of Honolulu. (Ordinance 192, Section 6.)

CHAPTER ~~IX~~ XIII

Rep. 1/4/37
Ord. 6-1-7

Recreation Commission

Rep. 37
Ord. 677

Recreation Commission

Section 376. *Commission—Membership—Term of Office—Appointment.* A commission is hereby created to be known as the "Recreation Commission of the City and County of Honolulu." There shall be five members of said commission, one of whom shall be the Chairman of the Parks and Playgrounds Committee of the Board of Supervisors or such other committee as succeeds to the duties of the present Parks and Playgrounds Committee, the remaining four to be appointed by the Mayor of the City and County of Honolulu with the approval of the Board of Supervisors, two of said appointments, however, to be from persons nominated, one by the Free Kindergarten and Children's Aid Society and one by the Department of Public Instruction of the Territory of Hawaii. The four appointive members shall serve without pay and for a term of four years from the 1st day of January, and until their successors are appointed, provided, that the first appointee shall serve from date of appointment one to January 1st, 1922, one to January 1st, 1923, one to January 1st, 1924, and one to January 1st, 1925, respectively. The first appointees shall in some manner fair to all decide amongst themselves as to the length of their respective terms of office consistent with the above. Of the appointees as hereinbefore set forth, two shall be women. The said Commission shall annually elect one of its members as chairman of the Commission. (Ordinance 185, Sec. 1.)

Section 377. *Duties of Commission.* The above created commission shall be charged with the promotion and direction of public recreation in the City and County of Honolulu and shall have charge of all existing playgrounds and all playgrounds hereafter created by the Board of Supervisors of the City and County of Honolulu and of all public or private lands set apart for playgrounds for the City and County of Honolulu or for use for playgrounds or for recreation. And said Commission shall perform such other duties as may be prescribed by the Board of Supervisors. (Ordinance 185, Sec. 2.)

Section 378. *Powers of Commission.* (1) The Recreation Commission as above created shall have the right to appoint such assistants, workers, and employees and at such salaries as may be allowed by the Board of Supervisors of the City and County of Honolulu.

(2) The said Commission as above created shall not be prevented from accepting gifts of money or property and using or

Rep. 37
Ord. 677

Rep. 37
Ord. 672

expending the same as best to serve the object of its creation. In that connection, said Commission may without the approval of the Board of Supervisors previously provided, use said monies to hire additional assistants, workers, or employees who shall not be considered as working under or for the City and County of Honolulu. All property, other than money taken by the Commission, shall be taken in the name of the City and County of Honolulu and shall be considered municipal property subject to the same control as other municipal property.

(3) The said Commission shall make and may alter rules and regulations for its organization and procedure and for the organization of its assistants, workers, and employees. (Ordinance 185, Section 3.)

SECTION 379. *Reports of Commission.* The said commission shall report to the Board of Supervisors of the City and County of Honolulu not later than the 15th day of each and every month its activities during the preceding calendar month and said report shall contain among other things an itemized statement of all liabilities incurred by it and all expenditures made under its authority whether made from public or private funds, also all funds and property received by it from private sources. (Ordinance 185, Section 4.)

Rep. 37
Ord. 677

CHAPTER ~~X~~ IV

Real Estate Subdivisions

Real Estate Subdivisions

Section 382. *Consent of City and County to Subdivision—Plan.* Any person, firm or corporation, the owner of, or possessor of any interest in, land, desiring to lay out an addition in the City and County of Honolulu or to subdivide land within said City and County for the purpose of sale of building lots therein shall submit to the Mayor and Board of Supervisors a plat of the addition or subdivision desired, showing the location of all sidewalks, curbs, streets, avenues and alleys therein, as desired, and their relation to existing sidewalks, curbs, streets, avenues and alleys over adjacent lands, together with written specifications of the materials and the proposed kind and method of construction to be used in the construction of said sidewalks, curbs, streets, avenues and alleys in said addition or subdivision. Said plat shall be accurately drawn to scale and shall have all dimensions of sidewalks, curbs, streets, avenues and alleys and lots plainly marked thereon. Am. 9/20/26 Ord. 305

The Mayor and Board of Supervisors may, if they deem it for the convenience of the inhabitants of said City and County and the public, grant to such person, firm or corporation, by resolution, the right to lay out such addition or subdivision according to said plat and said proposed specifications of materials, method and kind of construction of the proposed sidewalks, curbs, streets, avenues and alleys in said addition or subdivision, or may modify said plat and said specifications in such manner as to them may be deemed best for the public interest. (Ordinance 97, Section 1.)

Am. 9/20/26 Ord. 305

Section 383. *Streets, Sidewalks, Etc., Constructed Before Sale of Lots.* After the approval of said plat and said specifications as submitted or modified, and before it shall be lawful to dispose of or offer for sale any lot or tract of land in said addition or subdivision, such person, firm or corporation shall cause the sidewalks, curbs, streets, avenues and alleys as they appear on the approved plat of said addition or subdivision to be accurately surveyed and all street lines marked on the ground by monuments set firmly in the ground and protected by cast iron monument frames and covers, and shall lay and construct in accordance with the specifications approved by said Board of Supervisors all sidewalks, curbs, streets, avenues and alleys set forth in said plat as approved by the Board of Supervisors. Am. 3/2/27 Ord. 330

Monuments marking street lines shall be properly coordinated to Government Survey Triangulation Stations and the true azimuths and distances between them marked on said plat. Said

plat shall be filed in the office of the City and County Engineer. (Ordinance 97, Section 2.)

Am. 10-20-23 Ord. 244

SECTION 384. *Unapproved Subdivision, Etc., Illegal.* It shall be unlawful for any person, firm or corporation to lay out an addition or subdivision in the City and County of Honolulu, or subdivide any tract of land within said City and County, for the purpose of the sale of building lots therein, without complying with the provisions of Section 382 to 385 inclusive.

Am. 9/20/26 Ord. 306

It shall be unlawful for any owner or other person to sell or offer for sale any lot or tract of land in any addition or subdivision in the City and County of Honolulu hereafter platted, which shall not be laid out, platted, and all sidewalks, curbs, streets, avenues, and alleys constructed in conformity with the provisions of Sections 382 to 385 inclusive. (Ordinance 97, Sections 3, 4.)

SECTION 385. *No Acceptance of Streets In Unapproved Subdivisions.* The Board of Supervisors of the City and County of Honolulu shall not take over, receive by dedication, or otherwise, or do any repair or construction work upon or in any way accept as public highways any streets, avenues or alleys in any addition or subdivision hereafter opened or platted in the City and County of Honolulu, except upon a compliance with the provisions of Sections 382 to 385 inclusive.

Am. 9/20/26 Ord. 306

Provided, however, that the grant to any person, firm or corporation, by resolution, of the right to lay out such addition or subdivision according to said plat and said specifications, as submitted or amended, shall not be construed to operate as an acceptance or adoption of such sidewalks, curbs, streets, avenues and alleys by the Board of Supervisors. (Ordinance 97, Section 5.)

Am. 9/20/26 Ord. 306

SECTION 386. *Penalty.* Any person, firm or corporation who shall violate any of the provisions of Sections 382 to 385 inclusive shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than Twenty-five Dollars ($25.00) nor more than Five Hundred Dollars ($500.00). (Ordinance 97, Section 6.)

Am. 9/20/26 Ord. 306

SECTION 387. *Consent of Manager of Water and Sewer Works to Location of Service Pipes In Subdivisions In Water and Sewer Area.* Any owner of land desiring to offer for sale any addition or subdivision in the City and County of Honolulu, within the areas covered by the water or sewer systems of the City of Honolulu, or to offer for sale any lot or tract of land in such addition or subdivision, shall submit to the General

Manager of the Water and Sewer Works of said City and County a plat of the proposed addition or subdivision, showing the location of all mains and service pipes therein, as intended by the owner to be laid. Said plat shall be drawn to scale and shall have all streets, avenues and alleys and the size of all mains and service-pipes plainly marked thereon.

The General Manager of the Water and Sewer Works may if he deem it of public benefit, grant to such owner the right to install such mains and service-pipes in such addition or subdivision according to said plat, or may modify or change said plat, as by him may be deemed best for the public interest. (Ordinance 85, Section 1.) Am. 9/20/2 Ord. 306

SECTION 388. *Mains, Etc., To Be Laid Before Sale of Lots.* The owner of such addition or subdivision, after such approval, and before it shall be lawful to dispose of or offer for sale any lot of tract of land in said addition or subdivision, shall cause all mains and service-pipes, as the same appear on the said approved plat of said addition or subdivision, to be laid. (Ordinance 85, Section 2.) Am. 9/20/6 Ord. 306

SECTION 389. *Size of Mains.* To provide fire protection no water main less than six inches in diameter shall be laid; provided, however, that in sections where the pressure in the city water main is more than forty-five pounds per square inch, a four-inch main may be laid for this purpose. ? Am. 9/20/6 Ord. 306

To provide sufficient water for domestic purposes, the size of the service-pipes and feed lines shall be determined according to the pressure of the water in the city main with which the mains and service lines within such addition or subdivision are to be connected. (Ordinance 85, Sections 3, 4.)

SECTION 390. *Illegal To Sell Lots Before Mains, Etc., Laid.* It shall be unlawful for any owner or other person to sell or offer for sale any lot or tract of land in any addition or subdivision in the City of Honolulu within the area covered by the Water and Sewer systems of said city in which the mains and service-pipes have not been laid in compliance with the provisions of Sections 387 to 390 inclusive. (Ordinance 85, Section 5.) Am. 9/20/2 Ord. 306

SECTION 391. *Penalty.* Any person who shall violate any of the provisions of Sections 387 to 390 inclusive shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than One Hundred Dollars ($100.00) nor more than Five Hundred Dollars ($500.00). (Ordinance 85, Section 6.) Am. 9/20/2 Ord. 306

CHAPTER ~~XI~~ XVI

Municipal Garage and Machine Shop

MUNICIPAL GARAGE AND MACHINE SHOP

SECTION 392. *Creation of Department.* There is hereby created and established a department for the City and County of Honolulu to be known as the "Municipal Garage and Machine Shop." This department shall be in charge of a Superintendent who shall have power and supervision over the said department and all of its functions. (Ordinance 182, Section 1.)

SECTION 393. *Superintendent—City and County Engineer.* The City and County Engineer shall be ex-officio Superintendent of the "Municipal Garage and Machine Shop Department" and shall serve as such without pay therefor. (Ordinance 182, Section 2.)

SECTION 394. *Functions.* The department above created shall:

(a) Have charge of the upkeep and repairing of all automobiles, motorcycles, trucks, wagons, steam rollers and all other machinery belonging to the City and County of Honolulu except such stationary machinery as may be repaired by the department having control thereof and except the machinery, automobiles, trucks and fire-fighting apparatus of the Fire Department.

(b) Furnish when needed all parts, accessories, gasoline, distillate, fuel oil, lubricants and tires for all automobiles, motorcycles, trucks and wagons, and furnish all parts in the repair of machinery and rollers; provided, however, that this paragraph shall not apply to the fire-fighting apparatus of the Fire Department.

(c) Have charge of such garage or place for the storing or housing of all automobiles, motorcycles, trucks, wagons and steam rollers belonging to the City and County of Honolulu as shall be furnished by the Board of Supervisors.

(d) By some proper method keep a check upon the use of all automobiles, motorcycles, trucks, wagons and steam rollers belonging to the City and County of Honolulu. (Ordinance 182, Section 3; Ordinance 225, Section 1.)

SECTION 395. *Municipal Automobiles To Be Kept In Garage.* All automobiles belonging to the City and County of Honolulu except the automobiles and fire-fighting apparatus of the Fire Department shall be kept in the municipal garage when not in actual service of the said City and County, from and after the time the garage provided for in paragraph (c) of Section 394 is furnished. (Ordinance 182, Section 4.)

SECTION 396. *Repairs.* All repairs upon any automobile, motorcycle, truck, wagon, steam roller, or machinery belonging to the City and County of Honolulu must be made at the Municipal Garage and Machine Shop except as herein provided or except repairs made in an emergency; provided, however, that the Board of Supervisors may by resolution order the repairs made elsewhere. (Ordinance 182, Section 5.)

SECTION 397. *Books.* It shall be the duty of the Superintendent of the "Municipal Garage and Machine Shop Department" to keep such a system of books as shall be approved by the Auditor and the Board of Supervisors so as to properly charge against the proper department and fund the cost of the service rendered by this said department, and said cost shall be so charged. (Ordinance 182, Section 6.)

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SECTION 398. *Payment For Materials, Supplies and Services.* Said department shall pay for all the materials and supplies mentioned in paragraph (b) of Section 394 from an appropriation made for such purpose by the Board of Supervisors. The Superintendent shall file claims with the Board of Supervisors against the several departments for all services rendered and materials and supplies furnished by the Municipal Garage and Machine Shop, and upon the payment of such claims the moneys received from such claims shall be deemed reappropriated for the purposes of said Municipal Garage and Machine Shop. (Ordinance 182, Section 7.)

SECTION 399. *Reports.* The Superintendent of the "Municipal Garage and Machine Shop Department" shall make a full report to the Board of Supervisors not later than the 15th day of every month of all of the affairs of his department, including therein among other things work done, stock on hand and purchased during month; said report shall be made in such form and manner as shall be approved by the Board of Supervisors. (Ordinance 182, Section 8.)

SECTION 400. *Date Effective.* This Chapter shall take effect thirty days from and after the 25th day of May, A. D. 1920. (Ordinance 182, Section 9.)

CHAPTER ~~XII~~ ~~X~~

Rep. 9-9-31
Ord. 553

Traffic

TRAFFIC

PART I. DEFINITIONS.

SECTION 401. *Definitions.* The words and phrases used in this Chapter shall, for the purpose thereof, unless the same be contrary to or inconsistent with the context, be construed as follows: Rep. 9-9 Ord. 55

1. "Highway" shall include any public highway, county road, public street, avenue, lane, alley, park, parkway, driveway, square or place, bridge or viaduct, whether public or private, designed, intended or used by or for the general public for passage of vehicles in the City and County of Honolulu;

2. "Curb" shall apply to the lateral boundaries of a highway;

3. "Vehicle" shall include any conveyance, except a baby buggy and a street car, and it shall include conveyances drawn or propelled by pedestrians, as well as by one or more horses, draft animal or beast of burden;

4. "Motor Vehicle" shall include all vehicles propelled otherwise than by muscular power, except street cars and trailers;

5. "Automobile" shall include all motor vehicles, except motorcycles;

6. "Motorcycle" shall include all motor vehicles designed to travel on not more than three wheels in contact with the ground when operated without a trailer, and weighing not over seven hundred (700) pounds;

7. "Street Car" shall apply to any vehicle running on stationary tracks on the highway;

8. "Business District" shall mean the Territory in the City of Honolulu bounded as follows:

On the sea by the waterfront;
On the Easterly or Waikiki side by the Westerly or Ewa line of Punchbowl Street;
On the inland side by the inland or mauka line of Vineyard Street and Vineyard Street extended;
On the Westerly or Ewa side by the Ewa side of Auld Lane and Auld Lane extended to meet the sea and Vineyard Street extended;

And in other towns or settlements in the City and County of Honolulu, shall mean the Territory contiguous to and the highway included between conspicuous signs placed on the right hand side of the highway looking toward such district;

9. "Operator" shall mean any person who operates a motor vehicle and any person who operates, rides, drives or propels any vehicle other than a motor vehicle;

10. "Person" shall include any corporation, firm, company, or other aggregation of individuals;

11. "Garage" shall mean every place of business where motor vehicles are received for housing, storage or repair for compensation;

12. "Intersecting Highway" shall mean any highway which joins another at an angle whether or not it crosses the other;

13. "Parking" or "Parked" shall refer to vehicles drawn up alongside of one another not parallel to the curb;

14. "Sheriff" as used in this Chapter shall mean the Sheriff of the City and County of Honolulu or his deputy or deputies;

15. "Trailer" shall be deemed to be any vehicle which is at any time drawn upon the public highway by a vehicle, except implements of husbandry temporarily drawn, propelled or moved on the highway;

16. The "City of Honolulu" shall include that portion of the City and County of Honolulu bounded as follows to-wit:

Commencing at a point on Black Point at the foot of Diamond Head where the military boundary cuts the water edge; thence N. 11° 30′ E. 4.25 miles; thence N. 66° W. to the main ridge of Red Hill; thence South to the makai side of the Honolulu-Haleiwa Road; thence along the makai side of said road to the junction with the Puuloa Road; thence due South to the sea; thence along the sea to the point of beginning. And there shall be included herein the Pali Road or Nuuanu Street extended.

17. "Main Thoroughfares" when used herein shall mean:

Kalakaua Avenue;
King Street between Alapai Street and Waialae Road;
Waialae Road;
Beretania Street between Alapai Street and Waialae Road;
Nuuanu Avenue, mauka of Vineyard Street;
King Street, Ewa side of the West or Ewa line of Auld Lane. (Ordinance 176, Section 1.)

PART II. MECHANICAL REQUIREMENTS FOR MOTOR VEHICLES.

SECTION 402. *Sound Signal Device.* It shall be unlawful for any person to drive, operate or propel any automobile, motorcycle, bicycle, tricycle, velocipede or other similar vehicle, upon any highway without having attached to such vehicle a gong, bell, horn or other sound signal device in good working order and of proper size and character sufficient to give warning of the ap-

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proach of such vehicle. Said gong, bell, horn or other sound signal device shall be of such size only as may be necessary to give such warning and shall not be used to make any unnecessary noises. The use of siren horns or similar instruments for the purpose of producing any unusual, loud, or distressing or annoying sounds, except upon motor vehicles in charge of the Police and Fire Departments of the City and County and other vehicles given a special right of way by ordinance, is hereby prohibited. (Ordinance 176, Section 2.)

SECTION 403. *Brakes.* Every motor vehicle while being used upon any highway, shall be provided with efficient brakes, which shall be kept in good working order. It shall be lawful for any police officer, sheriff or deputy sheriff to notify the owner or operator of any motor vehicle to appear at the Police Station of Honolulu or at such other place as may be designated by the Sheriff to have the brakes of said vehicle examined and it shall be the duty of such owner or operator to so appear within twenty-four hours.

Am. 10/7/26 Ord. 453

Rep. 9-9-31 Ord. 553

All brakes shall be of sufficient power to bring the vehicle tested, when traveling at a rate of speed of ten miles an hour over a dry level paved road, to a full stop within ten feet from point of application of the brakes. (Ordinance 176, Section 3.)

SECTION 404. *Muffler, Use Of—Compulsory.* Every motor vehicle must have devices in good working order which shall be at all times in constant operation to prevent excessive or unusual noise, annoying smoke and the escape of gas, steam or oil, as well as the falling out of residue from fuel, and all exhaust pipes carrying exhaust gases from the engine shall be directed parallel to the ground or slightly upward. Devices known as "muffler cut-outs" shall not be used within the City and County of Honolulu. (Ordinance 176, Section 4.)

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SECTION 405. *Steering Apparatus.* Every motor vehicle shall be equipped with steering device in good working order. Such device shall be subject to test in the same manner provided in Section 403 hereof for brakes. (Ordinance 176, Section 5.)

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PART III. LIGHTS FOR VEHICLES.

SECTION 406. *Tail Lights on Vehicles.* From thirty minutes after sunset to thirty minutes before sunrise at any time while a motor vehicle is on any highway, there shall be displayed at the rear a tail light which shall display a red light visible not less than two hundred feet from the rear thereof and so constructed and placed that the registration number plate carried on

Rep. 9-9-31 Ord. 553

the rear thereof shall be illuminated by a white light in such manner that the registration number thereon can be plainly distinguished at a distance of not less than fifty feet toward the rear. (Ordinance 176, Section 6.)

Rep. 9-9-31 Ord 552

SECTION 407. *Lights. For Motor Vehicles.* (a) From thirty minutes after sunset until thirty minutes before sunrise every automobile moving upon any highway shall carry at the front thereof at least two lighted head lamps of equal candle power, and so arranged, adjusted and constructed that, when the automobile is fully loaded, any pair of headlights under the conditions of use must produce a light sufficient to reveal any person, vehicle or substantial object on the highway straight ahead of such automobile for a distance of two hundred feet.

Such light when measured at a distance of one hundred feet directly in front of the automobile and at a height of sixty inches above the level surface on which the automobile stands shall not exceed two thousand four hundred apparent candle power, nor shall this candle power be exceeded at a greater height than sixty inches.

When measured at a distance of one hundred feet ahead of the automobile and seven feet or more to the left of the axis of the same, and at a height of sixty inches above the level surface on which the automobile stands, such light shall not exceed eight hundred apparent candle power.

(b) During the time hereinbefore specified every motorcycle while moving on a highway shall carry at the front thereof at least one lighted head light which shall give a light of such power and so distributed as provided in subdivision (a); provided, however, that any motorcycle with a sidecar or similar contrivance attached shall, in addition to the foregoing required light, carry on such sidecar or similar contrivance a lighted lamp visible from a point at least two hundred feet ahead of said motorcycle.

(c) All devices or adjustments used in connection with lights upon motor vehicles to enable the same to comply with the provisions hereof shall not be used until approved by the Sheriff of the City and County of Honolulu.

The cost of testing any device shall be borne by the person submitting the same; provided, however, that this cost shall not exceed the sum of Fifty Dollars.

(d) No person shall drive, operate or propel a motor vehicle without an approved device or adjustment upon its headlights unless the said headlights shall have been tested and approved by the Sheriff. The cost of testing shall be borne by the person offering the same for test as provided in subdivision (c). (Ordinance 176, Section 7.)

SECTION 408. *Bicycle Lights.* At the time specified in Section 407, every bicycle while on a highway shall carry a lighted lamp visible at all times at least two hundred feet in the direction toward which such bicycle is faced, and shall also carry at the rear a reflex mirror or a lighted lamp exhibiting a red light plainly visible for a distance of at least two hundred feet toward the rear. (Ordinance 176, Section 8.) Rep. 9-9-3 Ord. 553

SECTION 409. *Lights on Loads.* In any case where a vehicle shall be loaded with any material in such a manner that any portion of such load extends toward the rear four feet or more beyond the rear of the bed or body of such vehicle, there shall be displayed at the extreme end of such load, at the times and under the conditions hereinbefore specified, in addition to the ordinary rear or tail light hereinbefore required to be displayed on such vehicle, a red light plainly visible under ordinary atmospheric conditions at least two hundred feet from the rear; provided, further, that at other times while such vehicle is upon the highway a red flag or cloth not less than sixteen inches square shall be displayed at the extreme rear of said load. (Ordinance 176, Section 9.) Rep. 9-9-3 Ord. 553

SECTION 410. *Lights for Other Vehicles.* All vehicles other than those specified in Sections 407 and 408 shall during the time mentioned in said sections when upon the highway, carry a lighted light on the extreme width of each side so arranged that a light from said lamps shall be visible in every direction for at least two hundred feet. (Ordinance 176, Section 10.) Rep. 9-9-3 Ord. 553

SECTION 411. *Spot Lights.* No spot light shall be used in the City of Honolulu and no spot light shall be so used as to shine in the eyes of the drivers of approaching passing vehicles, and when used every spot light must be turned off not less than two hundred feet from an approaching vehicle. (Ordinance 176, Section 11.) Rep. 9-9-3 Ord. 553

PART IV. TRAFFIC RULES.

SECTION 412. *Duty—Careful Driving.* Every person riding, driving, operating, propelling or in charge of any vehicle or street car upon any of the highways shall ride, drive, operate or propel such vehicle or street car upon such highways in a careful manner and with due regard for the safety and convenience of pedestrians and all other vehicles or street cars upon such highways. Rep. 9-9-31 Ord 553

No person or persons shall impede the right of travel of any vehicle or street car. (Ordinance 176, Section 12.)

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SECTION 413. *Traveling In Wake of Vehicle.* Every person driving, operating, propelling or in charge of any vehicle or street car is hereby prohibited from traveling so closely in the wake of any vehicle or street car in such manner as to imperil life or limb of any person, or to travel so closely and at such a speed in the wake of any vehicle or street car as to be unable to stop or to turn out in case the preceding vehicle or street car comes to a sudden stop.

And every person, as aforesaid, is prohibited from passing a preceding vehicle or street car which is moving in the same direction at any highway intersection throughout the City and County of Honolulu, or upon any curve in any highway where there is not an unobstructed view along the highway ahead of the preceding vehicle or street car of at least seventy-five yards. (Ordinance 176, Section 13.)

SECTION 414. *Rule of Road Driving Along Highways.* Every person riding, driving, operating, propelling or in charge of any vehicle, upon meeting any other vehicle faced in an opposite direction at any place upon any highway, shall turn to the right, and, on all occasions when it is practicable so to do, shall travel on the right side of such highway, and near the right hand curb thereof excepting when the right hand side of such highway is obstructed by teams, buildng or any material, or when such highway is closed for repairs; in such cases the travel shall be as far away from the left hand curb as practicable so as to allow other vehicles to freely pass.

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Every such person shall when there is sufficient highway surface between a street car and a curb turn to the right on meeting a street car coming from an opposite direction. (Ordinance 176, Section 14.)

SECTION 415. *Rule of Passing Vehicles, Animals Being Ridden and Street Cars.* Every person driving, operating, propelling or in charge of any vehicle or animal being ridden upon any highway in overtaking any other vehicle or animal being ridden proceeding in the same direction, except street cars, shall pass to the left of such vehicle or animal, and the person in charge of such vehicle or animal being so overtaken shall, upon a signal given by the overtaking person, give way as soon as practicable and with convenient speed to the extreme right to allow such passing vehicle or animal to pass with safety. If necessary, on account of highway conditions, the overtaken person shall stop for a sufficient length of time to allow the said overtaking vehicle or animal to pass.

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In all cases where there is sufficient highway surface between a street car and a curb vehicles passing such street car shall pass to the right.

In no case shall the passing vehicle approach nearer than two feet from the vehicle, animal or street car passed, unless the same shall have stopped on account of highway conditions as aforesaid. (Ordinance 176, Section 15.)

SECTION 416. *Place In Highway For Slow Moving Vehicles.* Every person riding, driving, operating, propelling or in charge of any vehicle moving slowly upon any highway, shall keep such vehicle as close as practicable to the curb on the right, allowing more swiftly moving overtaking vehicles free passage on the left. (Ordinance 176, Section 16.) Rep. 9-9- Ord. 55

SECTION 417. *Rule of Turning Corners to Right.* Every person riding, driving, operating, propelling or in charge of any vehicle upon any highway shall, in turning to the right into another highway, turn the corner as near the right hand curb as practicable. (Ordinance 176, Section 17.) Rep. 9-9- Ord. 55

SECTION 418. *Rule On Turning Corners To Left.* Every person, riding, driving, operating, propelling or in charge of any vehicle upon any highway shall, in turning to the left into another highway, pass to the right of and beyond the center of the highway intersection. (Ordinance 176, Section 18.) Rep. 9-9- Ord. 55

SECTION 419. *Rule On Crossing From One Side of Highway To Another.* Every person riding, driving, operating, propelling or in charge of any vehicle crossing from one side of any highway to the other side thereof shall make such crossing by turning to the left to the opposite side of the highway so as to head in the same direction as the traffic on that side of the highway. Rep. 9-9- Ord. 55

In the "Business District" of the City of Honolulu, such turn shall be made at street crossings only. Streets joining, but not intersecting, shall constitute a street crossing. (Ordinance 176, Section 19.) Am. Ord.

SECTION 420. *Rule On Stopping At Curb.* No person riding, driving, operating, propelling or in charge of any vehicle shall stop the same upon any highway except with each of the right wheels within one foot of the curb, or except in case of an emergency or except as provided in Sections 427 and 435 hereof. Rep. 9-9- Ord. 55

Vehicles shall not stand, except to let passngers on or off, in front of the entrance of any public building or place of public resort, within twenty feet of any highway intersection, within

ten feet of a fire hydrant or in front of an alley. (Ordinance 176, Section 20.)

Rep. 9-9-31 Ord. 553 SECTION 421. *Rule On Backing Up Against Curb.* No person riding, driving, operating, propelling or in charge of any vehicle upon any highway shall allow such vehicle to remain backed up to the curb or side of highway in the City of Honolulu except when and only while such vehicle is being actually loaded or unloaded with excessively heavy freight which cannot be handled practicably from the side. (Ordinance 176, Section 21.)

p. 9-9-31 d. 553 SECTION 422. *Rule On Backing Up Draft Animal To Curb.* Every person in charge of any draft animal attached to a vehicle backed up to the curb upon any highway shall turn and keep such animal turned as nearly at right angle to such vehicle as the construction thereof will permit and in the direction in which the traffic on that side of the highway is moving. (Ordinance 176, Section 22.)

d. 286 p. 9-9-31 d. 553 SECTION 423. *Righ of Way At Crossings or Intersections.* At any highway intersection a person driving, operating, propelling or in charge of any street car, vehicle, or riding an animal, shall have the right of way over a person driving, operating, propelling or in charge of a vehicle or riding an animal, approaching him on such intersection from the left, excepting only in cases in which a police officer shall be in actual charge at such intersection. (Ordinance 176, Section 23.)

SECTION 424. *Right of Way of Ambulances, Fire and Police, and Other Vehicles—When Allowed.* Vehicles of the Fire Department when going to, or on duty at, or returning from fire, and all ambulances, whether of a public or private character, and all other vehicles when employed in carrying sick or injured persons to hospitals or other places for relief or treatment, and doctors' automobiles when the doctor is occupying the same and responding to an emergency call, and vehicles of the Police Department, shall have the right of way over all vehicles or persons on any highway, and through any procession, except over vehicles carrying the United States mail; and when vehicles of the Fire Department or Police Department are responding to a call all other vehicles shall come to a standstill along the right curb in the direction being travelled by such vehicles until the vehicle of the Fire or Police Department shall have passed, and no vehicle shall come to a standstill on any highway except close to the curb and far enough away from an intersecting highway to allow the vehicles of the Fire or Police Department to safely turn. A 353

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Every vehicle of the Fire and Police Department and every ambulance, whether of a public or private character, shall be plainly marked to designate its character, and shall be provided with a distinguishing sound signal device to be approved by the Sheriff. Until so designated, any such vehicle shall not be given the right of way aforesaid.

All ambulances or private vehicles used for carrying the sick or injured, or doctors' automobiles shall not have the right of way as described, unless the driver or person in control thereof shall cause to be sounded continuously, while claiming such right of way, some adequate sounding device, as a warning of the emergency character of its business. (Ordinance 176, Section 24.)

SECTION 425. *Rule For Vehicle Turning Out or Changing Course.* The person in charge of any vehicle in or upon any highway, before turning, stopping or changing the course of such vehicle, and when starting the same, shall see first that there is sufficient space for such movement to be made in safety, and if the movement or operation of other vehicles may reasonably be affected by such turning, stopping or changing of course, shall give plainly visible signal to the persons operating, driving or in charge of such vehicles of his intention so to turn, stop or change his course, either by the use of his hand and arm, which if used, must be visible from the rear, or by the use of an approved mechanical or electrical device. Any such device shall upon application to the Sheriff be tested and, if approved, be certified by him as adequate to give the signal herein required. Rep. 9-9 Ord. 55

When the signal required by this Section is given by the use of the hand and arm, the intention to turn such vehicle toward the right or left shall be indicated by extending the hand and full arm horizontally from and beyond the side of the vehicle toward which the turn is to be made, or by extending the hand and full arm as near vertical as practicable from and beyond the side of the whole vehicle opposite toward which the turn is to be made; when the signal to be given is to indicate the intention to stop a vehicle or to abruptly or suddenly check its speed, such signal if given with the hand and arm shall be given by extending the hand and full arm out from and beyond either side of the vehicle and extended down.

When giving a signal to a traffic officer that the person desires to go straight ahead the full arm shall be used, extending it as near as practicable straight ahead; in signalling to turn so as to travel in an opposite direction the full arm signal as hereinbefore specified for turning shall be used and in addition thereto the hand shall indicate a circle.

In pulling out from the curb the intention to turn shall be indicated by the full arm signal as hereinbefore specified for

turning and in addition thereto a warning shall be sounded by the use of a horn or other device. (Ordinance 176, Section 25.)

p. 9-9-31 d. 553. SECTION 426. *Passing Standing Street Cars.* In the "Business District" of the City of Honolulu no vehicle shall be permitted to approach nearer than a line drawn across the street parallel to and passing through the extreme front or rear of a street car or any part thereof or attachment thereto when such street car has stopped for the purpose of taking on or discharging passengers.

Outside of the "Business District" of the City of Honolulu no vehicle shall be permitted to approach nearer than a line drawn across the street parallel to and passing through the extreme rear of a street car or any part thereof or attachment thereto when such street car has stopped for the purpose of taking on or discharging passengers and when such street car is proceeding in the same direction as the vehicle. When proceeding in opposite directions, no vehicle shall pass or approach nearer than eight feet from the nearest part of a street car which has stopped for the purpose of taking on or discharging passengers. (Ordinance 176, Section 26.)

ep. 9-9-31 553 SECTION 427. *Regulating Vehicles Standing On Grade or Otherwise.* No person driving, operating, propelling or in charge of any motor vehicle or vehicle drawn by animals shall leave such vehicle standing on grades exceeding five per cent. with only the brakes set, except when the front or rear wheels of such vehicle shall have been thrown in towards the curb in such a manner as to prevent such vehicle from running down the grade if the brakes should be released; provided, however, that in all places outside of the "Business District" of the City of Honolulu, on highways where the grade exceeds five per cent., it shall be lawful for any person driving, operating, propelling or in charge of such vehicle to leave the same standing against the curb, and at an angle to the same, with front or rear wheels against the curb, provided the length of the vehicle does not obstruct ordinary traffic on such highways.

All automobiles left standing shall have brakes set, and on all automobiles requiring cranking from the highway, the brake shall remain set until the engine is started. (Ordinance 176, Section 27.)

ep. 9-9-31 rd 553 SECTION 428. *Driving On Car Tracks Regulated.* It shall be unlawful for any person wilfully to stop, drive, operate or propel any vehicle along or across any street railway or over railway tracks in such a manner as to unnecessarily hinder, delay or obstruct the movement of any car traveling upon such railway

or tracks; provided, however, that vehicles of the Fire and Police Departments and hospital ambulances shall have the right of way when responding to calls. (Ordinance 176, Section 28.)

SECTION 429. *Breaking Animals—Forbidden.* It shall be unlawful for any person to drive upon any highway any unduly dangerous or partially "broken" animal or to use any highway for the purpose of "breaking" animals, it being the intention of this Section to define the words "broken" and "breaking" as being the act of accustoming animals to saddle or barness for the purpose of subjection. (Ordinance 176, Section 29.) Rep. 9-9 Ord. 55

SECTION 430. *Leading Animals—Or Vehicles.* It shall be unlawful to lead any animal behind any vehicle, which by reason of its top or otherwise obstructs a plain view of said animal to those approaching from the opposite direction, or to lead one or more horse-drawn vehicles without a competent driver in control of each vehicle so led. And it shall be unlawful to lead any animal behind any motor vehicle. (Ordinance 176, Section 30.) Rep. 9-9 Ord. 55

SECTION 431. *Nuisances.* It shall be unlawful for any person driving, operating, propelling or in charge of a motor vehicle upon any highway to allow such vehicle to stand with engine running without an operator, or to allow such vehicle to be repaired in any highway except in case of emergency. Rep. 9-9 Ord. 55

No person riding a bicycle shall hang upon a street car or any vehicle.

No vehicle or pedestrian shall, without the permission of a police officer, pass through any procession.

No vehicle shall travel over curbing or across any parking, along any sidewalk or across any sidewalk, except at an alley or private entrance for vehicles. (Ordinance 176, Section 31.)

SECTION 432. *Driving or Riding By Certain Persons Prohibited.* No person under the age of fifteen years shall drive, operate, propel or be in charge of any motor vehicle upon any highway. Rep. 9-9-8 Ord. 55

No intoxicated person shall drive, operate, propel or be in charge of any vehicle upon any highway.

Proof that a person accused of violating this Ordinance partook of intoxicating liquor within one hour of the time of the alleged offense shall constitute prima facie proof of intoxication, and the defendant shall be presumed to have been intoxicated until such prima facie proof shall have been rebutted by evidence of the defense.

It shall be unlawful for any person in control of any animal driven vehicle, or riding any animal, to proceed upon any high-

way without having or keeping conscious control of such animal or animals or attempting to keep such control.

No person of tender years obviously unfit for the control of any animal or animals shall drive or be permitted by any person in control of such person of tender years or in control of such animal or animals to drive such animal or animals upon any highway. (Ordinance 176, Section 32.)

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SECTION 433. *Traffic Officers—Powers of.* Traffic officers, at steamer landings, highway intersections, railroad depots, theaters, places of general public resort and also along routes of processions, shall have full control of the movement or placing of all vehicles, street cars and pedestrians. Traffic officers shall signal by wave of the arm, cane or other instrument that can be seen at least fifty feet in every direction, and by such signal shall indicate the direction in which vehicles shall move or when vehicles shall stop, or where and how standing vehicles shall be placed.

Street car motormen when desiring to cross any highway intersection where there is a traffic officer in charge, shall ring the bell twice in quick succession, and shall not cross said highway intersection until ordered by the traffic officer by signal.

Whenever there is a traffic officer in charge of any such place, the driver of a vehicle shall indicate the direction in which he wishes to travel at least fifty feet from the traffic officer and in the manner provided in Section 425 hereof, and shall not proceed until ordered so to do by the traffic officer by signal.

In crossing highways or turning corners where a traffic officer is in charge the person driving, operating, propelling or in charge of a vehicle or street car shall not permit any part of such vehicle or street car to pass beyond a line drawn between the highway corners of the properties on either side of said vehicle or street car without first receiving a signal so to do by the said traffic officer. (Ordinance 176, Section 33.)

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SECTION 434. *Pedestrians—Nuisance Prohibited.* No person shall ride or jump upon any vehicle without the consent of the driver or person in control thereof.

No person shall hang upon a vehicle in any manner whatsoever.

It shall be unlawful for a pedestrian, when crossing a highway or walking along a highway, to interfere carelessly or maliciously with the passage of any vehicle, street car or animal being ridden. (Ordinance 176, Section 34.)

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SECTION 435. *Rule of Vehicles Standing On Certain Streets.* Rep. 9-9- Ord. 55 No person driving, operating, propelling or in charge of any vehicle shall allow such vehicle to remain standing for a longer period than thirty minutes between the hours of 8 a. m. and 5:30 p. m. on the following highways or parts thereof:

On King Street and on Hotel Street, between River and Richards Streets;

On Fort Street, between Queen and Beretania Streets;

On Bishop Street, between Queen and Hotel Streets;

Nor shall such vehicle be allowed to remain standing for a longer period than thirty minutes between 8 a. m. and 10 p. m. on Hotel Street between Nuuanu and River Streets;

No person driving, operating, propelling or in charge of any vehicle shall allow the same to be stopped or remain standing between 8 a. m. and 5:30 p. m. any longer than is absolutely necessary to take on or discharge passengers or freight on the following streets or parts thereof; provided, however, this shall not apply to vehicles while being actually used in the United States Mail Services;

On the mauka side of Hotel Street, between Nuuanu and Richards Streets;

On the Easterly or Waikiki side of Union Street;

On both sides of Adams Lane;

On both sides of Kaahumanu Street;

On both sides of Garden Lane;

On the Waikiki side of Alakea Street between King and Beretania Streets;

On the Southerly or makai side of Merchant Street, between Bethel and Richards Streets;

On the mauka side of Kalakaua Avenue in Kapiolani Park;

On the makai side of Hotel Street, between Fort and Union Streets.

No person driving, operating, propelling or in charge of any vehicle shall allow the same to be stopped or remain standing any longer than is absolutely necessary to take on or discharge passengers or freight on the following streets or parts thereof, provided, however, this shall not apply to vehicles while being actually used in the United States Mail Services:

On the Easterly or Waikiki side of Bishop Street, between King and Hotel Streets;

On the westerly or Ewa side of Fort Street, between Queen and Beretania Streets;

On the Easterly or Waikiki side of Bethel Street, between Merchant and Hotel Street;

On the Easterly or Waikiki side of Nuuanu Street, between Queen and Beretania Streets;

Provided, however, that it shall be the duty of the Sheriff.

to select certain highways or portions thereof, when necessary, upon which parking of vehicles will be permitted, and to so designate such highways or portions thereof by suitable signs or otherwise, and while vehicles are occupying such highways or portions thereof the limitations of time herein provided will not apply.

It shall be unlawful to park any vehicle so that any part thereof or attachment thereto projects over a sidewalk or curb. (Ordinance 176, Section 35; Ordinance 214, Section 1.)

p. 9-9-31 d. 553 SECTION 436. *Weight Carrying Restricted.* It shall be unlawful for any person operating any bicycle, motorcycle or other similar vehicle upon any highway to carry upon the handle bars in front of the operator thereof any child, person or any article or package, or to carry on any portion of said vehicle anything which by its weight, size or shape renders the operation of such vehicle a menace to the safety of the operator or to the safety or convenience of pedestrians or other vehicles upon such highway. (Ordinance 176, Section 36.)

p. 9-9-31 d. 553 SECTION 437. *Rule For Stopping Where Car Tracks Next To Curb.* Upon any highway where the street car tracks are next to the curb no vehicle shall stop on that side of the highway, except while actually engaged in the discharge or loading of passengers or freight, and then only so as not to interfere with the street cars. (Ordinance 176, Section 37.)

9-9-31 d 553 SECTION 438. *No Device For Stopping Except Brakes.* No device shall be used to lock the wheels of any moving vehicle except the brakes thereon, unless such device has been approved by the City and County Engineer. (Ordinance 176, Section 38.)

9-9-31 i. 553 SECTION 439. *Use of Bicycle By Child Under Twelve Years In Business District of City of Honolulu Prohibited.* It shall be unlawful for any child under the age of twelve years to ride or propel a bicycle in the business district of the City of Honolulu. (Ordinance 176, Section 39.)

9-9-31 d. 553 SECTION 440. *Rule For Use of Bicycle On Highways.* Every person riding, driving, operating, propelling or in charge of any bicycle on any highway shall keep such bicycle as close as practicable to the curb on the right. (Ordinance 176, Section 40.)

PART V. SPEED REGULATIONS.

p. 9-9-31 d. 553 SECTION 441. *Rates of Speed.* No vehicle shall be operated on any highway at a greater speed than:

Fifteen miles per hour in the "Business District", in any closely built up district where the highway is marked off by official signs indicating the prescribed rate of speed, upon dangerous curves, and where the highway marked off by official signs indicating the prescribed rate of speed.

Twenty miles per hour in the City of Honolulu except upon "Main Thoroughfares" as herein defined, and except as otherwise provided herein.

Twenty-five miles per hour upon "Main Thoroughfares."

Thirty-five miles per hour upon all highways where a lesser rate of speed is not required. (Ordinance 176, Section 41.)

Am. —
Ord. —

SECTION 442. *Speed On Turning Corners and Passing Street Cars.* In turning a corner at highway intersections or in passing street cars which have stopped for the purpose of receiving or discharging passengers as provided in Section 426, the person driving, operating, propelling or in charge of any vehicle shall not proceed, nor shall the owner of such vehicle riding thereon or therein cause or permit the same to proceed at a rate of speed greater than fifteen miles per hour. (Ordinance 176, Section 42.)

Rep. 9-9-
Ord. 553

SECTION 443. *Speed On Passing Bridges or School Houses.* In passing a school yard on school days between the hours of 8:00 a. m. and 3:00 p. m., or in passing over a bridge, the person driving, operating, propelling or in charge of any vehicle, or riding any animal, shall not proceed, nor shall the owner or person in control of such vehicle or animal riding therein or thereon cause or permit the same to proceed, at a rate of speed greater than fifteen miles per hour.

Provided, however, that this Section shall not apply to yards of Kamehameha School for Boys, the Kamehameha School for Girls, the College of Hawaii, the Military Academy and the Mid-Pacific Institute. (Ordinance 176, Section 43.)

Rep. 9-9-
Ord. 553

SECTION 444. *Speed At Entrance or Exit of Garage.* It shall be unlawful for any person to operate, drive or propel any vehicle when crossing a sidewalk upon entering or leaving a garage entrance or exit or entering or leaving private grounds or private alleyways, or going into a street or road from a public alleyway, at a rate of speed in excess of five miles an hour. (Ordinance 176, Section 44.)

Rep. 9-9-31
Ord. 553

SECTION 445. *Signs.* It shall be the duty of the Sheriff to erect or to cause to be erected, maintained and cause to be maintained, official signs to inform the public of the provisions of Sections 435, 441 and 443 hereof, and it shall be the like duty of the Sheriff to erect and maintain such signs to inform the public

Rep. 9-9-31
Ord. 553

of the contents of this Chapter or any other provisions of law or ordinances of similar nature when notified so to do by resolution by the Board of Supervisors. It is provided, however, that the absence of such signs shall not excuse any person violating the provisions of this or any other chapter. (Ordinance 176, Section 45; Ordinance 199.)

ep. 9-9-31 rd. 553 SECTION 446. *Certain Vehicles Excepted.* Nothing contained in Sections 441 to 444 inclusive, as to specific rates of speed shall apply to the vehicles specified in Section 424 hereof when used in the manner therein specified. (Ordinance 176, Section 46.)

PART VI. SPECIAL TRAFFIC RULES FOR HEAVY VEHICLES.

p. 9-9-31 d. 553 SECTION 447. *Use of Flanges, Etc., On Wheels Restricted.* No traction engine, road engine, hauling engine, trailer, steam roller, automobile truck or other power vehicle shall be operated upon any public highway, the face of the tires of which are fitted with flanges, ribs, clamps, cleats, lugs, chains, spikes or other projections destructive to the road surface other than rubber blocks. This regulation applies to all rings or flanges upon guiding or steering wheels on any such vehicle. In cases of traction engines and steam plows which are equipped or provided with flanges, ribs, clamps, cleats, rings or lugs, such vehicles shall be permitted to pass over any public highway provided that cleats be fastened upon all the wheels of such vehicles, not less than 2½ inches wide and not more than 1½ inches high, so placed that not less than two cleats on each wheel shall touch the ground at all times, and that the weight shall be the same on all parts of said cleats. (Ordinance 176, Section 47.)

n. 10-9-28 rd. 452 p. 9-9-31 d. 553 SECTION 448. *Weight of Vehicles Restricted.* No vehicle or motor vehicle shall be operated on any highway which has a total weight, including vehicle and load in excess of twenty-four thousand pounds and no vehicle, motor vehicle or object which might prove destructive to any public highway shall be operated or moved thereon, without first obtaining the permission of the City and County Engineer, as hereinafter provided. (Ordinance 176, Section 48; Ordinance 197.)

m. 10-9-28 rd. 453 ep. 9-9-31 rd. 553 SECTION 449. *Limit of Weight and Wear Defined.* No vehicle equipped, wholly or partly with solid tires shall be operated on any highway the weight of which with its load exceeds six hundred and fifty pounds upon any inch in width of the tire used thereon; and no vehicle equipped wholly or partly with

metal tires or vehicle resting on any metal roller, wheel or other object or portion thereof in contact with the highway, shall be operated on any highway the weight of which with its load exceeds five hundred pounds upon any inch of width of the tire used thereon or other portion thereof coming in contact with the highway; provided, however, that traction engines or tractors, the propulsive power of which is exerted not through wheels resting upon the ground, but by means of a flexible band or chain known as a movable track, shall not be subject to the foregoing limitations upon permissible weight per inch of width of tire if the portions of the movable track is contact with the surface of the highway present plain surface.

The measurement of the solid tires of any vehicle shall, for all the purposes of this chapter be made at the channel base thereof, that is between the flanges upon the wheel whereby such tires are held in place. The total width of all the tires on any one wheel shall be deemed the width of one tire.

No solid tires shall be used on any vehicle unless such tires, if five inches or less in width, are not less than three-fourths of an inch thick, and if more than five inches wide, are not less than one inch thick above the edge of the flange of the periphery. (Ordinance 176, Section 49; Ordinance 197.)

SECTION 450. *Width of Vehicles Restricted.* No motor or other power vehicle of a greater width than one hundred and eight inches, including the load, except traction engines, which may have a width of one hundred and twenty inches, shall be operated upon any public highway. Ordinance 176, Section 50.) Rep. 9-9-31 Ord. 553

SECTION 451. *Speed of Heavy Vehicles.* No vehicle equipped wholly with pneumatic tires, whether loaded or not, whose gross weight with maximum permissible load is sixty-five hundred pounds or more shall be operated on any highway at a speed in excess of twenty-five miles per hour and no such vehicle whose gross weight with maximum permissible load is fourteen thousand pounds or more shall be operated on any highway at a speed in excess of twenty miles per hour. Am. 10-9-28 Ord. 453 Rep. 9-9-31 Ord. 553

No vehicle equipped wholly or partly with solid tires whether loaded or not whose gross weight with maximum permissible load is fourteen thousand pounds or less shall be operated on any highway at a speed in excess of fifteen miles per hour and no vehicle equipped wholly or partly with solid tires whether loaded or not, whose gross weight with maximum permissible load is over fourteen thousand pounds but not over twenty-four thousand pounds, shall be operated upon any highway at a speed in excess of ten miles per hour.

The rates of speed for vehicles equipped wholly with cushion wheels shall be not more than twenty-five per cent. greater than those provided for vehicles equipped wholly or partly with solid tires. A "cushion wheel" when used herein shall designate a wheel which by reason of its construction is non-rigid, and is resilient within itself.

No vehicle or trailer carrying a weight in excess of six tons including the vehicle, which is equipped wholly or partly with metal tires or other hard non-resilient material shall be operated upon any highway at a speed in excess of six miles per hour.

All vehicles shall be subject to the regulation as to speed elsewhere provided in this Chapter. (Ordinance 176, Section 51; Ordinance 197.)

Rep. 9-9-31
Ord. 553

SECTION 452. *Permission To Operate Certain Heavy Vehicles.* The City and County Engineer may grant permission for for the moving of heavy vehicles and objects mentioned in Sections 447 to 449, inclusive, over any public highway, upon proper application in writing being made therefor, and the said Engineer may require a sufficient bond to protect the City and County from any loss or damage by reason of such operation and moving. (Ordinance 176, Section 52.)

Rep. 9-9-31
Ord. 553

SECTION 453. *Improper Use of Roads By Heavy Vehicles Prohibited.* It shall be unlawful to operate, drive, haul or use in any public highway, any vehicle of such weight or construction or in such manner that the edges of the tires of such vehicle shall cut into the road-bed and cause ruts therein, by reason of being operated on the crown of such highway, without sufficient bearing surface to sustain the load of such vehicle.

The owner, driver, operator or mover of any heavy vehicle, using any public highway, shall be responsible for all damage which such highway may sustain, as a result of a violation of any of the provisions of this Chapter. (Ordinance 176, Section 53.)

Rep. 9-9-31
Ord. 553

SECTION 454. *Trailer Train.* No trailer train of a greater length than sixty-five feet, including the vehicle having the motive power, shall be operated upon any highway without the written permission of the Sheriff. (Ordinance 176, Section 54.)

Rep. 9-9-31
Ord. 553

SECTION 455. *Dragging Loads Upon Highway Surface Prohibited.* It shall be unlawful for any person driving, operating, propelling or in charge of any vehicle upon any highway to permit any portion of any load upon said vehicle to rest upon or drag upon or touch the highway surface. (Ordinance 176, Section 55.)

PART VII. PENALTIES.

SECTION 456. *Penalties.* Any person violating any of the provisions of this Chapter shall be guilty of a misdemeanor, and upon conviction therefor shall be punished by a fine of not less than Five Dollars and not more than One Thousand Dollars; or by imprisonment for not more than one year, or by both such fine and imprisonment, and, in addition to the penalty hereinbefore provided, the certificate entitling such person to drive, operate or propel any motor vehicle may be declared forfeited. Am. 3-16-25 Ord. 256

Any person convicted of driving, operating, propelling or being in charge of a motor vehicle upon any highway while intoxicated shall, in addition to the penalties hereinbefore provided, forfeit for one year his certificate entitling him to drive, operate or propel any such vehicle. Rep. 9-9-31 Ord. 553

Upon a second conviction within one year of a violation of Sections 403, 412, 414, 423, 426, 441, 442, 443, 447, 448, 449 and 451 the minimum fine shall not be less than Fifty Dollars. (Ordinance 176, Section 56.)

PART VIII. REPEAL OF CERTAIN ORDINANCES.

SECTION 457. *Certain Ordinances Repealed.* Ordinances Numbers 11, 37, 51, 56, 63, 64, 88, 93, 96, 120, 137 and 147 are hereby repealed insofar as future violations thereof are concerned, but not as to offenses previously committed thereunder. (Ordinance 176, Section 57.) Rep. 9-9-31 Ord. 553

PART IX. CONSTITUTIONALITY.

SECTION 458. *Constitutionality.* If any Section, subdivision, sentence, clause or phrase of this Chapter is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Chapter. (Ordinance 176, Section 58.) Rep. 9-9-31 Ord. 553

PART X.

SECTION 459. *Effective When.* This Chapter except Section 407 shall take effect thirty days from and after February 11th, 1920. Rep. 9-9-31 Ord 553

Section 407 shall take effect from and after ninety days from February 11th, 1920. (Ordinance 176, Section 58.)

CHAPTER ~~XIII~~ XI

Registration of Motor Vehicles

REGISTRATION OF MOTOR VEHICLES

SECTION 460. *Numbers Required On Motor Vehicles.* It shall be unlawful to operate any automobile or power driven vehicle except a motorcycle upon any public highway or public place in the City and County of Honolulu unless there shall be attached to such automobile or power driven vehicle on the front and rear thereof, a number plate securely fastened to such vehicle in such a way as to prevent such number plates from swinging, at a minimum height of sixteen inches from the ground, and so that said number plates and/or the numbers thereon are clearly visible both from the front and rear of such vehicle. It shall be unlawful to operate any motorcycle upon a highway or other public places in the City and County of Honolulu unless there shall be displayed thereon, one number plate securely fastened to the rear thereof in such a manner that the number thereon is clearly visible at all times. The number plate and number so to be displayed shall be those provided under the provisions of Section 1228 of the Revised Laws of Hawaii, 1915, as amended, except as to motor vehicles exempt from the payment of the tax provided in said Section 1228, and as to those the numbers used shall be those to be provided under the provisions of this Chapter.

(Ordinance 204, Sec. 1.)

SECTION 461. *Number Plates On Motor Vehicles Exempt From the Tax As Provided In Section 1228, R. L. 1915.*

(a) *New Motor Vehicles.* The Treasurer of the City and County of Honolulu shall issue to all regularly licensed dealers in new motor vehicles such number plates as may be required by the dealer for which the dealer shall pay the sum of five dollars for each pair of number plates so issued. All number plates issued to dealers shall have the letter "D" thereon, together with a distinguishing number and/or letter. It shall be unlawful for any person, firm or corporation to use any dealer's numbers upon any automobile, motorcycle or other power driven vehicle not exempt from the tax provided by Section 1228, Revised Laws of Hawaii, 1915, as amended.

(b) *Publicly Owned Vehicles.* The Treasurer of the City and County shall issue, for use on all publicly owned vehicles except those owned by the Federal Government, number plates having thereon in addition to a distinguishing number, the letters "T. H." for numbers issued for motor vehicles belonging to the Territory of Hawaii, and "C. & C." for numbers issued for motor vehicles belonging to the City and County of Honolulu. It shall be unlawful for any person to use any number plates issued hereunder upon any automobile, motorcycle or other power

driven vehicle not exempt from the tax provided in Section 1228, R. L. 1915, as amended.

(c) *Unlawful To Use Numbers Except Year Issued.* It shall be unlawful to use the number plates issued hereunder except during the current year in which the same were issued. Provided, however, that they may be used during the month of January immediately following the current year during which the same were issued.

(d) *Record of Numbers Duty of Treasurer.* The Treasurer of the City and County shall keep an accurate record of all numbers issued hereunder, and the vehicles, motorcycles or other power driven vehicles upon which the same are to be used, and it shall be unlawful for any person to use any numbers issued hereunder upon any vehicle other than that for which the same are issued. It shall be the duty of the said Treasurer to send a duplicate copy of said records to the Sheriff of the City and County of Honolulu.

(Ordinance 204, Sec. 2.)

SECTION 462. *Notice Must Be Given Treasurer of Sale of Motor Vehicle.* Whenever any automobile, motorcycle or power-driven vehicle is sold, it shall be the duty of the seller to within forty-eight hours notify the Treasurer of the City and County of said sale, giving the name and address of the old owner and the registration number of the vehicle, if any, and the name and address of the new owner, provided, however, that regularly licensed dealers may give notice to the Treasurer upon Monday of all such sales made by them during the previous calendar week. It shall be the duty of the Treasurer to send a duplicate copy of such notices to the Sheriff of the said City and County.

(Ordinance 204, Sec. 3.)

SECTION 463. *Notice To Treasurer of Change of Construction of Vehicle.* It shall be the duty of the owner of any automobile, motorcycle or power-driven vehicle to notify immediately the Treasurer of the City and County when any change in the construction of such automobile, motorcycle or power-driven vehicle occurs that will or would change the description of such vehicle from that last given to the Treasurer of the City and County. It shall be the duty of the Treasurer to send a copy of all such notices to the Sheriff of the City and County.

(Ordinance 204, Sec. 4.)

SECTION 464. *Form of Application For Number Plates.* The Treasurer of the said City and County shall require all owners of automobiles, motorcycles or power-driven vehicles to make an application for registration and/or for the payment of the tax required under Section 1228 of the Revised Laws of Hawaii, 1915, as amended or as provided hereunder. It shall be

the duty of the Treasurer to prepare the form of application and he shall include therein all the facts required by this Chapter or by the said Section 1228.

(Ordinance 204, Sec. 5.)

SECTION 465. *Registration of Vehicles By Non-Residents.* It shall be unlawful for the owner, operator or person in control of any automobile, motorcycle or power-driven vehicle, brought into the Territory for temporary use therein by non-residents of the Territory, to operate the same upon any public highway or public place in the City and County of Honolulu unless said owner, operator or person in control thereof shall record the number of the same and the owner's name and address both permanent and in the Territory of Hawaii with the Treasurer of the City and County. It shall be the duty of the said Treasurer to send a copy of the information required by this Section to the Sheriff of the City and County.

It shall be the duty of the Treasurer of the City and County to give the owner, operator or person in control of such automobile, motorcycle or power-driven vehicle a certificate showing that he has complied with the provisions hereof and it shall be unlawful for the owner, operator or person in control of any such vehicle to operate the same upon any public highway or public place in the City and County of Honolulu without having in the said vehicle the said certificate and it shall be his duty to display it whenever requested so to do by the Treasurer, his deputy or any authorized inspector of the Treasurer's office or by any sheriff, deputy sheriff or police officer.

(Ordinance 204, Sec. 6.)

SECTION 466. *Only Official Number Plates Permitted—Loss of Number Plates.* It shall be unlawful for any person, firm or corporation to use any number plates upon any automobile, motorcycle or power-driven vehicle not furnished by the Treasurer of the City and County. Should the number plates or anyone of them assigned to any automobile, motorcycle or power-driven vehicle be lost or destroyed, it shall be the duty of the Treasurer to furnish a duplicate number plate upon the payment to him of an amount sufficient to cover the cost of the same.

(Ordinance 204, Sec. 7.)

SECTION 467. *Penalty.* Any person, firm or corporation violating the provisions of Sections 460 to 466 inclusive hereof shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than One Thousand Dollars, or by imprisonment for not more than one year or by both such fine and imprisonment.

(Ordinance 204, Sec. 8.)

CHAPTER XIV

Public Carriers

O.684 - sets up new rates but does not specifically repeal any section of this chap.

PUBLIC CARRIERS

SECTION 468. *Vehicles For Hire To Be Numbered.* It shall be unlawful for any carriage or vehicle, whether propelled by mechanical or animal power, other than street cars or steam railway cars used for the carrying of passengers for hire to operate a distinguishing number conspicuously placed. Carriages or vehicles propelled by animal power shall be registered with the City and County Sheriff who shall assign them a number. Such numbers shall be placed on both sides of such carriages or vehicles in a conspicuous place in figures not less than one and one-half inches square. (Ordinance 12, Section 1; Ordinance 184, Section 1.)

Am. 4-25-25
Ord. 262
Am. 2-15-33
Ord. 586

SECTION 469. *Lights.* Every licensed carriage or vehicle for carrying passengers running at night, except motor vehicles, shall exhibit two lights, one on each side near the driver's seat, with the number of such vehicle plainly shown on the glass of each lantern in black figures not less than one and one-half inches in height. All motor vehicles running at night shall exhibit lights as provided by Chapter XII. (Ordinance 12, Section 2.)

Rep. 6-29-42
Ord. 954

SECTION 470. *Vehicles To Be Safe—Horses Hitched.* Every licensed vehicle and every horse and harness used in connection therewith shall, when in service be in a suitable and safe condition. No animal harnessed to any licensed vehicle shall be left on any stand or public highway, within the City and County of Honolulu without a proper attendant or without being properly secured. (Ordinance 12, Section 3.)

Rep 6-29-42
Ord. 954

SECTION 471. *Drivers' Badges.* It shall be unlawful for any person to drive any carriage or vehicle carrying passengers for hire or any carriage or vehicle licensed or permitted under the laws of the Territory of Hawaii or Ordinances of the City and County of Honolulu to carry passengers for hire, without first registering with the City and County Sheriff and obtaining a permit so to drive. The Sheriff shall assign a number to each person registering. Every such driver must wear upon the left breast of his outer clothing and so as to be distinctly seen a white metal badge with his said number plainly designated upon said badge.

Rep. 6-29-42
Ord. 954

No person shall be given a permit under this Section unless he shall be twenty-one years old and if he is to drive a motor passenger vehicle for hire have a permanent chauffeur's certificate obtained under the provisions of the laws of the Territory of Hawaii.

And it shall be unlawful for the owner or person in control of any carriage or vehicle carrying or licensed to carry passengers for hire to permit the same to be driven by any person not having a permit under this Section. (Ordinance 12, Section 4; Ordinance 184, Section 2.)

Rep. 6-29-42
Ord. 954

SECTION 472. *Driver To Keep and Display Ordinances and Rates of Fare.* It shall be the duty of every owner and driver of a licensed passenger vehicle to keep at all times a copy of the Ordinances regulating the carrying of passengers for hire and rates of fare in a leather pocket firmly attached to the center of the back of the front seat of such licensed passenger vehicle, with the words "Rates of Fare" impressed on the front of said leather pocket in letters not less than one-half inch in size. Every such driver shall in addition thereto, keep on his person at least one copy of the Ordinance relating to the carrying of passengers for hire and rates of fare. (Ordinance 12, Section 5.)

Rep. 6-29-42
Ord. 954

SECTION 473. *Conduct of Driver.* It shall be unlawful for any licensed driver for hire, when in charge of a licensed carriage or vehicle, to be intoxicated, or to use insulting or abusive language, or to demand more than the authorized fare, or to neglect, upon demand, to show a list of the duly authorized "Rates of Fare," or, not being engaged, to refuse any fare. In computing rates of fare, fare may be charged from the time of leaving the stand to the time of returning thereto. (Ordinance 12, Section 6.)

Rep. 6-29-42
Ord. 954

SECTION 474. *Rates of Fare.* The rates of fare for the carrying of passengers for hire in licensed vehicles in the City and County of Honolulu shall not exceed the following:

	Hacks and Carriages	Automobiles
1. To or from any point in or between Beretania Street and the Harbor and between Maunakea and Punchbowl Streets:		
One passenger	$ .25	$ 1.00
Each additional passenger.....	.25	.50
2. When the distance does not exceed one mile from the starting point, to or from any point within the area bounded as follows:		
Commencing at the junction of Ward Avenue and Ala Moana Road, thence along Ward Avenue to King Street,		

thence along King Street to Victoria Street, thence along Victoria Street to Kinau Street, thence along Kinau Street to Lusitana Street, thence along Lusitana Street to the junction of the extension of Kuakini and Lusitana Streets, thence along the extension of Kuakini Street to Nuuanu Avenue, thence along Nuuanu Avenue to Bates Street, thence along Bates Street to Liliha Street, thence along Liliha Street to Vineyard Street, thence along Vineyard Street to Asylum Road, thence along Asylum Road to King Street and thence in a straight line on an extension of the Asylum Road to the Harbor:

One passenger	.25	1.00
Each additional passenger.....	.25	.50

3. When the distance does not exceed two miles from the starting point, to or from any point within the area bounded as follows:

Commencing at the residence of Mr. Wm. Mutch on Kalihi Road, down Kalihi Road across King Street and along Kalihi Street through the land of Mokauea to the sea; and from the residence of Mr. Wm. Mutch on Kalihi Road in a straight line mauka to the corner of Liliha and Wyllie Streets, thence along Wyllie to Nuuanu Street, thence in a straight line to Nuuanu Stream, thence down Nuuanu Stream to the junction of the extension of Bates Street and the Nuuanu Stream, thence in a direct line to the present Pauoa Church, thence along the base of Punchbowl Hill to Alapai Street, thence along Alapai Street to Prospect Street, thence along Prospect Street to Magazine Street, thence down Magazine Street to Thurston Avenue, thence along Thurston and Wilder Avenues to Punahou Street, thence down Punahou Street to King Street, thence to

the sea on a continuation of the line of Punahou Street:		
One passenger	.50	1.00
Each additional passenger	.50	.50
4. When the distance does not exceed four miles from the starting point, to or from:		
(1) The County Club, Nuuanu Valley:		
One passenger	1.00	1.50
Each additional passenger	.50	.50
(2) H. E. Cooper's residence, Manoa Valley:		
One passenger	1.00	1.50
Each additional passenger	.50	.50
(3) Moiliili Church:		
One passenger	1.00	1.50
Each additional passenger	.50	.50
(4) Waikiki Bridge, entrance to Kapiolani Park:		
One passenger	1.00	1.50
Each additional passenger	.50	.50
(5) Twelfth Avenue and Waialae Road:		
One or two passengers	2.50	2.50
Each additional passenger	.50	.50
5. When ordered specially for Kapiolani Park and vicinity, from Post Office, Honolulu, and return:		
One or two passengers, each way	1.50	2.00
Each additional passenger	.50	.50
6. When ordered specially for the Pali, from Post Office, Honolulu, and return:		
One or two passengers	5.00	.....
One to four passengers	....	7.00
Each additional passenger	1.00	1.00
7. When ordered specially for the Punchbowl Drive, from Post Office, Honolulu, and return:		
One or two passengers	3.00	.....
One to four passengers	....	5.00
Each additional passenger	.50	.50
8. When ordered specially for the Tantalus Drive, from Post Office, Honolulu, to top of Tantalus and return:		
One to four passengers	10.00	.....

9. When ordered specially for the Moanalua Polo Ground Drive, from Post Office, Honolulu, aid return:		
One or two passengers	5.00	.....
One to four passengers	....	5.00
Each additional passenger	1.00	1.00
10. When ordered specially for the drive around Diamond Head, from Post Office, Honolulu, and return:		
One or two passengers	4.00	.....
One to four passengers	....	5.00
Each additional passenger	1.00	1.00
11. When ordered specially for Manoa Valley Drive, from Post Office, Honolulu, to head of Valley, and return:		
One or two passengers	4.00	.....
One to four passengers	....	5.00
Each additional passenger	1.00	1.00
12. When attending funerals within a radius of two miles from Post Office, Honolulu	3.00	.....
13. When shopping or making calls, when at least one-half of the time is taken up in detentions:		
One to four passengers, per hour	....	5.00
Each additional passenger, per hour	....	1.00
One passenger, per hour	1.00	.....
Each additional passenger, per hour	.50	.....
14. For continuous driving:		
One passenger, per hour	1.50	.....
Each additional passenger, per hour	.50	.....
One to four passengers, per hour	....	5.00
Each additional passenger, per hour	....	1.00
15. (a) From Post Office, Honolulu, to Waialae and vicinity and return:		
One to four passengers	7.00	8.00
Each additional passenger	1 00	1.50
(b) From Post Office, Honolulu, to Kuliouou and return:		
One to four passengers	8.00	10.00
Each additional passenger	1.00	1.50
(c) From Post Office, Honolulu, to Honolulu Plantation and return:		
One to four passengers	....	10.00
Each additional passenger	....	1.50

(d) From Post Office, Honolulu, to Pearl City and return:		
One to four passengers	....	12.50
Each additional passenger	....	1.50
(e) From Post Office, Honolulu, to Oahu Plantation and return:		
One to four passengers	....	15.00
Each additional passenger	....	2.00
(f) From Post Office, Honolulu, to Ewa Plantation and return:		
One to four passengers	....	18.00
Each additional passenger	....	2.00
(g) From Post Office Honolulu, to Wahiawa and return:		
One to four passengers	....	25.00
Each additional passenger	....	2.00
(h) From Post Office, Honolulu, to Waialua and return:		
One to four passengers	....	30.00
Each additional passenger	....	2.00
(i) From Post Office, Honolulu, to Heeia and return:		
One to four passengers	....	15.00
Each additional passenger	....	2.00
(j) From Post Office, Honolulu, to Waikane and return:		
One to four passengers	....	20.00
Each additional passenger	....	3.00
(k) From Post Office, Honolulu, to Waimanalo and return:		
One to four passengers	....	25.00
Each additional passenger	....	3.00
(l) From Post Office, Honolulu, to Makapuu and return:		
One to four passengers	....	25.00
Each additional passenger	....	3.00
(m) From Post Office, Honolulu, to Kahana and return:		
One to four passengers	....	25.00
Each additional passenger	....	5.00
(n) From Post Office, Honolulu, to Kahuku and return:		
One to four passengers	....	40.00
Each additional passenger	....	5.00

(o) Around the Island of Oahu:		
One to four passengers.....	....	50.00
Each additional passenger.....	....	5.00
Passengers not desiring to return on any of the trips set out in subdivisions "a" to "n" inclusive, shall not be entitled to any reduction in the above fares. In any of said trips where waits occur, exceeding in the aggregate thirty minutes, the sum of $5.00 per hour for such extra time may be charged.		
16. Where not otherwise provided to or from any point within a radius of one mile, for:		
One passenger	.25	1.00
Each additional passenger.....	.25	.50
17. No extra charge shall be made to any passenger for any ordinary hand baggage.		

The charge for baggage other than ordinary hand baggage shall be for each trunk or box, the same as for one passenger.

The fare for children over five years of age and not more than ten years of age shall be one-half of the fare provided above; for children five years of age and under, no fare shall be charged.

Between the hours of 11 p. m. and 6 a. m. the rates of fare above provided for hacks and carriages may be doubled.

For runs with automobiles within a radius of six miles, between the hours of 11 p. m. and 6 a. m., the rates above provided may be doubled. (Ordinance 12, Section 7.)

SECTION 475. *Hack Stands.* The following stands are hereby designated and set apart for hacks and carriages licensed for the carrying of passengers:

(1) West side of Smith street, between King and Hotel streets; provided, however, that at such location not more than two vehicles may stand on the makai side of King street between Nuuanu and Smith streets;

(2) Makai side of Beretania street, from west corner of Nuuanu street;

(3) Makai side of Kukui street, from east corner of Nuuanu street;

(4) Mauka side of Queen street, between Maunakea and Kekaulike streets;

(5) East side of Maunakea street, between King and Queen streets, provided, however, that at such location not more than

two vehicles may stand on the makai side of King street, between Smith and Maunakea streets;

(6) West side of Bishop street, makai of King street; provided, however, that at such location not more than two vehicles may stand on the makai side of King street, between Bishop and Fort streets;

(7) East side of Liliha street, between King and Kukui streets;

(8) Mauka side of Merchant street, from east corner of Fort street;

(9) Mauka side of Beretania street, east from River street;

(10) East side of Bethel street, mauka from east corner of King street;

(11) East side of Smith street, between Hotel and Pauahi streets;

(12) West side of Maunakea street, between Pauahi and Hotel streets;

(13) Makai side of Pauahi street, between Maunakea and Smith streets;

(14) Mauka side of Beretania street, west from College Walk;

(15) West side of Smith street, between Pauahi and Beretania streets;

(16) Mauka side of Kukui street, from east corner of Liliha street;

(17) West side of Prison road, makai of King street;

(18) East side of Union street, from east corner of Hotel street;

(19) East side of River street, from east corner of Pauahi street;

(20) Makai side of Beretania street, near the junction of King and Beretania streets;

(21) Mauka side of Pauahi street, west from Fort street;

(22) Mauka side of Vineyard street, from east corner of River street. (Ordinance 12, Section 8; Ordinance 36; Ordinance 54; Ordinance 72, Section 1.)

Am. 4-16-23
Ord. 235
Add. ss. 10-11-12

SECTION 476. *Automobile Stands.* The following stands are hereby designated and set apart for motor vehicles licensed for the carrying of passengers:

(1) East side of Bishop street, between Merchant and King streets;

(2) West side of Bishop street, between Merchant and King streets;

(3) Waikiki side of Bethel street, between Hotel and King streets, for four motor vehicles;

(4) South side of Waialae road, between Twelfth avenue and Koko Head avenue, for five motor vehicles;

(5) Makai side of Pauahi street at its junction with Fort street for five motor vehicles;

(6) Ewa side of Kapahulu road on corner of Waialae road for six motor vehicles;

(7) Mauka side of King street from corner of College Walk north for eight motor vehicles;

(8) Mauka side of Merchant street from the corner of Fort street east for four motor vehicles. (Ordinance 12, Section 9; Ordinance 94, Section 1; Ordinance 180, Section 1; Ordinance 213, Section 1.)

SECTION 477. *Number of Hacks On One Stand.* Not more than twelve hacks or carriages shall register at, or remain on any one stand. (Ordinance 12, Section 10; Ordinance 36, Section 2.)

Rep. 6-29-42
Ord. 954

SECTION 478. *Vehicles At Judiciary Building.* Licensed vehicles, at the Judiciary Building, shall enter on the eastern side of the drive and align on the outer side of the circle, awaiting their face. (Ordinance 12, Section 11.)

Rep. 6-29-42
Ord. 954

SECTION 479. *Vehicles At Railway Station.* Licensed vehicles in waiting at the Honolulu Depot of the Oahu Railroad Company shall be aligned on the mauka side of the Station Buildings, in the space between the grass plot and the Station buildings, headed towards Waikiki, and along the sidewalk parallel to the Prison Road, headed towards the Prison. (Ordinance 12, Section 12.)

Rep. 6-29-42
Ord. 954

SECTION 480. *Vehicles Vicinity of Opera House.* Licensed vehicles in the vicinity of the Hawaiian Opera House shall be aligned on Miliani street. (Ordinance 12, Section 13; Ordinance 36, Section 3.)

SECTION 481. *Vehicles At Docks.* The Sheriff of the City and County of Honolulu shall prescribe and may change from time to time rules for the regulation of carriages or vehicles, carrying passengers for hire, and of their drivers on steamer days on streets in the vicinity of docks or wharves. Any such driver failing to observe said rules shall have his permit cancelled by the Sheriff. (Ordinance 12, Section 14; Ordinance 184, Section 3.)

SECTION 482. *Rules For Soliciting.* No rent chauffeur having the permit required in Section 471 shall in the vicinity of wharves be allowed to solicit passengers except that he be within arms reach of his car. No rent chauffeur shall use any offensive language in soliciting passengers or to other rent chauffeurs engaged in the business of soliciting passengers. No rent chauffeur shall be permitted in soliciting passengers, to say anything other than the price of his car, kind of car, proposed use of car and to answer any questions that are asked by prospective passengers. (Ordinance 184, Section 3.)

SECTION 483. *Vehicles Awaiting Fare.* The drivers of licensed vehicles, standing at any other public place not herein provided for, shall obey the orders of the hack inspector, or in his absence, of the police, as to alignment.

No licensed vehicle for hire shall be permitted to stand on any public street or highway awaiting fare, except at such places as are herein designated as stands for licensed vehicles, or at such places as may hereafter be duly established for such purpose. (Ordinance 12, Section 15.)

SECTION 484. *Permanent Stands—Registered.* The person driving, owning or controlling any carriage or vehicle carrying passengers for hire must have a permanent stand for the same which stand shall be registered with the City and County Sheriff, such stand shall not be changed without first registering the change. (Ordinance 12, Section 16; Ordinance 36, Section 4; Ordinance 184, Section 4.)

SECTION 485. *Penalty.* Any person who shall violate any of the provisions of this Chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than Three Dollars, and not more than One Hundred Dollars, or by imprisonment for a term of not exceeding three months, or by both such fine and imprisonment. (Ordinance 12, Section 17.)

CHAPTER ~~XV~~ XVIII

Miscellaneous Police Regulations

Miscellaneous Police Regulations

Gambling

Section 486. *Gambling Implements In Barricaded Place.* It shall be unlawful for any person within the limits of the City and County of Honolulu to exhibit or expose to view in any room or house or place barred or barricaded or otherwise built or protected in a manner to make it difficult of access or ingress to police officers, when three or more persons are present, any cards, dice, dominoes, or any gambling table layout, or any part of such layout, or any other gambling implements whatsoever used in any game of faro, monte, roulette, tan, fan tan, or any banking or percentage game played wth cards, dice, dominoes, or any device for money, checks, credit or any representative of value or any other game in which money or anything of value is lost or won. (Order 4, Section 1.)

Section 487. *Presence In Barricaded Place.* It shall be unlawful for any person within the limits of the City and County of Honolulu to visit or resort to any such room or house or place barred or barricaded or otherwise built or protected in a manner to make it difficult of access or ingress to police officers, when three or more persons are present, where are exhibited or exposed to view any cards, dice, dominoes, or any gambling table or layout, or any part of such layout, or any other gambling implements whatsoever, used in any game of faro, monte, roulette, tan, fan tan, or any banking or percentage game, played with cards, dice, dominoes, or any device for money, checks, credit or any representative of value, or any other game in which money or anything of value is lost or won. (Order 4, Section 2.)

Section 488. *Penalty.* Every person who shall violate any provisions of Sections 486 or 487 shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed Five Hundred Dollars, or by imprisonment for not more than six months, or by both such fine and imprisonment. (Order 4, Section 3.)

HUNTING.

Section 489. *No Hunting Without Permit.* No person shall hunt with a gun of any kind, in the City and County of Honolulu, without first obtaining from the Treasurer of said City and County a permit so to do. (Order 6, Section 1.)

SECTION 490. *Record of Permits.* The Treasurer of the City and County of Honolulu shall cause books to be printed, containing such permit, a record of which shall be kept by him, and which said permit shall contain the following facts:

(a) The name, age, nationality and residence of the person to whom such permit may be issued.

(b) If the applicant is a minor, the name and residence of the father or guardian of such minor; provided, however, that no permit shall be issued to any minor unless the consent, in writing, of the father or guardian of such minor shall first be presented to the Treasurer. (Order 6, Section 2.)

SECTION 491. *Penalty.* Any person who shall violate any of the terms of Sections 489 or 490 shall be fined not less than Five Dollars nor more than One Hundred Dollars. (Order 6, Section 3.)

DANCE HALLS.

Am. 3-21-28
Ord. 412

SECTION 492. *Public Dance House—Definition.* A public dance house is any house, room or enclosure in use for public dances (other than exhibition dances), for admission to which, or for the use of the floor of which for dancing, fees are charged or collected. (Ordinance 41, Section 1; Ordinance 110, Section 1.)

Am. 6-22-35
Ord. 638

Am. 3-21-28
Ord. 412

SECTION 493. *Inspectors.* The Mayor with the approval of the Board of Supervisors of the City and County of Honolulu shall appoint and may remove at pleasure, three suitable persons as inspectors who shall serve without compensation, whose duty it shall be to enforce the provisions of Sections 492 to 503 inclusive. (Ordinance 41, Section 2.)

Am. 3-21-28
Ord. 412

SECTION 494. *License.* It shall be unlawful for any person keep or conduct a public dance house in the City and County of Honolulu, Territory of Hawaii, unless licensed so to do. (Ordinance 41, Section 3.)

Am. 6-22-36
Ord. 638

Am. 3-21-28
Ord. 412

SECTION 495. *Application For License. Application to Clerk.* Any person desiring to keep or conduct a public dance house or hall in the City and County of Honolulu shall make application therefor in writing to the Clerk of the City and County of Honolulu, and shall set forth:

(a) The full name and address if an individual, and, if a corporation, the full name and residence of its principal officers, and, if a partnership, the names of the partners thereof, setting forth the address of the managing partner or manager, if any;

(b) The occupation of the applicant;

(c) The description of the place for which a license is desired;

(d) The full name and address of the owner of the building in which the said dance is to be given, or the full name and address of the person or persons in control of such premises where the dance is to be given; and

(e) The terms for which the applicant desires a license;

(f) That the written consent of the owners of a majority of the area of real property located within five hundred feet of such dance house has been obtained in accordance with the provisions of Sections 492 to 503 inclusive.

The application shall be accompanied by a written document filed with the Clerk duly signed by the owners of a majority of the area of the real property located within five hundred feet of the proposed dance house premises.

Said written consent shall be proved by acknowledgment in like manner as signatures to conveyances of real property and shall be filed with the Clerk of the City and County of Honolulu. The Clerk may require such written consent to be prepared in accordance with and upon forms adopted or approved by him.

The Mayor shall make or cause to be made by the dance hall inspectors an examination of the place for which said license is desired, to ascertain that the same be a fit and proper place and be constructed, maintained, operated or conducted in accordance with the provisions of the Ordinances of the City and County governing and controlling such structures and places,

If the person making application for a license be of good moral character and of good reputation in the community, and if the applicant has complied with the law in all respects, and if the place for the dance house or hall be approved as a fit and proper place for keeping or conducting a public dance house or hall in the opinion of the majority of the dance hall inspectors, the Mayor may approve such application and transmit such approval, who may thereupon authorize the Clerk to issue a license for such dance premises. Thereupon such license shall be issued by the Clerk.

No license shall be issued by the Clerk, except upon approval of the Board of Supervisors, upon the recommendation of the Mayor and the majority of the dance hall inspectors. (Ordinance 41, Section 4; Ordinance 50, Section 1.)

Am. 3-21-2[illegible] Ord. 412

SECTION 496. *Conditions of License.* The annual fee for a license to keep a public dance house or hall in the City and County of Honolulu shall be Ten Dollars. The fee for a license to conduct a single dance shall be One Dollar.

Am. 6-22-3[illegible] Ord. 638

All licenses shall be subject to the following conditions:

The dance hall and the premises in the vicinity shall be brightly lighted during all the time it is in use.

No undue familiarity between partners shall be permitted at any dance.

No persons under the influence of liquor shall be permitted to be in the dance hall or on the premises controlled by the holder of the license.

No intoxicating liquor of any kind shall be sold, given away, distributed or used or permitted to be in any dance hall or upon any premises adjoining the dance hall or connected therewith.

No smoking, no vulgar, profane or obscene language or boisterous conduct shall be permitted in the dance hall or on the premises under the control of the holder of the license.

No dancing after midnight shall be permitted.

No female person shall be permitted to be or remain in the dance hall or upon the premises connected therewith, who receives or has received or has been promised any compensation or remuneration of any kind, either by the holder of the license or by any other person or persons, for participating in the dancing.

It shall not be lawful for any female person employed about the premises to participate in the dancing. (Ordinance 41, Section 5; Ordinance 50, Section 2.)

m. 3-21-28
rd. 412

SECTION 497. *License To Be Displayed.* Any license issued shall be displayed in a conspicuous place in the premises for which said license is issued. (Ordinance 41, Section 6.)

m. 3-21-28
rd. 412

SECTION 498. *No Intoxicating Liquors Sold or Furnished.* It shall be unlawful for the proprietor of any dance house or for any other person to sell or furnish to any one at such dance house any intoxicating liquor of any kind. (Ordinance 41, Section 7.)

m. 3-21-28
rd. 412
ep. 6-22-35
rd. 638

SECTION 499. *Children Under 16 To Be Accompanied By Parent or Guardian.* It shall be unlawful for the licensee of any public dance house or any agent or servant of such licensee to permit children under the age of sixteen years to visit or remain in a public dance house during its use for dancing, unless accompanied by parent or guardian, provided that this Section shall not apply to bona fide dancing schools or classes. (Ordinance 41, Section 8.)

Am. 3-21-28
Ord. 412
Am. 6-22-35
Ord. 638

SECTION 500. *Inspectors and Police May Enter At Any Time.* Any inspector and any police officer of the City and County of Honolulu may at any time enter any public dance

house for the purpose of inspecting the same without being required to pay such fee as may be the practice of the proprietor thereof to collect from patrons, and it shall be unlawful for any proprietor of a public dance house or his agent or servant to in any manner interfere with any inspector or officer of the City and County of Honolulu in the discharge of any duty imposed by law or Ordinance. (Ordinance 41, Section 9.)

Am. 3-21-2 Ord. 412

SECTION 501. *Clerk Alone To Issue License Without Charge, When.* The Clerk, without the approval of the Mayor and Board of Supervisors, may grant permits without charge for dances where admission is by ticket in which the sale of tickets is for the sole purpose of raising money for educational, benevolent or charitable purposes. Such permits shall, however, cover such privilege for one occasion only.

Am. 6-22-35 Ord. 638

The application for such privilege shall be in writing, setting forth:

(a) The full name and address of the applicant for a license if an individual, and if a corporation or an association, the full name and residence of its principal officers, that is, its president and secretary or treasurer; and

(b) A description of the place for which a license is desired sufficiently accurate to enable the locality to be ascertained. (Ordinance 41, Section 10; Ordinance 50, Section 3.)

Am. 3-21-3 Ord. 412

SECTION 502. *Inspectors May Prohibit Public Dancing In Any Hall, Hotel, Restaurant, Etc.—Penalty.* The dance hall inspectors may, after opportunity given the owner or owners thereof to be heard, prohibit public dancing in any hall, restaurant, hotel, cafe or eating house when, in their opinion, said hall, restaurant, hotel, cafe or eating house, whether same shall or shall not be a public dance hall as above defined, is an unfit place for dancing, either because of the location thereof or because the same is conducted in a manner detrimental to public health or morals. When once prohibited, dancing shall not be resumed therein except upon written consent of the dance hall inspectors. Any person, firm or corporation violating the provisions of this Section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding One Hundred Dollars. (Ordinance 110, Section 2.)

Am. 6-22-3 Ord. 638

SECTION 503. *Penalty.* Any person who shall in any manner molest or hinder any officer or inspector from performing any duty imposed upon him by the provisions of Sections 492 to 502, inclusive, and any person who shall violate any of the provisions of said Sections, or of the conditions of his license, shall be deemed guilty of a misdemeanor, and upon conviction

Rep. 3-21-2 Ord. 412

thereof shall be punished by a fine of not more than One Hundred Dollars or by imprisonment for a term not exceeding three months, or by both such fine and imprisonment. The Judge of the Court, having jurisdiction of any charge brought under the provisions of Sections 492 to 503 inclusive, shall in addition to the penalty or penalties above set forth cancel the license of any person found guilty of violating any of the provisions of said Sections, in which case such person shall not be entitled to again apply for or to receive a dance house license within one year after time of such cancellation.

No license shall at any time be issued to any person who has been more than once convicted of violating any of the provisions of Sections 492 to 503 inclusive. (Ordinance 41, Section 11.)

SUNDAY MOVING PICTURE SHOWS.

Rep. 4/3/31
Ord. 538

SECTION 504. *Moving Picture Shows On Sunday—Application and Permit.* Any person having first paid the requisite license fee, as provided under Section 2077 of the Revised Laws of Hawaii of 1915, as amended by Act 223 of the Session Laws of 1915, for conducting a Sunday Moving Picture Show, and who shall desire to exhibit to the public, in the City and County of Honolulu, on Sunday, any moving picture film or films shall make application for a permit to the Board of Supervisors of said City and County of Honolulu as hereinafter provided.

Said application shall be in writing, shall set forth the name and address of the applicant for the permit, the occupation or business of the applicant, the location and character of the building in which said film or films are to be shown, and the day or days and hour proposed for their exhibition. The said application shall be accompanied by an affidavit sworn to by the applicant, which affidavit shall state the names and characters of the pictures proposed to be exhibited, that affiant has personally seen the said proposed pictures, that they are either educational or biblical, and are in no sense vulgar, indecent, suggestive or improper pictures to be exhibited.

On the filing of said application and affidavit as required in this Section, it shall be the duty of the City and County Clerk to issue a permit to the applicant for the exhibition of said pictures after the hour of 6:30 p. m. for the Sunday or Sundays designated in said application, and the names of the pictures to be shown shall be set forth in said permit and the day or days and the hour at which they are to be shown shall likewise be set forth. (Ordinance 84, Section 1.)

SECTION 505. *Misrepresentation By Applicant—Penalty.* Any applicant who shall misrepresent, in said application or affidavit, the character of the picture or pictures to be shown, or who shall exhibit the same at any time other than that specified in the permit, shall forfeit such permit, and the Board of Supervisors shall, upon the first of such offenses by such applicant, refuse to the applicant the issuance of any further Sunday permit for a period of three months; upon the second offense said Board shall refuse such permit for a period of six months; and upon a third offense no further Sunday permit shall at any time be issued to such applicant. (Ordinance 84, Section 2.) Rep. 4/3/31 Ord. 538

QUIET ZONES.

SECTION 506. *Quiet Zones Near Hospitals.* It shall be unlawful at any time, day or night, to discharge firearms, fire crackers or other explosives, or to make loud noises of any description within 500 feet from the nearest point of any main hospital building with a capacity for treating not less than 36 patients situated within the City and County of Honolulu.

It shall be unlawful to conduct, operate, maintain or carry on within 500 feet from any such main hospital building any noisy, noisesome shop, factory, trade, manufacture, industry or business.

It shall be unlawful for any person, in passing any hospital building of the character and capacity above described, to to drive or operate any vehicle in such manner as to make or create any unnecessary noise. (Ordinance 165, Sections 1, 2, 3.)

SECTION 507. *Exceptions.* Section 506 shall not apply to any such work shop, factory, trade, manufacture, industry or business now existing within the distance above set forth or which may be in existence within the said distance of any newly erected hospital building of the character and capacity above described or of any extension to any existing hospital building of such character and capacity. (Ordinance 165, Section 3.)

SALE OF UNCLAIMED GOODS IN HANDS OF POLICE OR MAGISTRATE.

SECTION 508. *Sheriff and District Magistrates To Account For and Sell Lost or Unclaimed Goods.* It shall be the duty of the Sheriff of the City and County of Honolulu and of the several District Magistrates on the first Monday of January and the first Monday in July, in each year, to deliver an account, verified by oath, to the Mayor and Board of Supervisors, of all moneys, goods, wares and merchandise then remaining unclaimed in the

custody of the Sheriff, or any of his Deputies, or of any District Magistrate respectively, and immediately thereafter to give notice once a week, for four successive weeks, by publication, in the English language, in one newspaper of general circulation, published and circulated in the City and County of Honolulu; and also to post in a conspicuous place, at the postoffice and at the court house of the district where such sale shall take place, copies of such printed notice to all persons interested or claiming such property, that unless claimed by the owner, with satisfactory proof of such ownership, before a specified day, the same will be sold at public auction to the highest bidder. On the day, and at the place specified in said notice, all property remaining unclaimed, except money, shall be sold at auction by the officers as aforesaid, or under his direction. If any goods, wares, merchandise, or chattels of a perishable nature, or which shall be expensive to keep, shall at any time remain unclaimed in the custody of said officer, it shall be lawful for said officer to sell the same at public auction, at such time and after such notice as to him shall seem proper. The said officer shall immediately after the sale of any property in accordance herewith, pay to the City Treasurer, as aforesaid, all moneys remaining unclaimed in his hands as such officer, and all moneys received by him upon such sale. (Ordinance 52, Section 1.)

SECTION 509. *Property To Be Delivered To Claimant—When.* It shall be the duty of said officer, whenever he shall obtain possession of any stolen or lost property, on his receiving satisfactory proof of the ownership of such property, to deliver such property to the owner thereof, or his duly authorized agent, on his paying all necessary and reasonable expenses which may have been incurred for the preservation or sustenance of such property. But no property shall be sold or delivered in pursuance of this or the preceding Section, if the Sheriff or any City and County Attorney, or any Court or District Magistrate shall direct that it shall remain unsold or delivered for the purpose of being used as evidence in the administration of justice. (Ordinance 52, Section 2.)

SECTION 510. *Intoxicating Liquors and Opium, Excepted.* The foregoing Sections 508 and 509 shall not be construed to provide for the sale of intoxicating liquors without the payment of a license fee, or the giving of a bond as required by Act 119 of the Session Laws of 1907, or to sanction the sale of opium. (Ordinance 52, Section 3.)

SECTION 511. *Opium and Liquor—How Disposed of.* Prior to making his semi-annual report, the Sheriff shall collect all

the opium in the hands of himself, or any Deputies in any district, in one central locality, and shall destroy the same by fire or other effective means in the presence of the District Magistrate of Honolulu.

Whenever statutes shall render unlawful the sale of liquor in possession of the Sheriff, he is hereby authorized to destroy such liquor in the presence of the District Magistrate of Honolulu.

The Sheriff shall include a report of such proceedings in his report. (Ordinance 52, Section 4.)

RED FLAGS, ETC.

SECTION 512. *Display of Red, Etc., Flags.* No red or black flag, banner, ensign, pennant or sign, and no banner, ensign, pennant or sign having upon it any inscription opposed to organized government or which is sacrilegious or which may be derogatory to public morals shall be displayed within the City and County of Honolulu; provided, however, that nothing herein contained shall be construed to include the use of a red flag as a warning in the use of explosives in the case of structural or repair work or as a warning against the unstable or dangerous character of any building or structure or the use of red flag or flags by railroad or street railway companies or the use of a red flag as provided in Chapter XII. (Ordinance 177, Section 1; Ordinance 178, Section 1.)

SECTION 513. *Penalty.* Whoever violates any provisions of Section 512 shall be punished for each offense by a fine of not more than One Hundred Dollars ($100.00), or by imprisonment for a period of six months, or by both such fine and imprisonment. (Ordinance 177, Section 2.)

CHAPTER XVI

Employees of Board of Supervisors

Employees of Board of Supervisors

Section 514. *Clerk and Messenger.* The Board of Supervisors of the City and County of Honolulu is hereby authorized to employ a Clerk and Messenger to attend meetings of the Board and its Committees, whose salary shall be fixed by resolution of the said Board.

In addition to such attendance as aforesaid the said Clerk and Messenger shall be in attendance at the offices of the City and County of Honolulu at all times in the regular office hours of officers of the said City and County, and shall do such clerical work at said meetings and offices as may be required of him, in connection with the business of the Board of Supervisors only, in the order in which such work is presented. The said Clerk and Messenger shall perform such other services as the Board of Supervisors may prescribe by resolution. (Ordinance 13, Sections 1, 2.)

Section 515. *Secretary.* The Board of Supervisors of the City and County of Honolulu, Territory of Hawaii, is hereby authorized to appoint a suitable person, whose salary shall be fixed by said Board, to be known as the Secretary to the Board of Supervisors.

It shall be the duty of said Secretary to the Board of Supervisors each week to prepare a statement of the work of the various departments of the City and County of Honolulu and of the Board of Supervisors, and deposit in the office of the City and County Clerk, as soon as practicable, at least thirty copies of such statement for the use of the Mayor of the City and County of Honolulu, the members of the Board of Supervisors of said City and County of Honolulu and the officers and various employes of the departments of said City and County. (Ordinance 40, Sections 1, 2.)

CHAPTER XVII

Shade Tree Commission

SHADE TREE COMMISSION

SECTION 516. *Shade Tree Commission Created.* A Commission to be known as the Shade Tree Commission of Honolulu is hereby created to consist of five persons to be appointed by the Mayor of the City and County of Honolulu with the approval of the Board of Supervisors of the City and County of Honolulu, and preferably the following: the President of the Outdoor Circle of Honolulu, the City and County Engineer of the City and County of Honolulu, the Superintendent of Parks and Playgrounds of the City and County of Honolulu, the Superintendent of Forestry of the Territory of Hawaii and one other from persons nominated by a majority of the public utility corporations maintaining wires over the public streets within the District of Honolulu. Such persons shall serve without pay. (Ordinance 227, Section 1.) Am. 1-6-26 Ord 289

SECTION 517. *City Tree Warden—Appointment—Salary.* It shall be the duty of the said Commission to select and appoint a trained shade tree expert who shall be known as the City Tree Warden, and who shall be the executive officer of the said Commission. Such City Tree Warden shall receive such compensation as shall be appropriated from time to time by the Board of Supervisors and he may receive and accept such further remuneration from such other sources as may be approved by the Board of Supervisors. Am. 8-15-23 Ord. 238 Am. 1-6-26 Ord. 289

The duties of such City Tree Warden shall be as defined by said Commission, and he may be removed or discharged by said Commission and another appointed by said Commission in his place. (Ordinance 227, Section 2.)

SECTION 518. *Authority of Commission.* The said Commission shall have full and complete authority over the trimming and removing of all shade trees, hedges and shrubs growing on the public streets of the District of Honolulu and the planting of the same upon such streets, and, concurrently with the respective property owners shall have full and complete authority over the trimming and removing of all shade trees, hedges and shrubs growing over the public streets of said District. (Ordinance 227, Section 3.) Am. 1-6-26 Ord. 289

SECTION 519. *Duty of City Tree Warden.* The City Tree Warden, subject to the control of said Commission, shall have direct charge and supervision over the actual work of trimming, removing and planting of the trees, hedges and shrubs under the Am. 1-6-26 Ord. 289

exclusive jurisdiction of the Commission, and concurrently with the respective property owners over the trimming and removing of the trees, shrubs and hedges growing over the public streets of said District. (Ordinance 227, Section 4.)

Am. 1-6-26
Ord. 289

SECTION 520. *Permits To Trim and Remove Trees, Etc.* The City Tree Warden may, in his discretion, issue permits to private individuals to trim or remove any of the trees, hedges or shrubs herein mentioned either in cases of emergency or where such work will conform to such general plan as may be adopted by the said Commission. (Ordinance 227, Section 5.)

Am. 8-15-23
Ord. 238

SECTION 521. *Duty of Public Utilities.* It shall be the duty of the owner or owners of public utility wires or those in control thereof to keep at all times such owned or controlled wires free from dangerous interference with tree growth. (Ordinance 227, Section 6.)

SECTION 522. *Unlawful To Trim Trees, Etc., Without Permit.* It shall be unlawful for any person to trim, prune, cut, deface, destroy or remove any shade or ornamental trees, hedges or shrubs which are under the exclusive jurisdiction of the said Commission as herein provided, except as authorized by Section 520. (Ordinance 227, Section 7.)

SECTION 523. *Unlawful To Put Signs On Trees.* It shall be unlawful for any person to paint, place, attach to or put upon any of the trees, hedges, or shrubs herein mentioned any sign, notice, advertisement or advertising device. (Ordinance 227, Section 8.)

Am. 1-6-26
Ord. 289

SECTION 524. *Unlawful To Spray Trees In Streets Without Permit.* It shall be unlawful for any person to spray, with any chemical or insecticide, any trees, hedges or shrubs within the exclusive jurisdiction of the Commission without a written permit from the City Tree Warden. (Ordinance 227, Section 9.)

Am. 1-6-26
Ord. 289

SECTION 525. *Unlawful To Attach Electric Wires To Trees Without Permit.* It shall be unlawful for any person to attach any electric wire insulator or any device for the holding of electric wires to any of the trees, hedges or shrubs herein mentioned without a written permit from the City Tree Warden. When such a permit is issued, the attachment of any such wire, insulator or device shall be done in a manner approved by the City Tree Warden. (Ordinance 227, Section 10.)

SECTION 526. *Guards Around Trees.* In the erection or repair of any building or structure, the owner thereof or person in control of such erection or repair shall place such guards around any and all nearby trees, hedges or shrubs herein mentioned as shall prevent injury to them. (Ordinance 227, Section 11.)

SECTION 527. *Unlawful To Remove Guards.* It shall be unlawful for any person to injure, misuse or remove any device placed to protect any of the trees, hedges or shrubs mentioned in the preceding Section. (Ordinance 227, Section 12.)

SECTION 528. *Unlawful To Fasten Animals To Trees.* It shall be unlawful for any person to fasten any horse or other animal to any of the trees, hedges or shrubs herein mentioned, or to cause a horse or other animal to stand so that said horse or other animal can injure such trees, hedges or shrubs. (Ordinance 227, Section 13.)

SECTION 529. *Unlawful To Plant Trees, Etc., On Streets Without Permit.* It shall be unlawful for any person to plant on any public street any trees, hedges or shrubs without a written permit from the City Tree Warden. When such permit is issued, the planting shall conform to such general planting scheme as may be adopted for the particular locality. (Ordinance 227, Section 14.)

Am. 8-15-23
Ord. 238
Add - N.W.S. 14-A
Am. 1-6-26
Ord. 289

SECTION 530. *Penalty.* Any person who shall violate any of the provisions of Sections 521 to 530, inclusive, of this Chapter shall be guilty of a misdemeanor and shall be punished by a fine not exceeding One Hundred Dollars or be sentenced to imprisonment for a period not exceeding thirty days, or by both such fine and imprisonment in the discretion of the court. (Ordinance 227, Section 15.)

Am. 8-15-23
Ord. 238

Ref. Ord 617

CHAPTER XVIII

Abolishment of Boards, Officers, Etc., Created by County of Oahu

Abolishment of Boards, Officers, Etc., Created by County of Oahu

Section 531. *Abolishment of Boards, Offices, Etc., Created By County of Oahu.* All Boards, Committees, Commissions, Offices, Positions and Employments created by the Board of Supervisors of the County of Oahu are hereby abolished.

All motions, votes, orders, resolutions, rules and regulations of the Board of Supervisors of the County of Oahu creating or tending to create any Boards, Committees, Commissions, Offices, Positions and Employments are hereby repealed. (Ordinance 1, Sections 1, 2.) (See Section 1767, R. L. 1915.)

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APPENDIX

TO

REVISED ORDINANCES

OF THE

City and County of Honolulu

1923

Containing Ordinance Relating to Street Lines, Grades, Sidewalk Lines, Curbs, Etc., Improvement Districts, Street Widenings and Special Subjects.
Comprising all such Ordinances approved up to and including January 1, 1923.

Revised and Compiled by

I. M. STAINBACK, WILLIAM T. CARDEN
and R. A. VITOUSEK.

Ordinance 23—Providing for establishment of permanent grades, lines and sidewalks.

Ordinance 39—Bethel Street (King to Hotel)—Grades and sidewalk lines.

Ordinance 44—Pauahi street (Fort to River)—Grades and sidewalk lines.

Ordinance 45—King Street (Kapalama Stream Bridge to Kahauiki Military Reservation)—Grades and sidewalk lines.

Ordinance 46—Kapahulu Road (Waialae Road to Kanaina Avenue)—Grades and sidewalk lines.

Ordinance 47—Kapahulu Road (Waialae Road to Kanaina Avenue)—Grades and sidewalk lines.

Ordinance 53—Pauoa Road (Nuuanu Avenue to Fort Street)—Grades and sidewalk lines.

Ordinance 57—Puiwa—Street names—Puiwa street, Laimi street, Park street.

Ordinance 59—Manoa Improvement District No. 1.

Ordinance 61—Manoa Road, East Manoa Road—Street names.

Ordinance 66—Kalakaua Avenue (King Street to Ena Road)—Lines and grades.

Ordinance 69—Manoa Improvement District No. 1—Street names.

Ordinance 70—Waialae Road (Pahoa Stream to Koko Head Avenue)—Grades and sidewalk lines.

Ordinance 75—Auwaiolimu Tract—Grades and sidewalk lines.

Ordinance 79—Punchbowl Street (Lusitana Street to Beretania Street)—Grades and sidewalk lines.

Ordinance 82—Kalakaua Avenue (Kapiolani Park bridge to Beckley's property, Palikai Road)—Grades and sidewalk lines.

Ordinance 92—Manoa Improvement District No. 1—Center lines, curb lines and grades.

Ordinance 99—Manoa Improvement District No. 1—Assessment ordinance.

Ordinance 103—Lusitana Street (Improvement District No. 1, Lusitana Street)—Assessment ordinance.

Ordinance 104—Beach Walk (Beach Walk Improvement, District No. 2)—Curb lines and grades on Saratoga road, Beach walk, Lewers road, Kalia road, Helumoa road.

Ordinance 106—Vancouver Highway and Rockey Hill Street (Sea View Frontage Improvement No. 3)—Curb lines and gardes on Vancouver Highway and Rocky Hill street.

Ordinance 107—King Street Extension (McCully Street to Beretania Street, Moiliili—Frontage Improvement No. 2)—Curb lines and grades.

Ordinance 109—Beach Walk (Beach Walk Improvement District No. 2)—Assessment ordinance.

Ordinance 111—Kalakaua Avenue (Ena Road to Park Road)—Curb lines and grades.

Ordinance 112—Sea View Frontage Improvement No. 3—Assessment Ordinance. (See Ordinance 179—Amendment assessment of E. C. Rowe and W. E. Wall.)

Ordinance 114—Kalakaua Frontage Improvement No. 4—Assessment Ordinance.

Ordinance 115—King Street Extension—(Frontage Improvement Number 2—King Street Extension)—Assessment Orinance.

Ordinance 116—Beretania Street—(King Street to Nuuanu Street, in Palama)—Curb lines and grades.

Ordinance 117—Smith Street (Beretania Street to Queen Street—Frontage Improvement No. 6)—Curb lines and grades.

Ordinance 118—Beretania Street (King to Nuuanu—Frontage Improvement No. 5—Beretania Street, King to Nuuanu section)—Assessment ordinance.

Ordinance 119—Laimi, Park and Puiwa Roads (Frontage Improvement No. 7)—Curb lines and grades.

Ordinance 122—Smith Street—Queen to Beretania (Frontage Improvement No. 6, Smith Street—Queen to Beretania)—Assessment ordinance.

Ordinance 123—Beretania Street (Alapai Street to Punahou Street)—Curb lines and grades.

Ordinance 124—Hotel Street—Nuuanu to Bishop (Frontage Improvement No. 8, Hotel Street—Nuuanu to Bishop)—Assessment ordinance.

Ordinance 125—Beretania Street—Alapai Street to Punahou Street (Frontage Improvement No. 9, Beretania Street, Alapai to Punahou)—Assessment Ordinance.

Ordinance 128—General provisions for local assessment ordinances.

Ordinance 129—Laimi, Park and Puiwa Roads (Frontage Improvement No. 7, Laimi, Park and Puiwa roads, Nuuanu Valley)—Assessment ordinance.

Ordinance 133—Fort, Halekauila, Kekuanaoa and Bishop Streets (Improvement District No. 3—Fort, Halekauwila, Kekuanaoa and Bishop Streets)—Curb lines and grades.

Ordinance 134—King Street—Richards Street to McCully Street (Frontage Improvement No. 12—King Street)—Curb lines and grades.

Ordinance 135—Iwilei Road, Prison Road, Pacific Street, Pine Street, Kuwili Street, Sumner Street and Queen Street—(Improvement District No. 4—Iwilei—Curb lines and grades.

Ordinance 136—Kalakaua Avenue Extension (Park Drive, Diamond Head Road—Frontage Improvement No. 13—Kalakaua Avenue Extension, Park Drive and portion of Diamond Head Road)—Curb lines and grades.

Ordinance 138—Fort, Halekauwila, Kekuanaoa and Bishop Streets—Improvement District No. 3—Fort, Halekauwila, Kekuanaoa and Bishop Streets)—Assessment ordinance.

Ordinance 139—Kalakaua Avenue Extension (Park Drive—Diamond Head Road—Frontage Improvement No. 13, Kalakaua Avenue Extension, Park Drive and portion of Diamond Head Road)—Assessment ordinance.

Ordinance 140—Bishop Street (Hotel Street to Allen Street—Frontage Improvement No. 11—Bishop Street—Hotel Street to Allen Street)—Assessment ordinance.

Ordinance 141—Alapai Street (King Street to Green Street—Frontage Improvement No. 15—Alapai Street, King to Green Streets)—Curb lines and grades.

Ordinance 142—Aala Street (Beretania Street to King Street—Frontage Improvement No. 14—Aala Street, Beretania to King Street)—Curb lines and grades.

Ordinance 143—Ena, Kalia and Ala Moana Roads (Improvement District No. 5—Ena, Kalia and Ala Moana Roads)—Curb lines and grades.

Ordinance 144—Aala Street— Beretania Street to King Street (Frontage Improvement No. 14—Aala Street, Beretania to King Street)—Assessment ordinance.

Ordinance 146—Ena, Kalia and Ala Moana Roads (Improvement District No. 5—Ena, Kalia and Ala Moana Roads)—Assessment ordinance.

Ordinance 149—Liliha Street (Judd Street to Wyllie Street)—Curb lines and grades.

Ordinance 150—King Street—Punahou Street to McCully Street—(Frontage Improvement No. 12, Section "A"—King Street, Punahou to McCully)—Assessment Ordinance.

Ordinance 151—Alewa Road and Ilima Drive (Improvement District No. 6)—Center lines and grades.

Ordinance 152—Iwilei (Improvement District No. 4—Iwilei)—Assessment ordinance.

Ordinance 153—Alapai Street (King Street to Green Street—Frontage Improvement No. 15—Alapai Street, King to Green Streets)—Assessment ordinance.

Ordinance 154—Richards Street (Improvement District No. 7)—Curb lines and grades.

Ordinance 156—Nuuanu Avenue (Beretania Street to School Street)—Widening of Nuuanu Avenue.

Ordinance 160—Richards Street (Improvement District No. 7—Richards Street)—Assessment ordinance.

Ordinance 162—Beretania Street (Punahou Street to King Street Extension—Frontage Improvement No. 10—Beretania Street)—Curb lines and grades.

Ordinance 163—Alewa Heights (Improvement District No. 6—Alewa Heights)—Assessment ordinance.

Ordinance 167—Beretania Street (Nuuanu Street to Alapai Street)—Widening of Beretania street.

Ordinance 172—Beretania Street—Punahou Street to King Street Extension (Frontage Improvement No. 10—Beretania Street)—Assessment ordinance.

Ordinance 174—School Street (Emma and Lusitana Streets to Nuuanu Street)—Widening of School street.

Ordinance 179—"Sea View Frontage, Improvement Number Three"—Correcting assessment of E. C. Rowe and W. E. Wall as provided by Ordinance 112.

Ordinance 188—Waikiki and Kalihi—Calling bond election for sewers in.

Ordinance 189—Queen Street, Fort to Keawe—Street widening.

Ordinance 190—Kakaako Improvement District—Curb lines and grades.

Ordinance 191—Opening of a new street running from drainage canal Waikiki to South Street—Street opening.

Ordinance 193—Hart Avenue (Puuhale Road to Kalihi Bay)—Street widening.

Ordinance 195—Puunui Improvement District—Curb lines and grades.

Ordinance 200—Kakaako Improvement District—Assessment ordinance.

Ordinance 203—Liliha Street—Judd to Wyllie (Frontage Improvement No. 17)—Curb lines and grades.

Ordinance 205—Liliha Street—Judd to Wyllie (Frontage Improvement No. 17)—Assessment ordinance.

Ordinance 208—King Street (Alapai to Punahou)—Grades and curb lines.

Ordinance 209—Hotel Street—Between Fort and Union Streets (Frontage Improvement No. 20)—Assessment ordinance.

Ordinance 210—Puunui (Improvement District No. 8)—Assessment ordinance.

Ordinance 211—Kewalo District—Grades and curb lines.

Ordinance 212—Bingham Tract—Grades and curb lines.

Ordinance 216—Punchbowl Street—Beretania to Kong Streets and Miller Street—Beretania to Lusitania Streets—Grades and curb lines.

Ordinance 218—King Street—Beretania Avenue to Moanalua—Kahauiki Boundary—Street widening.

Ordinance 226—Keeaumoku Street—King to Wilder—Grades and curb lines.

Ordinance 227—Relating to shade trees, hedges and shrubs planted on or growing over the public streets of the District of Honolulu.

Ordinance 228—King Street, Alapai Street to Punahou Street (Frontage Improvement No. 18—Cost of improvements.

Ordinance 229—Bingham Park Tract (Improvement District No. 11)—Cost of improvements.

Ordinance 230—To amend Ordinance No. 12 of the City and County of Honolulu, Territory of Hawaii, being entitled "An Ordinance regulating the carrying of passengers for hire in licensed vehicles, providing the rates of fare for the carrying of passengers in such vehicles, and providing for punishment for violations of the provisions of the ordinance," as amended by further amending Section 9 thereof.

ORDINANCE No. 23.

AN ORDINANCE PROVIDING FOR THE ESTABLISHING OF PERMANENT GRADES AND LINES OF STREETS, HIGHWAYS, PUBLIC THOROUGHFARES, PUBLIC PLACES, ALLEYS AND SIDEWALKS IN THE CITY AND COUNTY OF HONOLULU.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. The permanent grades and lines of any or all streets, highways, public thoroughfares, public places and alleys or any part or parts thereof in the City and County of Honolulu, or any changes in the existing established grades or lines of such streets, highways, public thoroughfares, public places or alleys or any part or parts thereof which may be deemed necessary for the public good, and the grades, lines and widths of all sidewalks thereon, shall be fixed and established by the Board of Supervisors of the City and County of Honolulu by Ordinance.

SECTION 2. It shall be the duty of the City and County Engineer, when requested by the Board of Supervisors, to make surveys of such streets, highways, public thoroughfares, public places, alleys and sidewalks as the Board of Supervisors may direct, and calculate and ascertain the best grades, lines and levels thereof, and make maps and profiles showing the widths and grades and proposed grades of such streets, highways, public thoroughfares, public places, alleys and sidewalks, and to submit said maps and profiles, together with a report thereon, to the Board of Supervisors for approval, and the said Board of Supervisors may thereupon establish the grades and lines of such streets, highways, public thoroughfares, public places, alleys and sidewalks by Ordinance as herein provided.

SECTION 3. All plans and profiles prepared by the City and County Engineer, under the provisions of this Ordinance together with the report of the City and County Engineer thereon, shall, after being submitted to the Board of Supervisors as provided in Section 2 hereof, be filed in the office of the City and County Engineer, and shall be open to the inspection of the public at all reasonable hours.

SECTION 4. This Ordinance shall take effect fifteen days from and after the date of its approval.

Introduced by

S. C. DWIGHT,
Supervisor.

Date of Introduction: May 2, A. D. 1911.

Approved this 17th day of May, A. D. 1911.

JOSEPH J. FERN,
Mayor.

ORDINANCE No. 39.

AN ORDINANCE RELATIVE TO THE ESTABLISHING OF GRADES AND SIDEWALK LINES IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. Grades. Datum Plane. That the grades of that portion of Bethel street, in the District of Honolulu, City and County of Honolulu, Territory of Hawaii, lying between King street and Hotel street, as set out in Section 2 hereof, are hereby established in reference to a datum plane, being meantide at the said District of Honolulu, and being located as follows, to-wit: A bench mark on top of mauka coping, at West angle of Mott-Smith building at the East corner of Hotel street and Fort street in said District of Honolulu, is 18.68 feet, and a bench mark on coping at foot of pillar at the left entrance of the Judiciary building in said District of Honolulu, is 16.50 feet above said datum plane. Said grades are on a uniform straight line between the adjacent points specified in Section 2 hereof, and are all above said datum plane the distance set out in said Section 2.

SECTION 2. That the grades on said Bethel street, between King and Hotel streets, are hereby adopted and established with reference to said datum plane, as follows:

	Elevation of	
	Top of North Curb.	Top of South Curb.
East curb of King street	18.40 ft.	18.40 ft.
West curb of Hotel street	21.00 ft.	21.00 ft.

SECTION 3. Sidewalk Line. That the sidewalk line on the South side of Bethel street, between King street and Hotel street, in the said District of Honolulu, the same being the South curb line, is hereby established as follows:

Commencing at a point on the South curb on said Bethel street, on a line with the East line of King street, which is by true azimuth, 321° 02′ and distant 279.0 feet from a cross cut in the cement walk at the West corner of King and Nuuanu streets, said cross being known as the Mossman Survey Station, the coördinates of which as referred to the Government Triangulation Survey Station Puowaina being, South, 599.40 feet and West 4723.50 feet, and running as follows by true azimuths:

1. 242° 15′, 92.5 feet along South curb of Bethel street to angle in curb.

2. 238° 40′, 233.0 feet along curb to South line of Hotel street.

SECTION 4. Sidewalk Line. That the sidewalk line on the North side of Bethel street, between King street and Hotel street, in said District of Honolulu, the same being the North curb line, is hereby established as follows:

Commencing at a point on the North curb on said Bethel street, on a line with the East line of King street, which is by true azimuths, 319° 08′ and distant 243.6 feet from a cross cut in the cement walk to the West corner of King and Nuuanu streets, said cross being known as the Mossman Survey Station, the coördinates of which as referred to the Government Triangulation Survey Station Puowaina being; South 599.40 feet and West 4723.50 feet, and running as follows by true azimuths:

1. 243° 24′, 97.7 feet along North curb of Bethel street to angle in curb;

2. 238° 40′, 222.3 feet along curb to South line of Hotel street.

SECTION 5. Profile and Plan. That Grade Map No. 1 on file in the office of the Engineer of the City and County of Honolulu is hereby approved and adopted as the profile and plan of said grade and sidewalk lines.

SECTION 6. This Ordinance shall take effect fifteen days from and after the date of its approval.

Introduced by

S. C. DWIGHT,
Supervisor.

Date of Introduction: June 27, 1912.

Approved this 17th day of July, A. D. 1912.

JOSEPH J. FERN,
Mayor.

ORDINANCE No. 44.

AN ORDINANCE RELATIVE TO THE ESTABLISHING OF GRADES AND SIDEWALK LINES IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. Grades, Datum Plane. That the grades of that portion of Pauahi Street, in the District of Honolulu, City and County of Honolulu, Territory of Hawaii, lying between Fort street and River

street, as set out in Section 2 hereof, are hereby established in reference to a datum plane, being meantide at the said District of Honolulu, and being located as follows, to-wit: A bench mark on top of a copper bolt in concrete foundation of old flag pole on the West corner of Pauahi and Maunakea streets, in said District of Honolulu, is 20.21 feet, and a bench mark on coping at foot of pillar at the left entrance of the Judiciary Building in said District of Honolulu, is 16.50 feet above said datum plane. Said grades are on a uniform straight line between the adjacent points specified in Section 2 hereof, and are all above said datum plane the distance set out in said Section 2.

SECTION 2. That the grades on said Pauahi street, between Fort and River streets, are hereby adopted and established with reference to said datum plane, as follows:

	Elevation of	
	Top of North Curb.	Top of South Curb.
West curb of Fort street	19.85	19.45
East curb of Nuuanu street	24.20	24.20
West curb of Nuuanu street	24.20	24.20
East curb of Smith street	23.50	23.60
West curb of Smith street	23.30	23.20
East curb of Maunakea street	20.10	20.10
West curb of Maunakea street	19.70	19.70
East curb of Kekaulike street (proposed)	13.60	13.60
West curb of Kekaulike street (proposed)	13.00	13.00
East curb of River street	7.50	7.50

SECTION 3. Sidewalk Line. That the sidewalk line on the North side of Pauahi street, between Fort street and River street, in the said District of Honolulu, the same being the North curb line, is hereby established as follows:

Commencing at a point on the North curb line on said Pauahi street, on a line with the West line of Fort street, which point, referred to Punchbowl Triangulation Station, is South 640.0 feet and West 3875.2 feet, and running thence by true azimuths as follows:

1. 147° 38′, 1,407.9 feet along the North curb line of Pauahi street to the East line of River street.

SECTION 4. Sidewalk Line. That the sidewalk line on the South side of Pauahi street, between Fort street and River street, in the said District of Honolulu, the same being the South curb line, is hereby established as follows:

Commencing at a point on the South curb line on said Pauahi street, on a line with the West line of Fort street, which point, referred to Punchbowl Triangulation Station, is South 664.3 feet and West 3,902.4 feet, and running thence by true azimuths as follows:

1. 147° 38′, 1424.1 feet along the South curb line of Pauahi street to the east line of River street.

SECTION 5. Profile and Plan. That Grade Map No. 2 on file in the office of the Engineer of the City and County of Honolulu is hereby approved and adopted as the profile and plan of said grade and sidewalk lines.

SECTION 6. This Ordinance shall take effect fifteen days from and after the date of its approval.

Introduced by

L. PETRIE.

Date of Introduction: April 21, 1913.

Approved this 2nd day of May, 1913.

JOSEPH J. FERN,
Mayor.

ORDINANCE No. 45.

AN ORDINANCE RELATIVE TO THE ESTABLISHING OF GRADES AND SIDEWALK LINES ON A PORTION OF KING STREET, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. Grades, Datum Plane. That the grades of that portion of King street, in the District of Honolulu, City and County of Honolulu, Territory of Hawaii, lying between Kapalama Stream Bridge and Military Reservation of Kahauiki, as set out in Section 2 hereof, are hereby established in reference to a datum plane, being meantide at said District of Honolulu, and being located as follows, to-wit: A bench mark on the east corner of coping of the Kalihi Pumping Station in said District of Honolulu, is 25.85 feet, and a bench mark at the foot of pillar at the left entrance of the Judiciary Building in said District of Honolulu, is 16.5 feet, above said datum plane. Said grades are above said datum plane, the distances specified in Section 2 hereof, and changes of grades are connected by vertical curves as shown on Grade Map No. 3.

SECTION 2. That the grades on said King street, between Kapalama Stream Bridge and Military Reservation of Kahauiki are hereby adopted and established with reference to said datum plane, and the sidewalk lines on said King street, from Kapalama Stream Bridge and Military Reservation of Kahauiki, are hereby established by true azimuths as hereinafter set forth: The sidewalk lines of said King street shall be parallel with, and 22 feet from the following described line:

Commencing at a point in the center of said King street, which referred to Punchbowl Triangulation Station, is north 4295.56 feet and west 6488.41 feet, at an elevation of 9.3 feet above aforementioned datum plane, thence proceeding along a line curving to the left, the direct azimuth and distance being 163° 12′—71.7 feet, elevation 8.26 feet;

Thence on a straight line whose azimuth is 154° 50′—78.3 feet, elevation 7.11 feet;

Thence on the same azimuth through a vertical curve 100 feet to elevation 6.8 feet;

Thence proceeding on the same azimuth 100 feet to elevation 7.02 feet;

Thence on the same azimuth through a vertical curve 100 feet to elevation 7.98 feet;

Thence on the same azimuth 64.7 feet to point of reverse curve, whose elevation is 8.95 feet;

Thence on a reverse curve left and right, the chord of which has an azimuth of 135° 5′ ascending at the rate of 1.5 feet per station 273.3 feet to elevation 13.04 feet;

Thence on the same azimuth on an ascending grade of 2.08 feet per station to the point of tangent of said reverse curve, whose elevation is 15.47 feet; radii of curves are respectively 273.58 feet and 405.11 feet;

Thence on a straight line whose azimuth is 145° 48′—25.8 feet to elevation 16.28 feet;

Thence on the same azimuth, through a vertical curve, 100 feet to elevation 17.18 feet;

Thence on the same azimuth, 506 feet to elevation 16.01 feet;

Thence on the same azimuth, through a vertical curve, 100 feet to elevation 16.5 feet;

Thence on the same azimuth, 162 feet to elevation 18.55 feet;

Thence on a curve to the left to a point whose azimuth is 136° 38′ 30″—distance 52.11 feet, elevation 20.43 feet;

Thence on an azimuth of 190° 27′—87.0 feet to the south line of Houghtailing road, elevation 23.56 feet;

Thence on the same azimuth, 36 feet to the north side of Houghtailing road, elevation 25.58 feet;

Thence on the same azimuth, 200 feet to elevation 33.92 feet;

Thence on the same azimuth, through a vertical curve, 200 feet to elevation 38.94 feet;

Thence on the same azimuth, 183.8 feet to elevation 41.16 feet;

Thence on an azimuth of 127° 4′—319.4 feet, elevation 45.02 feet;

Thence on an azimuth of 123° 30′—184.19 feet to elevation 47.25 feet;

Thence on a curve to the left, the azimuth of whose cord is 119° 6′ 30″—12.6 feet to elevation 47.30 feet; continuing on this cord

through a vertical curve 70.53 feet to point of tangent, whose elevation is 47.77 feet;

Thence on an azimuth of 114° 43′—29.47 feet to end of vertical curve, whose elevation is 47.5 feet;

Thence on the same azimuth, 200 feet to elevation 44.50 feet;

Thence on the same azimuth, 100 feet to elevation 43.3 feet;

Thence on the same azimuth, 56.1 feet to elevation 43.15 feet;

Thence on an azimuth of 115° 41′—293.9 feet to elevation 42.34 feet;

Thence on the same azimuth, through a vertical curve, 100 feet to elevation 42.16 feet;

Thence on the same azimuth 578.2 feet to a point of curve whose elevation 47.3 feet;

Thence on a curve to the right, the azimuth of whose cord is 133° 13′ 45″—distance 165.8 feet, with the curb lines converging evenly from 22 feet on either side to 18 feet on either side to a point of tangent, the elevation of which is 48.75 feet;

From this last mentioned point of tangent northwesterly to the Military Reservation of Kahauiki, the sidewalk lines of said King street shall be parallel with and 18 feet from the following described center line of said King street:

From the point of tangency on an azimuth of 150° 46′ 30″—6 feet to an elevation of 48.8 feet;

Thence on the same azimuth, 200 feet through a vertical curve to elevation 49.0 feet;

Thence on the same azimuth, through a vertical curve of 74.6 feet, to an elevation of 46.37 feet;

Thence on a curve to the left, the azimuth of whose cord is 141° 14′ 25″—25.4 feet, to the end of the vertical curve at elevation 45.56 feet;

Thence on the same azimuth of 131° 42′—84.2 feet to elevation 39.44 feet;

Thence on the same azimuth, through a vertical curve 100 feet to elevation 37.64 feet;

Thence on the same azimuth, 938.18 feet to elevation 42.07 feet;

Thence on an azimuth of 132° 7′—11.6 feet to elevation 42.6 feet;

Thence on the same azimuth, 256.01 feet to elevation 44.29 feet;

Thence on a curve to the right, whose cord has an azimuth of 136° 23′—83.97 feet, elevation 44.84 feet;

Thence on an azimuth of 140° 39′—672.66 feet to the south line of lane north of Pacific Guano and Fertilizer Works, whose elevation is 48.8 feet;

All of which more fully appears upon a map on file in the office of the City and County Engineer, designated Grade Map No. 3, to which reference is hereby made, and which is made a part hereof.

Introduced by

LESTER PETRIE,
Supervisor.

Honolulu, T. H., July 2, 1913.

Approved this 4th day of August, A. D. 1913.

JOSEPH J. FERN,
Mayor.

ORDINANCE No. 46.

AN ORDINANCE RELATIVE TO THE ESTABLISHING OF GRADES AND SIDEWALK LINES ON KAPAHULU ROAD, FROM WAIALAE ROAD TO KANAINA AVENUE, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. Grades, Datum Plane. That the grades of that portion of Kapahulu road, in the District of Honolulu, City and County of Honolulu, Territory of Hawaii, lying between Waialae road and Kanaina avenue, as hereinafter set forth, are established in reference to a datum plane being meantide at said District of Honolulu and being located as follows, to-wit:

A bench mark at the foot of pillar at the left entrance of the Judiciary Building in said District of Honolulu, is 16.5 feet above said datum plane. Said grades are above said datum plane, the distances specified on a map which is on file in the office of the City and County Engineer, and is marked Grade Map No. 5.

SECTION 2. The sidewalk lines of said Kapahulu road, which are also the curb line, shall be parallel with and 14 feet from the following described center line, except as noted on Grade Map No. 5.

Commencing at a point in the center of Kapahulu road, which is by true azimuth 11° 48′ 30″ distant 14 feet from a monument which marks the intersection of the center line of Kapahulu road with the South side of Waialae road, said monument being by co-ordinates as referred to the Government Triangulation Survey Station, Mauumae 1155.4 feet North and 5160.7 feet West:

Thence running as follows by true azimuths 11° 48′ 30″—1793.3 feet to Hobron avenue;

Thence 9° 20′—960.1 feet to Winam avenue;

Thence 354° 36′—1306.0 feet to Campbell avenue;

Thence 29° 13′—1720.0 feet to Kanaina avenue; all of which with the grade elevations are more perfectly shown on the aforementioned Grade Map No. 5, which is hereby made a part of this ordinance.

Introduced by

LESTER PETRIE,
Supervisor.

Honolulu, T. H., July 29, 1913.

Approved this 6th day of August, A. D. 1913.

JOSEPH J. FERN,
Mayor.

ORDINANCE No. 47.

AN ORDINANCE RELATIVE TO THE ESTABLISHING OF GRADES AND SIDEWALK LINES ON KAPAHULU ROAD, FROM WAIALAE ROAD TO KANAINA AVENUE, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. Grades. Datum Plane. That the grades of that portion of Kapahulu road, in the District of Honolulu, City and County of Honolulu, Territory of Hawaii, lying between Waialae road and Kanaina avenue, as hereinafter set forth, are established in reference to a datum plane being meantide at said District of Honolulu and being located as follows, to-wit:

A bench mark at the foot of pillar at the left entrance of the Judiciary Building in said District of Honolulu, is 16.5 feet above said datum plane. Said grades are above said datum plane, the distance specified on a map which is on file in the office of the City and County Engineer, and is marked Grade Map No. 5.

SECTION 2. The sidewalk lines of said Kapahulu road, which are also the curb line, shall be parallel with and 14 feet from the following described center line, except as noted on Grade Map No. 5.

Commencing at a point in the center of Kapahulu road, which is by true azimuth 11° 48′ 30″, distant 14 feet from a monument which marks the intersection of the center line of Kapahulu road with the South side of Waialae road, said monument being by co-ordinates as referred to the Government Triangulation Survey Station, Mauumae, 1155.4 feet North and 5160.7 West;

Thence running as follows by true azimuths 11° 48′ 30″—1793.3 feet to Hobron avenue;

Thence 9° 20′—960.1 feet to Winam avenue;

Thence 354° 36′—1306.0 feet to Campbell avenue;

Thence 29° 13′—1720.0 feet to Kanaina avenue; all of which with the grade elevations are more perfectly shown on the aforementioned Grade Map No. 5, which is hereby made a part of this ordinance.

Introduced by

LESTER PETRIE,
Supervisor.

Honolulu, H. T., September 29, 1913.

Approved this 9th day of October, A. D. 1913.

JOSEPH J. FERN,
Mayor.

ORDINANCE No. 53.

AN ORDINANCE RELATIVE TO THE ESTABLISHING OF GRADES AND SIDEWALK LINES ON PAUOA ROAD, BETWEEN NUUANU AVENUE AND FORT STREET, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. Grades, Datum Plane. That the grades of that portion of Pauoa road, between Nuuanu avenue and Fort street, as shown on Grade Map No. 8, which is on file in the office of the City and County Engineer, are hereby established in reference to a datum plane, being meantide at said District of Honolulu, and being located as follows:

A bench mark on the coping at the foot of pillar at the left entrance of the Judiciary Building in said District of Honolulu, is 16.5 feet above said datum plane, said grades are above said datum plane, the distances specified on the aforesaid Grade Map No. 8.

SECTION 2. Sidewalk Lines. That the sidewalk lines which are also the curb lines shall be parallel with and 13.0 feet from the following described center line, except at street and lane intersections, the details of which are shown on said Grade Map No. 8:

Commencing at a point at the intersection of the South property line of Nuuanu avenue and the center line of Pauoa road, which is by co-ordinates referred to Punchbowl Triangulation Station North

2896.2 feet and West 1084.3 feet; this point also being located from a manhole on the North side of Nuuanu avenue by true azimuth 316° 58′—40.05 feet. Aforesaid manhole being by co-ordinates from Punchbowl Triangulation Station North 2927.5 feet and West 1111.6 feet. Proceeding from this initial point with an azimuth of 270° 00′ 30″—689.52 feet;

Thence on a curve to the right whose chord has an azimuth of 284° 52′—47.87 feet;

Thence on an azimuth of 298° 00′ to an intersection with the North property line of Fort street.

SECTION 3. Profile and Plan. That the details of grade and curb intersections are shown on a Map on file in the office of the City and County Engineer, City and County of Honolulu, marked Grade Map No. 8, which is hereby approved and made a part of this Ordinance.

Introduced by

L. PETRIE,
Supervisor.

Date of Introduction: December 16th, 1913.

Approved this 30th day of December, A. D. 1913.

JOSEPH J. FERN,
Mayor.

ORDINANCE No. 57.

AN ORDINANCE GIVING OFFICIAL NAMES TO CERTAIN STREETS IN PUIWA, NUUANU VALLEY, TO BE KNOWN RESPECTIVELY AS PUIWA, LAIMI AND PARK STREETS.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Puiwa Street.* The street or road heretofore existing in Puiwa, Nuuanu Valley, and running from Nuuanu road at right angles Easterly along Queen Emma Park, is hereby named Puiwa street.

SECTION 2. *Laimi Street.* The street or road next on the makai side of said Puiwa road, and likewise running at right angles to Nuuanu road Easterly, is hereby named Laimi street.

SECTION 3. *Park Street.* The street on the Easterly side of Nuuanu road and connecting Laimi street with Puiwa street, and any continuation thereof, is hereby named Park street.

Introduced by

L. PETRIE,
Supervisor.

Date of Introduction: April 7, 1914.

Approved this 17th day of April, A. D. 1914.

JOSEPH J. FERN,
Mayor, City and County of Honolulu.

ORDINANCE No. 59.

AN ORDINANCE PROVIDING FOR AN IMPROVEMENT DISTRICT FOR THE PURPOSE OF CONSTRUCTING STORM DRAINS IN A DISTRICT ESTABLISHED HEREBY, TO BE KNOWN AS "MANOA IMPROVEMENT DISTRICT No. 1."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. An improvement district, to be known as Manoa Improvement District No. 1, is hereby established for the construction of storm drains and all work incident to the establishment thereof.

SECTION 2. The Manoa Improvement District No. 1 shall be described as follows:

Beginning at the Government Triangulation Station, Rocky Hill, and running by true azimuths and distances as follows:

1. 180° 00′—1266.5 feet to a point approximately 450 feet North of the center line of Manoa road; thence running parallel to the center line of Upper Manoa road, on the following courses:
2. 239° 02′ 30″—384.2 feet;
3. 236° 03′—251.5 feet;
4. 238° 45′ 30″—2087.8 feet;
5. 235° 28′—384.6 feet;
6. 233° 37′—264.5 feet;
7. 227° 19′ 30″—723.7 feet;
8. 223° 22′ 30″—178.1 feet;
9. 218° 08′ 30″—322.0 feet;
10. 222° 24′ 30″—659.7 feet;
11. 227° 50′ 30″—377.0 feet; thence across Manoa road to a point approximately 450 feet south of Oahu avenue; thence
12. 308° 15′—853.0 feet;
13. 19° 58′—2610.0 feet;

14. 29° 21′—3685.0 feet;
15. 71° 45′—955.8 feet;
16. 94° 28′—1500.0 feet;
17. 180° 00′—1700.0 feet to the point of beginning.

Introduced by

L. PETRIE,
Supervisor.

Date of Introduction: April 7, 1914.

Approved this 17th day of April, A. D. 1914.

JOSEPH J. FERN,
Mayor, City and County of Honolulu.

ORDINANCE No. 61.

AN ORDINANCE TO ESTABLISH OFFICIAL NAMES FOR "MANOA ROAD" AND "EAST MANOA ROAD," IN MANOA VALLEY, DISTRICT OF HONOLULU.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Manoa Road.* The road now joining Punahou street Hastings street, and running Northeasterly or Mauka to the head of Manoa Valley, is hereby designated and named "Manoa road."

SECTION 2. *East Manoa Road.* The road joining the Manoa road at the public park, near the street now known as Kamehameha avenue, and running easterly across Manoa valley to a tract known as "Highland Park" is hereby designated and named "East Manoa road."

Introduced by

LESTER PETRIE,
Supervisor.

Date of Introduction: April 17, 1914.

Approved this 29th day of April, A. D. 1914.

JOSEPH J. FERN,
Mayor, City and County of Honolulu.

ORDINANCE No. 66.

AN ORDINANCE RELATIVE TO THE ESTABLISHING OF SIDEWALK LINES ON KALAKAUA AVENUE, FROM KING STREET TO ENA ROAD, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. Grades, Datum Plane. That the grades of that portion of Kalakaua avenue, in the District of Honolulu, City and County of Honolulu, Territory of Hawaii, lying between King street and Ena road, as hereinafter set forth, are established in reference to a datum plane being meantide at said District of Honolulu, and being located as follows, to-wit:

A bench mark at foot of pillar at the left entrance of the Judiciary Building in said District of Honolulu, is 16.5 feet above said datum plane. Said grades are above said datum plane, the distance specified on a map which is on file in the office of the City and County Engineer, and is marked Grade Map No. 6.

SECTION 2. The sidewalk lines of said Kalakaua avenue, which are also the curb line, shall be parallel with and 28.0 feet from the following described center line, except as noted on Grade Map No. 6.

Commencing at a point at the intersection of the South property line of King street and the center line of Kalakaua avenue, which is by co-ordinates as referred to Punchbowl Triangulation Survey Station South 5450.8 feet, and East 4152.4 feet, this point being also located from a Government Survey Street Monument near the North corner of Punahou and King streets, by true azimuths, 101° 28′ 30″—distance 303.0 feet, and running as follows by true azimuths:

1. 358° 44′ 30″—1298.9 feet; thence
2. 353° 16′ 30″—201.2 feet; thence
3. 348° 09′ 30″—184.8 feet; thence
4. 339° 37′ 00″—99.35 feet; thence
5. 334° 27′ 30″—1299.2 feet; thence
6. 332° 04′ 30″—786.4 feet to end of parking on the Ewa line of Ena road; all of which with grade elevations are more perfectly shown on the aforesaid Grade Map No. 6, which is hereby made a part of this ordinance.

Introduced by

LESTER PETRIE,
Supervisor.

Honolulu, T. H., September 28, 1914.

Approved this 13th day of October, A. D. 1914.

JOSEPH J. FERN,
Mayor, City and County of Honolulu.

ORDINANCE No. 69.

AN ORDINANCE DECLARING STREETS AND ALLEYS IN THE MANOA IMPROVEMENT DISTRICT No. 1 TO BE PUBLIC HIGHWAYS, AND ESTABLISHING THE OFFICIAL NAMES THEREOF.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Accepting All Streets in Manoa Improvement District No. 1 as Public Streets.* The streets, alleys and highways designated on the map of Manoa Improvement District No. 1 on file in the office of the City and County Engineer are hereby declared to be public highways.

SECTION 2. *Naming Streets in Said District.* The names of streets and highways designated on the map of Manoa Improvement District No. 1 on file in the office of the City and County Engineer are hereby declared to be the official names of such streets, respectively, as follows:

(1) Oahu Avenue, (2) Jones Street, (3) Vancouver Highway, (4) Parker Street, (5) Armstrong Street, (6) Kaala Avenue, (7) Hunnewell Street, (8) Kamehameha Avenue, (9) Maile Way, (10) Hyde Street, (11) Damon Street, (12) Atherton Road, (13) Lanihuli Drive, (14) Beckwith Street, (15) Liloa Rise, (16) Kuahina Drive, (17) East Manoa Road, (18) Manoa Road, (19) Ferdinand Avenue, (20) Ferdinand Street, (21) Adolph Street, (22) Terrace Road, (23) Cooper Road, (24) McKinley Street, (25) Hillside Avenue, (26) Metcalf Street, (27) Marques Street, (28) Rocky Hill Street, (29) Pokole Street, (30) Clement Street, (31) Gore Road, (32) Chamberlain Street.

Introduced by

LESTER PETRIE,
Supervisor.

Date of Introduction: October 20, 1914.

Approved this 5th day of November, A. D. 1914.

JOSEPH J. FERN,
Mayor, City and County of Honolulu.

ORDINANCE No. 70.

AN ORDINANCE RELATIVE TO THE ESTABLISHING OF GRADES AND SIDEWALK LINES ON A PORTION OF WAIALAE ROAD, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. Grades, Datum Plane. That the grade of that portion of Waialae road in the District of Honolulu, City and County of Honolulu, Territory of Hawaii, lying between the Pahoa Stream and Koko Head avenue, as shown on a map which is on file in the office of the City and County Engineer, and is marked Grade Map No. 7, are hereby established in reference to a datum plane, being meantide at the said District of Honolulu, and being located as follows, to-wit:

A bench mark on the coping at foot of pillar at the left entrance of the Judiciary Building in the said District of Honolulu, is 16.5 feet above said datum plane, said grades are all above said datum plane, the distances specified on said Grade Map No. 7.

SECTION 2. *Sidewalk Lines.* That the sidewalk lines on said Waialae road, between Pahoa Stream and Koko Head avenue, in the said District of Honolulu, the same being the Curb line, shall be parallel with and 20.0 feet from the following described center line:

Commencing at a point in the center of Waialae road about 80.0 feet Southeasterly from Pahoa Stream, which is by co-ordinates North 1329.81 feet, and West 5670.49 feet from Mauumae Triangulation Station;

Thence by true azimuth 309° 47′—209.1 feet;

Thence curving to the left the true azimuth of its cord being 289° 23′—301.17 feet;

Thence 368° 59′—232.0 feet;

Thence curving to the right whose cord has an azimuth of 283° 45′ 15″—358.35 feet;

Thence on an azimuth of 298° 31′ 30″—5930 feet, more or less, to the North property line of Koko Head avenue.

SECTION 3. *Profile and Plan.* That the details of grades and curbs are more fully set forth on aforesaid Grade Map No. 7, which is hereby approved and made a part of this Ordinance.

Introduced by

LESTER PETRIE,
Supervisor.

Date of Introduction: December 16, 1913.

Approved this 17th day of November, A. D. 1914.

JOSEPH J. FERN,
Mayor.

ORDINANCE No. 75.

AN ORDINANCE RELATIVE TO THE ESTABLISHMENT OF GRADES AND SIDEWALK LINES IN THE AUWAIOLIMU TRACT, IN THE DISTRICT OF HONOLULU, AND REPEALING ORDINANCE No. 48, AS AMENDED BY ORDINANCE No. 68.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Grade, Finished Center Line Grade, Datum Plane.* The curb grades and finished grades of the center lines of the streets in the Auwaiolimu Tract, in the District of Honolulu, City and County of Honolulu, are hereby established in reference to a datum plane being meantide at the said District of Honolulu, and the same located as follows, to-wit:

A bench mark at the foot of pillar on the left side of the front entrance to the Judiciary Building, in said District of Honolulu, is 16.5 feet above said datum plane.

Said grades are above said datum plane the distance specified on a map, which is on file in the office of the City and County Engineer, and is marked "Grade Map No. 4," consisting of twenty (20) sheets numbered consecutively from 1 to 20, inclusive.

SECTION 2. The sidewalk lines of streets which are also the curb lines shall be parallel with and at a distance from the described center line shown on Grade Map No. 4, which is hereby made a part of this Ordinance.

SECTION 3. *Iolani Avenue.* The center line of Iolani avenue is hereby established as follows:

Beginning at the intersection of the center lines of Lusitana street and Iolani avenue, this point being marked by a Government Survey Monument whose co-ordinates are North 292.6 feet, West 1256.1 feet, and running by true azimuths and distances:

1. 324° 34′ 30″—1565.53 feet to the beginning of a ten (10) degree curve to the left, thence along this ten (10) degree curve to the left, the azimuth and distance of the long chord being,
2. 307° 53′ 15″—329.5 feet; thence
3. 291° 12′ 00″—13.03 feet to a survey monument.

SECTION 4. *Magellan Avenue.* The center line of Magellan avenue is hereby established as follows:

Beginning at a Government Survey Monument, which is at the intersection of the center lines of Captain Cook avenue and Magellan avenue, also on the North property line of Alapai street and running by true azimuths and distances:

1. 163° 08′ 30″—2106.6 feet to the center line of Iolani avenue.

SECTION 5. *Captain Cook Avenue.* The center line of Captain Cook avenue is hereby established as follows:

Beginning at a Government Survey Monument which is at the intersection of the center lines of Captain Cook avenue and Magellan avenue, also on the North property line of Alapai street and running by true azimuth and distance:

1. 135° 03′ 00″—995.8 feet to a survey monument on the Mauka side of Lusitana street.

SECTION 6. *Kamamalu Avenue.* The center line of Kamamalu avenue is hereby established as follows:

Beginning at a monument on the center line of Kamamalu avenue which is also the point of intersection of the semi-tangents of the second curve above Lusitana street on Puowaina drive, and running by true azimuths and distances:

1. 39° 11′ 00″—847.65 feet to the beginning of a curve to the left, the radius of which is 70.0 feet; thence along this curve whose radius is 70.0 feet, the azimuth and distance of the long chord being:

2. 350° 04′ 30″—105.83 feet; thence

3. 300° 58′ 00″—154.58 feet to the beginning of a curve to the right, the radius of which is 70.0 feet; thence along this curve whose radius is 70.0 feet, the azimuth and distance of the long chord being:

4. 359° 11′ 30″—119.02 feet to the beginning of a curve to the left, the radius of which is 348.5 feet; thence along this curve to the left, whose radius is 348.5 feet, the azimuth and distance of the long chord being:

5. 10° 59′ 45″—504.9 feet to a point on the center line of Iolani avenue.

SECTION 7. *Puowaina Drive.* The center line of Puowaina Drive is hereby established as follows:

Beginning at a point which is the intersection of the center lines of Puowaina drive and Lusitana street, this point being by true azimuth and distance 208° 46′—180.0 feet from a Government Survey Monument whose co-ordinates from Punchbowl Triangulation Station are North 687.3 feet, West 1176.0 feet, and running by true azimuths and distances:

1. 234° 39′ 00″—410.3 feet to the beginning of a ten (10) degree curve to the right; thence along this ten (10) degree curve to the right, the azimuth and distance of the long chord being:

2. 241° 51′ 30″—143.97 feet; thence

3. 249° 04′ 00″—139.73 feet to the beginning of a fourteen (14) degree curve to the left; thence along this fourteen (14) degree curve to the left, the azimuth and distance of the long chord being:

4. 236° 21′ 30″—180.53 feet; thence

5. 223° 39′ 00″—89.03 feet to the beginning of a sixteen (16) degree curve to the right; thence along this sixteen (16) degree curve to the right, the azimuth and distance of the long chord being:

6. 235° 29′ 00″—147.34 feet; thence

7. 247° 19′ 00″—194.24 feet; thence

8. 272° 20′ 00″—47.1 feet to the beginning of a thirteen (13) degree curve to the left; thence along this thirteen (13) degree curve to the left, the azimuth and distance of the long chord being:

9. 260° 02′ 30″—188.06 feet; thence

10. 247° 45′ 00″—233.7 feet to the beginning of a curve, the radius of which is 120.0 feet; thence along this curve whose radius is 120.0 feet, the azimuth and distance of the long chord being:

11. 263° 29′ 00″—65.08 feet, thence along a curve of the same degree of curvature, the azimuth and distance of the long chord of the remainder being,

12. 310° 28′ 30″—124.5 feet.

SECTION 8. *Auwaiolimu Street.* The center line of Auwaiolimu street is hereby established as follows:

Beginning at a point which is the intersection of the center lines of Lusitana street and Auwaiolimu street this point being by true azimuth and distance 240° 02′—114.56 feet from a Government Survey Monument whose co-ordinates are North 1919.7 feet, and West 66.4 feet, and running by true azimuths and distances:

1. 282° 13′ 00″—741.41 feet to the beginning of a curve to the left, the radius of which is 180 feet; thence along this curve the azimuth and distance of the long chord being:

2. 266° 53′ 00″—95.2 feet, thence along a curve to the right, the radius of which is 300.0 feet, the azimuth and distance of the long chord being:

3. 266° 02′ 00″—150.0 feet.

SECTION 9. *Perry Street.* The center line of Perry street is hereby established as follows:

Beginning at a point which is the intersection of the center lines of Lusitana street and Perry street, and is by true azimuth and distance 191° 35′—109.65 feet from the Mauka Survey Monument at School and Emma streets, and running:

1. 292° 39′ 00″—310.45 feet to the beginning of a curve to the left, the radius of which is 280.0 feet; thence along this curve whose radius is 280.0 feet, the azimuth and distance of the long chord being:

2. 283° 24′ 00″—90.02 feet; thence

3. 274° 09′ 00″—441.5 feet to Prospect street.

SECTION 10. *Bernice Street.* The center line of Bernice street is hereby established as follows:

Beginning at a point on the semi-tangent of the center line curve of Lusitana street, and located near Miller street, this point being by true azimuth and distance 176° 24′ 30″—51.84 feet from a Government Survey Monument whose co-ordinates are South 1101.3 feet, West 1323.6 feet, and running by true azimuth and distance:

1. 253° 08′ 30″—1125.0 feet.

SECTION 11. *Madeira Street.* The center line of Madeira street is hereby established as follows:

Beginning at a point which is the intersection of the center lines of Madeira street and Puowaina drive, this point being by true azimuth and distance 39° 11′—101.15 feet from a survey monument which at the intersection of the semi-tangent of the first curve to the right on Puowaina drive, and running by true azimuth and distance:

1. 298° 48′ 00″—635.0 feet.

SECTION 12. *Azores Street.* The center line of Azores street is hereby established as follows:

Beginning at a point which is the intersection of the center lines of Kamamalu avenue and Azores street, this point being by true azimuth and distance 39° 11′—101.15 feet from a survery monument which is at the intersection of the semi-tangents of the nearest curve on Puowaina drive, then running by true azimuth and distance:

1. 298° 48′ 00″—315.0 feet.

SECTION 13. *Pele Street.* The center line of Pele street is hereby established as follows:

Beginning at a point which is the intersection of the center lines of Lusitana street and Pele street, this point being by true azimuth and distance 356° 24′ 30″—305.95 feet from a Government Survey Monument, which is at the intersection of the semi-tangents of the center line curve of Lusitana street near Punchbowl street. The co-ordinates of this monument referred to Punchbowl Triangulation Station are South 395.6 feet, West 1367.8 feet, and running by true azimuths and distances:

1. 253° 08′ 30″—997.0 feet.

SECTION 14. *Concordia Street.* The center line of Concordia street is hereby established as follows:

Beginning at a point which is the intersection of the center lines of Lusitana street and Concordia street, this point being by true azimuth and distance 228° 11′—262.05 feet from the first survey monument below Concordia street. The co-ordinates of this monument referred to Punchbowl Triangulation Station are North 1369.2 feet, West 681.3 feet, and running by true azimuth and distance:

1. 318° 11′ 00″—267.87 feet to Puowaina drive.

SECTION 15. *Pioneer Street.* The center line of Pioneer street is hereby established as follows:

Beginning at a point on the semi-tangent of the center line curve of Lusitana street near Punchbowl street, this point being by true azimuth and distance 189° 13′—46.80 feet from the Government Survey monument which is at the intersection of the semi-tangents of the center line curve of Lusitana street. The co-ordinates of this monument referred to Punchbowl Triangulation Station being South 395.6 feet, West 1367.8 feet, and running by true azimuth and distance:

1. 253° 08′ 30″—287.0 feet to Magellan avenue.

SECTION 16. *Lanakila Street.* The center line of Lanakila street is hereby established as follows:

Beginning at a point which is the intersection of the center lines of Lanakila street and Lusitana street, this point being by true azimuth and distance 161° 34′ 30″—122.0 feet from a Government Survey Monument on Lusitana street, and whose co-ordinates are South 1941.7 feet, West 1043.8 feet and running by true azimuth and distance:

1. 225° 03′ 00″—365.0 feet.

SECTION 17. *Frear Street.* The center line of Frear street is established as follows:

Beginning at a point which is the intersection of the center lines of Frear street and Captain Cook avenue, this point being by true azimuth and distance 135° 03′—256.82 feet from a monument on the center line of Captain Cook avenue and Mauka boundary of Lusitana street, and running by true azimuths and distances:

1. 253° 08′ 30″—318.0 feet to the Makai property line of Magellan avenue; thence

2. 237° 46′ 00″—103.78 feet to the beginning of a ten degree (10°) curve to the right, thence along this ten degree (10°) curve to the right, the azimuth and distance of the long chord being:

3. 245° 27′ 15″—153.49 feet; thence

4. 253° 08′ 30″—244.50 feet to Iolani avenue.

SECTION 18. *San Antonio Street.* The center line of San Antonio street is established as follows:

Beginning at a point which is the intersection of the center lines of Lusitana street and San Antonio street, this point being by true azimuth and distance 240° 02′—73.0 feet from the first Government Survey Monument Makai of San Antonio Street. The co-ordinates of this monument referred to Punchbowl Triangulation Station are North 1919.7 feet, West 66.4 feet, and running by true azimuth and distance:

1. 7° 00′ 00″—867.6 feet to Prospect street.

SECTION 19. *Lisbon Street.* The center line of Lisbon street is hereby established as follows:

Beginning at a point which is the intersection of the center lines of Lisbon street and Lusitana street, the azimuth and distance being 150° 15′ 30″—144.34 feet from a Government Survey Monument at Alapai and Lusitana streets, the coordinates of this monument being South 2178.1 feet, West 908.5 feet, and running by true azimuth and distance:

1. 57° 15′ 00″—655.0 feet to Beretania street.

SECTION 20. *Lusitana Street.* The sidewalk lines of Lusitana street, which shall also constitute the curb lines, shall be parallel with and 16.0 feet distant from the following described center line, except as noted on Grade Map No. 4 on file in the office of the City and County Engineer, to which reference is hereby made:

Commencing at a point at the intersection of the center line of Lusitana street and the North property line of Alapai street, the co-ordinates of this point from Punchbowl Triangulation Station being

2178.1 feet South, and 908.5 feet West, thence running by true azimuth and distance as follows:

1. 150° 15′ 30″—215.47 feet to the beginning of a ten degree (10°) curve to the right; thence along a ten degree (10°) curve to the right, the azimuth and distance of the long chord being:

2. 155° 55′ 00″—113.1 feet; thence

3. 161° 34′ 30″—754.1 feet to the beginning of a ten degree (10°) curve to the right; thence along a ten degree (10°) curve to the right, the azimuth and distance of the long chord being;

4. 168° 59′ 30″—148.1 feet; thence

5. 176° 24′ 30″—552.0 feet to the beginning of an eight degree (8°) curve to the right; thence along an eight degree (8°) curve to the right, the azimuth and distance of the long chord being:

6. 182° 48′ 45″—159.8 feet; thence

7. 189° 13′ 00″—636.2 feet to a point 19.37 feet beyond Government Survey Monument at the intersection of Lusitana and Iolani streets; thence

8. 191° 35′ 00″—296.6 feet to the beginning of a ten degree (10°) curve to the right; thence along a ten degree (10°) curve to the right, the azimuth and distance of the long chord being:

9. 200° 10′ 30″—171.4 feet; thence

10. 208° 46′ 00″—242.5 feet to the beginning of a ten degree (10°) curve to the right; thence along a ten degree (10°) curve to the right, the azimuth and distance of the long chord being:

11. 215° 32′ 30″—135.3 feet; thence

12. 222° 19′ 00″—353.4 feet to the beginning of a ten degree (10°) curve to the right; thence along a ten degree (10°) curve to the right, the azimuth and distance of the long chord being:

13. 225° 15′ 00″—58.7 feet; thence

14. 228° 11′ 00″—710.8 feet to the beginning of a ten degree (10°) curve to the right; thence along a ten degree (10°) curve to the right, the azimuth and distance of the long chord being:

15. 234° 06′ 30″—169.1 feet; thence

16. 240° 02′ 00″—208.15 feet to the beginning of a twenty-three degree and twenty minute (23° 20′) curve to the left; thence along a twenty-three degree and twenty minute (23° 20′) curve to the left, the azimuth and distance of the long chord being:

17. 217° 27′ 30″—189.87 feet to the center of South end of Pauoa Bridge.

SECTION 21. *Whiting Street.* The center line of Whiting street is hereby established as follows:

Beginning at a point which is the intersecton of the center lines of Puowaina drive and Whiting street, this point being by true azimuth and distance 247° 45′—310.93 feet from a Survey Monument which is at the intersection of the semi-tangents of the first curve North of San Antonio avenue on Puowaina drive, and running by true azimuth and distance:

1. 236° 40′—345.56 feet to Auwaiolimu street.

SECTION 22. Ordinance No. 48 as amended by Ordinance No. 68 is hereby repealed.

SECTION 23. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: March 23, 1915.

Approved this 16th day of April, A. D. 1915.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE No. 79.

AN ORDINANCE RELATIVE TO THE ESTABLISHMENT OF GRADES AND SIDEWALK LINES ON PUNCHBOWL STREET, FROM LUSITANA STREET TO BERETANIA STREET.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Grade. Finished Center Line Grade, Datum Plane.* The curb grades and finished grades of the center line of Punchbowl street from Lusitana street to Beretania street, in the District of Honolulu, City and County of Honolulu, are hereby established in reference to a datum plane, being meantide at the said District of Honolulu, and the same located as follows, to-wit:

A bench mark at the foot of the pillar on the left side of the front entrance to the Judiciary Building, in said District of Honolulu, is 16.5 feet above said datum plane.

Said grades are above said datum plane the distances specified on a map, which is on file in the office of the City and County Engineer and is marked Grade Map No. 12.

SECTION 2. *Sidewalk Lines.* The sidewalk lines, which are also the curb lines on Punchbowl street, between Lusitana and Beretania streets, in said District of Honolulu, shall be parallel with and at distances from the described center line shown on Grade Map No. 12, which is hereby made a part of this Ordinance.

SECTION 3. *Center Line.* The center line of Punchbowl street, from Lusitana street to Beretania street, is hereby established as follows:

Beginning at a point on the semi-tangent of the center line curve of Lusitana street near Punchbowl street, this point being by true azimuth and distance 189° 13′—77.36 feet from the Government Survey Monument which is at the intersection of the semi-tangents of the center line curve of Lusitana street. The co-ordinate of this monument referred to Punchbowl Triangulation Station, being South 395.6 feet, West 1367.8 feet, and running by true azimuths and distances:

1. 57° 29′—351.04 feet to the beginning of a curve to the left, the radius of which is 193.19 feet; thence along a curve to the left, the radius of which is 193.19 feet, the azimuth and distance of the long chord being:

2. 37° 35′—131.51 feet; thence

3. 17° 41′—1164.25 feet to the beginning of a curve to the right, the radius of which is 383.06 feet; thence along a curve to the right, the radius of which is 383.06 feet, the azimuth and distance of the long chord being:

4. 27° 30′—130.62 feet; thence

5. 37° 19′—201.57 feet to a point which is by true azimuth and distance 137° 19′—7.27 feet from the Government Survey Monument at Punchbowl and Beretania streets.

SECTION 4. *Profile and Plan.* Grade Map No. 12 on file in the office of the Engineer of the City and County of Honolulu is hereby approved and adopted as the profile and plan of said grade and sidewalk lines.

SECTION 5. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: April 28, 1915.

Approved this 18th day of May, A. D. 1915.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE No. 82.

AN ORDINANCE RELATIVE TO THE ESTABLISHMENT OF GRADES AND SIDEWALK LINES ON KALAKAUA AVENUE, FROM KAPIOLANI PARK BRIDGE TO THE SOUTHEAST BOUNDARY LINE OF MRS. BEATRICE C. BECKLEY'S PROPERTY, PALIKAI ROAD.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. Grades, Datum Plane. That the grades of that portion of Kalakaua avenue, in the District of Honolulu, City and County of Honolulu, Territory of Hawaii, lying between Kapiolani Park bridge and the Southeast boundary line of Mrs. Beatrice C. Beckley's property on Palikai road, as hereinafter set forth, are established in reference to a datum plane being meantide at said District of Honolulu, and being located as follows, to-wit:

A bench mark at the foot of pillar at the left entrance of the Judiciary Building in said District of Honolulu, is 16.5 feet above said datum plane. Said grades are above said datum plane, the distances specified on a map which is on file in the office of the City and County Engineer, and is marked Grade Map No. 8.

SECTION 2. The sidewalk lines of said Kalakaua avenue, lying between Kapiolani Park bridge and the Southeast boundary line of Mrs. Beatrice C. Beckley's property on Palikai road, which are also the curb lines, shall be parallel with and 12 feet from the following described center line, except as noted on Grade Map No. 8.

Commencing at a point which marks the end of course No. 20 of Kalakaua Avenue Ordinance No. 13, said point being by co-ordinates as referred to the Government Triangulation Survey Station "Leahi" North 3641.9 feet, and West 3964.8 feet, and being also by true azimuth 156° 47′—distant 53.19 feet from a City Survey Street Monument, which marks the center line intersections of the end of Kalakaua Avenue Ordinance No. 13 and this survey, and running as follows by true azimuths:

1. On a curve to the right with a radius of 573.68 feet, to tangent, the direct bearing and distance being 342° 04′ 15″—105.89 feet;
2. 347° 22′ 30″—3285.6 feet; thence on a curve to the left with a radius of 243.8 feet, the direct bearing and distance being:
3. 337° 40′ 15″—82.7 feet; thence
4. 327° 58′ 00″—524.9 feet; thence on a curve to the left with a radius of 136.4 feet, the direct bearing and distance being.
5. 292° 28′ 30″—158.4 feet; thence
6. 256° 59′ 00″—50.0 feet; thence on a curve to the left, with a radius of 376.4 feet, the direct bearing and distance being:
7. 250° 55′ 00″—79.6 feet; thence
8. 244° 51′ 00″—67.7 feet; thence on a curve to the right, with a radius of 50.0 feet, the direct bearing and distance being:
9. 279° 50′ 30″—70.7 feet; thence
10. 334° 50′ 00″—650.4 feet.

SECTION 3. *Profile and Plan.* That Grade Map No. 8 on file in the office of the Engineer of the City and County of Honolulu is hereby approved and adopted as the profile and plan of said grade and sidewalk lines.

SECTION 4. This Ordinance shall take effect fifteen days from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: May 27, 1915.

Approved this 5th day of June, A. D. 1915.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE No. 92.

AN ORDINANCE RELATIVE TO THE LOCATION AND ESTABLISHMENT OF CENTER LINES, CURB LINES AND GRADES OF ALL STREETS WITHIN THE MANOA IMPROVEMENT DISTRICT No. 1 IN MANOA VALLEY, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII, AND REPEALING ORDINANCE No. 62, BEING AN ORDINANCE ENTITLED "AN ORDINANCE RELATIVE TO THE ESTABLISHMENT OF GRADES AND SIDEWALK LINES ON EAST MANOA ROAD, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Lines. Center Lines. Curb Lines.* That the lines of all streets within the Manoa Improvement District No. 1, are established by center lines, as hereinafter specified. The curb lines of said streets shall be parallel with and at distances on either side of the center lines, as hereinafter set forth, except that, at the intersection of streets, the otherwise intersecting curb lines shall be connected by a uniform curve, as shown in detail by Grade Map No. 10, as hereinafter adopted and incorporated.

SECTION 2. *Grades. Datum Plane.* That all grades and elevations within the Manoa Improvement District No. 1, are hereby established in reference to a datum plane, being meantide at the said District of Honolulu, and located as follows, to-wit:

A bench mark at the foot of pillar at the left of the entrance to the Judiciary Building, in said District of Honolulu, is 16.5 feet above said datum plane.

Said grades shall have a uniform slope in a straight line between points hereinafter established, except where specifically stated to the contrary, and the distances of said grades above said datum plane are as established hereinafter, and as shown upon Grade Map No. 10 hereinafter adopted, and incorporated herein by reference.

SECTION 3. *Curb Grades. Finished Center Line Grades.* That the grades and elevations of all streets hereinafter established, shall be the curb grades and elevations thereof as hereinafter set forth, being the same as shown on Grade Map No. 10, hereinafter adopted and incorporated.

Finished center line grades for all streets shall be at such distances above or below the curb grades as a distance of six inches below said curb grades at the curb lines, and the width of the streets as hereinafter specified and crown of the streets may determine, the crown being measured at the rate of one-quarter to one-half inch per foot upward to the center line.

KUAHINE DRIVE.

SECTION 4. *Center Line of Kuahine Drive.* That the center line of Kuahine Drive shall be and is established as follows:

Beginning at a point on Manoa Road, said point being by true azimuth 240° 47′ 30″ and distant 295.0 feet from a Government Survey Monument on Manoa road, the co-ordinates of which referred to the Government Survey Triangulation Station "Punchbowl," being South 1187.03 feet, and East 9966.93 feet, and running thence by true azimuths as follows:

1. 284° 31′—38.7 feet, which is the azimuth and distance of the long chord of a curve to the left, the radius of which is 45.4 feet; thence

2. 259° 15′ 30″—33.32 feet; thence on a curve to the right, the radius of which is 313.0 feet, the azimuth and distance of the long chord being:

3. 301° 11′ 00″—418.3 feet; thence on a curve to the right, the radius of which is 46.4 feet, the azimuth and distance of the long chord being:

4. 21° 42′ 30″—57.9 feet; thence on a curve to the left, the radius of which is 101.38 feet, the azimuth and distance of the long chord being,

5. 27° 57′ 30″—108.5 feet, to the end of Kuahine drive.

SECTION 5. *Curb Lines. Kuahine Drive.* That the curb lines of Kuahine drive shall be parallel with and distant ten feet on either side of the center line described in Section 4 hereof, except that at the junction with Hillside avenue, the north curb line of Kuahine drive shall be parallel with and at a distance of ten feet north of the connecting curve more particularly described in Section 13 hereinbelow. The radius of curb connections at Manoa road and East Manoa road is 18 feet.

SECTION 6. *Curb Grades. Kuahine Drive.* That the curb grades of Kuahine drive shall be and are established as follows:

Beginning at the point described in Section 4 hereof as the initial point of Kuahine drive center line, the curb elevation of said point being 258.4 feet, said point being also the beginning of a vertical curve 110 feet in length, the elevation of the point of intersection of grades being 258.4 feet, the elevation of the end of vertical curve being 253.34 feet, thence on a nine and two-tenths per cent (9.2%) grade downwards for a distance of 410 feet to the beginning of a vertical curve, 200 feet in length, the elevation of said point of beginning being 215.62 feet, the elevation of the point of intersection of grades being 206.42 feet, the elevation of the end of the vertical curve being 202.42 feet.

COOPER ROAD.

SECTION 7. *Center Line. Cooper Road.* That the center line of Cooper road shall be and is established as follows:

Beginning at a point on Oahu avenue, said point being the true azimuth, 216° 55′ and distant 974.0 feet from a City Street Survey Monument at the intersection of Oahu avenue and East Manoa road, the co-ordinates of which referred to the Government survey Triangulation Station "Punchbowl," being South 1505.37 feet, and East 11,231.48 feet, and running thence by true azimuths as follows:

1. 126° 55′—271.35 feet to the intersection with the prolongation of the center line of the thirty foot width extension of Cooper road; thence

2. 134° 20′—425.03 feet to the South street line of Manoa road, said point being by true azimuth 229° 42′ 30″, and distant 330.87 feet from a Government Survey Street Monument in Manoa road, the coordinates of which referred to the Government Survey Triangulation Station "Punchbowl", being South 480.62 feet, and East 11,043.18 feet.

SECTION 8. *Curb Lines. Cooper Road.* That the curb lines of Cooper road shall be parallel with and distant ten feet on either side of the center line described in Section 7 hereof, except that the South curb line parallel to the first course shall be continued without deflection to an intersection with the South curb line of Hillside avenue. The radius of all curb connections at Oahu avenue, Hillside avenue and Manoa road is 18 feet.

SECTION 9. *Curb Grades. Cooper Road.* That the curb grades of Cooper road shall be and are established as follows:

Beginning at the point described in Section 7 hereof, as the initial point of the center line of Cooper road, the curb elevation of said point being 185.4 feet, said point being also the beginning of a vertical curve 100 feet long, the elevation of the point of intersection of grades being 186.1 feet, the elevation of the end of said vertical curve being 189.6 feet, thence on a seven per cent (7.0%) grade upward for a distance of 140 feet to the beginning of a vertical curve 100 feet long,

the elevation of said point of beginning being 199.4 feet, the elevation of the intersection of grades being 202.9 feet, the elevation of the end of said vertical curve being 204.4 feet, thence on a three per cent (3%) slope upward, a distance of ten feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 204.7 feet, the elevation of the intersection of grades being 206.2 feet, the elevation of the end of said vertical curve being 213.7 feet, thence on a fifteen per cent (15%) grade upward, a distance of 200 feet to the beginning of a vertical curve fifty (50) feet long, the elevation of the point of beginning being 243.7 feet, the elevation of the intersection of grades being 247.45 feet, the elevation of the end of said vertical curve being 248.7 feet.

TERRACE ROAD.

SECTION 10. *Center Line. Terrace Road.* That the center line of Terrace road shall be and is established as follows:

Beginning at a point on the center line of Manoa road, said point being by true azimuth 235° 28′ and distant 84.49 feet from a Government Survey Street Monument in Manoa road East of Kuahine drive, the co-ordinates of which referred to the Government Survey Triangulation Station "Punchbowl," being South 855.48 feet, and East 10,513.49 feet, and running thence by true azimuths as follows:

1. 324° 37′—314.87 feet; thence on a curve to the left, the radius of which is 35.0 feet, the azimuth and distance of the long chord being:
2. 279° 37′—49.5 feet; thence
3. 234° 37′—530.0 feet; thence on a curve to the left, the radius of which is 35.0 feet, the azimuth and distance of the long chord being:
4. 189° 37′—49.5 feet; thence
5. 144° 37′—319.4 feet to a point on the center line of Manoa road, which is by true azimuth 227° 19′ 30″, and distant 35.74 feet from a Government Street Survey Monument in Manoa road, the co-ordinates of which referred to the Government Survey Triangulation Station "Punchbowl" are South 480.62 feet and East 11,043.18 feet.

SECTION 11. *Curb Lines. Terrace Road.* That the curb lines of Terrace road shall be parallel with and distant eight (8.0) feet on either side of the center line described in Section 10 hereof, except that, along course 3, described therein, the North curb line shall be parallel with and distant two (2.0) feet, and the South curb line shall be parallel with and distant fourteen (14.0) feet therefrom, and except also that the curb lines at the curves, described as courses 2 and 4, in Section 10 hereof, are determined by an independent curb center line, the radius of which is 41.0 feet, the distances to the curb on either side of said independent curb center line being eight (8.0) feet. The radius of all curb connections with Manoa road is 18.0 feet.

SECTION 12. *Curb Grades. Terrace Road.* That the curb grades of Terrace road shall be and are established as follows:

Beginning at a point which is described in Section 10 hereof as the initial point of Terrace road center line, the curb elevation of said point being 270.8 and running thence on a one and six-tenths per cent (1.6%) grade downward for 200 feet to the beginning of vertical curve 200 feet in length, the elevation of said point of beginning being 267.6 feet, the elevation of the intersection of grades being 266.0 feet, the elevation of the end of said vertical curve being 267.0 feet, thence on a one per cent (1.0%) grade upward for 190.0 feet to the beginning of a vertical curve 100 feet in length, the elevation of said point of beginning being 268.9 feet, the elevation of the intersection of grades being 269.4 feet, the elevation of the end of said vertical curve being 265.4 feet, thence on an eight per cent (8.0%) grade downward for 110.0 feet to the beginning of a vertical curve 200 feet in length, the elevation of the point of beginning being 256.6 feet, the elevation of the intersection of grades being 248.6 feet, the elevation of the end of said vertical curve being 253.0 feet, thence on a four and four-tenths per cent (4.4%) grade upward for 170.0 feet to the beginning of a vertical curve 100 feet in length, the elevation of the point of beginning being 260.48 feet, the elevation of the intersection of grades being 262.68 feet, the elevation of the end of said vertical curve being 263.18.

HILLSIDE AVENUE.

SECTION 13. *Center Line. Hillside Avenue.* That the center line of Hillside avenue shall be and is established as follows:

Beginning at a point on the center line of Kuahine drive, said point being by true azimuth 207° 57′ 30″, and distant 108.5 feet from the point described above as the end of Kuahine drive, and running thence by true azimuths as follows:

1. 248° 54′ 15″—30.3 feet, being the azimuth and distance of the long chord of a curve to the right, the radius of which is 101.38 feet; thence

2. 257° 30′ 00″—108.2 feet to the point of tangent of a connecting curve from Kuahine drive, the radius of which is 115.48 feet, the azimuth and distance of its long chord being 296° 01′ 30″—143.85 feet; thence

3. 257° 30′ 00″—50.0 feet; thence on a curve to the left, the radius of which is 874.18 feet, the azimuth and distance of the long chord being

4. 227° 56′ 45″—862.38 feet; thence on a curve to the right, the radius of which is 536.6 feet, the azimuth and distance of the long chord being

5. 207° 39′ 15″—172.74 feet.

SECTION 14. *Curb Lines. Hillside Avenue.* That the curb lines of Hillside avenue shall be parallel with and distant ten (10) feet on either side of the center line described in Section 13 above, except that, at the junction with Kuahine drive the north curb line follows the

connecting curve from Kuahine drive in the manner described under Section 5 hereof. The radius of curb connections at Cooper road is 18.0 feet.

SECTION 15. *Curb Grades. Hillside Avenue.* That the curb grades of Hillside avenue shall be and are established as follows:

Beginning at the point described in Section 13 above as the initial point of Hillside avenue center line, the elevation of said point being 209.6 feet, and running thence on a ten (10.0) per cent grade upward for fifty (50.0) feet to the beginning of a vertical curve 100 feet long, the elevation of the said point of beginning being 214.6 feet, the elevation of the intersection of grades being 219.6 feet, the elevation of the end of said vertical curve being 219.0 feet, thence on a one and two-tenths (1.2) per cent grade downward for twenty (20.0) feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 218.76 feet, the elevation of the intersection of grades being 218.16 feet, the elevation of the end of said vertical curve being 215.46 feet, thence on a five and four-tenths (5.4) per cent grade downward for seventy (70.0) feet to the beginning of a vertical curve 200 feet long, the elevation of the point of beginning being 211.68 feet, the elevation of the intersection of grades being 206.28 feet, the elevation of the end of said vertical curve being 211.68 feet, thence on a five and four-tenths (5.4) per cent grade upward for ninety (90.0) feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 216.54 feet, the elevation of the intersection of grades being 219.24 feet, the elevation of the end of said vertical curve being 218.49 feet, thence on a one and one-half (1.5) per cent grade downward for a distance of 370.0 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 212.94 feet, the elevation of the intersection of grades being 212.19 feet, the elevation of the end of said vertical curve being 208.29 feet, thence on a reverse vertical curve 100 feet long, the elevation of the intersection of grades being 204.39 feet, the elevation of the end of said reverse vertical curve being 204.39 feet.

DORIS PLACE.

SECTION 16. *Center Line. Doris Place.* That the center line of Doris Place shall be and is established as follows:

Beginning at a point on the center line of East Manoa road, said point by true azimuth 280° 00′ and distant 277.58 feet from a City Street Survey Monument at the intersection of Oahu avenue and East Manoa road, the co-ordinates of which, referred to the Government Survey Triangulation Station "Punchbowl", being South 1505.37 feet, and East 11,231.48 feet, and running by true azimuth as follows:

1. 216° 55′—364.46 feet to the end of Doris place.

SECTION 17. *Curb Lines. Doris Place.* That the curb lines shall be parallel with and distant eight feet on either side of the center line

described in Section 16, above. The radii of the curb connections at Manoa road are 18.0 feet, and 10.0 feet respectively for the North and South curb lines of Doris place.

SECTION 18. *Curb Grades. Doris Place.* That the curb grades of Doris place shall be and are established as follows:

Beginning at the point described in Section 16 above, as the initial point of Doris place center line, the elevation of said point being 181.81 feet and running thence on a six-tenths (0.6) per cent grade upward for a distance of 364.46 feet, the elevation of the end point being 184.0 feet.

GORE ROAD

SECTION 19. *Center Line. Gore Road.* That the center line of Gore road shall be and is established as follows:

Beginning at a point on the center line of Manoa road, said point being by true azimuth 238° 45′ 30″ and distant 84.6 feet from a Government Survey Street Monument in Manoa road, the co-ordinates of which referred to the Government Survey Triangulation Station "Punchbowl", being South 1684.88 feet, and East 9146.24 feet, and running thence by true azimuths as follows:

1. 327° 22′—162.5 feet to a point on the center line of East Manoa road, which is by true azimuth 247° 20′ and distant 317.6 feet from a Government Survey Street Monument in East Manoa road, the co-ordinates of which referred to the Government Survey Triangulation Station "Punchbowl", being South 1900.24 feet, and East 9013.13 feet.

SECTION 20. *Curb Lines. Gore Road.* That the curb lines of Gore road shall be parallel with and distant three (3.0) feet on the Northeast side and fifteen (15.0) feet on the Southwest side of the center line described in Section 19 above. The radius of curb connections with Manoa road and East Manoa road is 18.0 feet.

SECTION 21. *Curb Grades. Gore road.* That the curb grades of Gore road shall be and are established as follows:

Beginning at the point described in Section 19 above as the initial points of Gore road center line, the curb elevation of said point being 243.0 feet and running thence on an eight and eight-tenths (8.8) per cent grade downward for a distance of 150.0 feet, the elevation of the end point being 229.8 feet.

MANOA ROAD.

SECTION 22. *Center Line. Manoa Road.* That the center line of Manoa road shall be and is established as follows:

Beginning at a point on the center line of Manoa road, said point being by true azimuth 59° 02′ 30″ and distant 657.45 feet from a City Street Survey Monument at the intersection of Manoa road and Kamehameha avenue, the co-ordinates of which referred to the Government Survey Triangulation Station "Punchbowl", being South 2078.59

feet, and East 8520.10 feet, and running by true azimuths as follows:

1. 239° 02′ 30″—657.45 feet to a City Street Survey Monument at the intersection of Manoa road and Kamehameha avenue; thence

2. 236° 03′ 00″—251.50 feet to a Government Street Survey Monument in Manoa road; thence

3. 238° 45′ 30″—2087.50 feet to a Government Street Survey Monument in Manoa road; thence

4. 235° 28′ 00″—384.73 feet to a Government Street Survey Monument in Manoa road; thence

5. 233° 37′ 00″—159.29 feet to the beginning of a curve to the left, the radius of which is 1910.08 feet, the azimuth and distance of the long chord being,

6. 230° 28′ 15″—209.64 feet; thence

7. 227° 19′ 30″—520.26 feet to the beginning of a curve to the left, the radius of which is 1910.08 feet, the azimuth and distance of the long chord being,

8. 224° 19′ 45″—199.65 feet; thence

9. 221° 20′ 00″—1150.49 feet to the beginning of a curve to the right, the radius of which is 819.02 feet, the azimuth and distance of the long chord being,

10. 232° 54′—328.44 feet; thence

11. 244° 28′—60.0 feet to the boundary of Manoa Improvement District No. 1.

SECTION 23. *Curb Lines. Manoa Road.* That the curb lines of Manoa road shall be parallel with and distant ten (10.0) feet on either side of the center line described in Section 22 above, except that, for a distance of 657.45 feet from the point of beginning of said center line, the curb lines are parallel with and distant sixteen (16.0) feet on either side of said center line, and except also, that, the North curb for a distance of 251.50 feet further decreases from sixteen (16.0) feet to ten (10.0) feet from said center line. The radius of all curb connections with intersecting streets is 18.0 feet.

SECTION 24. *Curb Grades. Manoa Road.* That the curb grades of Manoa road shall be and are established as follows:

Beginning at the point described in Section 22 above, as the initial point of Manoa road center line, the curb elevation of said point being 196.5 feet, and running thence on a five (5.0) per cent grade upward for 100 feet to the beginning of a vertical curve 120.0 feet long, the elevation of the point of beginning being 201.5 feet, the elevation of the intersection of grades being 204.5 feet, the elevation of the end of said vertical curve being 206.0 feet, thence on a two and five-tenths (2.5) per cent grade upward for a distance 440.0 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 217.0 feet, the elevation of the intersection of grades being 218.25 feet, the elevation of the end of said vertical curve being 220.35 feet, thence on a four and two-tenths (4.2) per cent grade upward for a distance of 290 feet to the beginning of a vertical curve 300 feet long, the elevation of the point of beginning being 232.53 feet, the

elevation of the intersection of grades being 238.83 feet, the elevation of the end of said vertical curve being 241.08 feet, thence on a one and five-tenths (1.5) per cent grade upward for a distance of 250 feet to a point of grade change, the elevation of said point being 244.83 feet, thence on a two and one-tenth (2.1) per cent grade upward for a distance of 300 feet to a point of grade change, the elevation of said point being 251.13 feet, thence on a two and four-tenths (2.4) per cent grade upward for a distance of 450 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 261.93 feet, the elevation of the intersection of grades being 263.13 feet, the elevation of the end of said vertical curve being 262.13 feet, thence on a two (2.0) per cent grade downward for 70 feet to the beginning of a vertical curve 560 feet long, the elevation of the point of beginning being 260.73 feet, the elevation of the intersection of grades being 255.13 feet, the elevation of the end of said vertical curve being 270.53 feet, thence on a five and five-tenths (5.5) per cent grade upward for a distance of 100 feet to the beginning of a vertical curve 200 feet long, the elevation of the point of beginning being 276.03 feet, the elevation of the intersection of grades being 281.53 feet, the elevation of the end of said vertical curve being 276.93 feet, thence on a four and six-tenths (4.6) per cent grade downward for 420 feet to a point of grade change, the elevation of said point being 257.61 feet, thence on a five (5.0) per cent grade downward for 250 feet to the beginning of a vertical curve 300 feet long, the elevation of the point of beginning being 245.11 feet, the elevation of the intersection of grades being 237.61 feet, the elevation of the end of said vertical curve being 243.31 feet, thence on a three and eight-tenths (3.8) per cent grade upward for 100 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 247.11 feet, the elevation of the intersection of grades being 249.01 feet, the elevation of the end of said vertical curve being 247.31 feet, thence on a three and four-tenths (3.4) per cent grade downward for 340 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 237.75 feet, the elevation of the intersection of grades being 234.05 feet, the elevation of the end of said vertical curve being 230.05 feet, thence on an eight (8.0) per cent grade downward for 220 feet to the beginning of a vertical curve 200 feet long, the elevation of the point beginning being 212.45 feet, the elevation of the intersection of grades being 204.45 feet, the elevation of the end of said vertical curve being 202.85 feet, thence on a one and six-tenths (1.6) per cent grade downward for 90 feet to the beginning of a vertical curve 300 feet long, the elevation of the point of beginning being 201.41 feet, the elevation of the intersection of grades being 199.01 feet, the elevation of the end of said vertical curve being 202.61 feet, thence on a two and four-tenths (2.4) per cent grade upward for a distance of 200 feet to the end point, the elevation of said end point being 207.41 feet.

EAST MANOA ROAD.

SECTION 25. *Center Line. East Manoa Road.* That the center line of East Manoa road shall be and is established as follows:

Beginning at a City Street Survey Monument at the intersection of Manoa road and Kamehameha avenue, the co-ordinates of which referred to the Government Survey Triangulation Station "Punchbowl", being South 2078.59 feet, and East 8520.10 feet, and running by true azimuths as follows:

1. 239° 02′ 30″—109.43 feet to the beginning of a curve to the right, the radius of which is 130.66 feet, the azimuth and distance of the long chord being;

2. 250° 29′ 45″—51.89 feet; thence

3. 261° 57′ 00″—88.57 feet to the beginning of a curve to the left, the radius of which is 130.66 feet, the azimuth and distance of the long chord being;

4. 256° 00′ 00″—27.09 feet; thence

5. 250° 03′ 00″—251.38 feet to a Government Street Survey Monument in East Manoa Road; thence,

6. 247° 20′ 00″—1007.36 feet to the beginning of a curve to the right, the radius of which is 278.94 feet, the azimuth and distance of the long chord being

7. 254° 21′ 00″—70.35 feet; thence

8. 261° 22′ 00″—75.06 feet to the beginning of a curve to the right, the radius of which is 2864.93 feet, the azimuth and distance of the long chord being

9. 263° 29′ 15″—212.04 feet; thence

10. 265° 36′ 30″—429.35 feet to the beginning of a curve to the right, the radius of which is 287.94 feet, the azimuth and distance of the long chord being

11. 272° 48′ 15″—72.13 feet; thence

12. 280° 00′ 00″—1027.59 feet to the beginning of a curve to the left, the radius of which is 150.0 feet, the azimuth and distance of the long chord being,

13. 262° 06′ 00″—92.21 feet.

SECTION 26. *Curb Lines. East Manoa Road.* That the curb lines of East Manoa road shall be parallel with and distant twelve feet on either side of the center line described in Section 25 above. The radius of all curb connections with all intersecting streets is 18.0 feet, except as noted at Doris place under Section 17 herein above.

SECTION 27. *Curb Grades. East Manoa Road.* That the curb grades of East Manoa road shall be and are established as follows:

Beginning at the point described in Section 25 above as the initial point of East Manoa road center line, the elevation of said point being 217.0 feet, and running on a two and seven-tenths (2.7) per cent grade upward for a distance of 100 feet to the beginning of a vertical curve 200 feet long, the elevation of the point of beginning being 227.8

feet, the elevation of the intersection of grades being 230.5 feet, the elevation of the end of said vertical curve being 230.3 feet, thence on a two-tenths (0.2) per cent grade downward for a distance of 770 feet to the beginning of a vertical curve, 200 feet long, the elevation of the point of beginning being 228.76 feet, the elevation of the intersection of grades being 228.56 feet, the elevation of the end of said vertical curve being 224.76 feet, thence on a three and eight-tenths (3.8) per cent grade downward for a distance of 530 feet to a point of grade change, the elevation of said point of change being 204.62 feet, thence on a four and four-tenths (4.4) per cent grade downward for a distance of 525 feet to the beginning of a vertical curve 350 feet long, the elevation of the point of beginning being 181.52 feet, the elevation of the intersection of grades being 173.82 feet, the elevation of the end of said vertical curve being 178.37 feet, thence on a two and six-tenths (2.6) per cent grade upward for a distance of 125 feet to a point of grade change, the elevation of said point being 181.62 feet, thence on a one and six-tenths (1.6) per cent grade upward for 290 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 186.26 feet, the elevation of the intersection of grades being 187.06 feet, the elevation of the end of said vertical curve being 183.46 feet, thence on a seven and two-tenths (7.2) per cent grade downward for a distance of 110 feet to the end point, the elevation of said point being 175.53 feet.

KAMEHAMEHA AVENUE.

SECTION 28. *Center Line. Kamehameha Avenue.* That the center line of Kamehameha avenue shall be and is established as follows:

Beginning at a City Street Survey Monument at the intersection of Manoa road and Kamehameha avenue, the co-ordinates of which referred to the Government Survey Triangulation Station "Punchbowl", being South 2078.59 feet, and East 8520.10 feet, and running by true azimuths as follows:

1. 299° 21′ 00″—1021.94 feet to the beginning of a curve to the right, the radius of which is 87.50 feet, the azimuth and distance of the long chord being,

2. 337° 44′ 00″—108.68 feet; thence

3. 16° 07′ 45″—464.44 feet to the beginning of a curve to the left, the radius of which is 87.5 feet, the azimuth and distance of the long chord being,

4. 337° 44′ 00″—108.69 feet; thence

5. 299° 19′ 45″—242.96 feet to the beginning of a curve to the left, the radius of which is 87.50 feet, the azimuth and distance of the long chord being,

6. 254° 20′ 30″—123.72 feet to the point of tangency with the center line of Oahu avenue.

SECTION 29. *Curb Lines. Kamehameha Avenue.* That the curb lines of Kamehameha avenue shall be parallel with and distant seventeen (17.0) feet on either side of the center line described in Section 28 above. The radius of all curb connections with intersecting streets is 18.0 feet except that the radius of the curb connection of the south curb line of Kamehameha avenue with the west curb line of Oahu avenue is 66 feet, and also in addition, that provision is hereby made for a backward projection of the East curb line of Kamehameha avenue parallell to course 3 of the center line described above in Section 28, so as to give an intersection with the South curb line of Liloa Rise and determine at the same time a connecting roadway 20 feet in width parallel to the said projection, the grades thereof to be as determined by the grades of Kamehameha avenue and Liloa Rise at said connecting roadway.

SECTION 30. *Curb Grades. Kamehameha Avenue.* That the curb grades of Kamehameha avenue shall be and are established as follows:

Beginning at the point described in Section 28 above as the initial point of the center line of Kamehameha avenue, the curb elevation of said point being 216.61 feet, said point being also on a vertical curve 80 feet long, the beginning of which is 20 feet back of the initial point on the center line projected. The elevation of the intersection of grades being 216.16 feet, the position of said intersection being 20 feet from the point on the center line projected. The elevation of the intersection of grades being 216.16 feet, the position of said intersection being 20 feet from the point of beginning, the elevation of the end of said vertical curve being 214.37 feet and being at a point 60 feet from the said point of beginning, thence on a six (6.0) per cent grade downward for a distance of 110 feet to the beginning of a vertical curve 300 feet long, the elevation of the point of beginning being 207.76 feet, the elevation of the intersection of grades being 198.76 feet, the elevation of the end of said vertical curve being 198.46 feet, thence on a two-tenths (0.2) per cent grade downward for 215 feet to the beginning of a vertical curve 350 feet long, the elevation of the point of beginning being 198.03 feet, the elevation of the intersection of grades being 197.68 feet, the elevation of the end of said vertical curve being 187.18 feet, thence on a six (6.0) per cent grade downward for a distance of 265.0 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 171.28, the elevation of the intersection of grades being 168.28 feet, the elevation of the end of said vertical curve being 166.28 feet, thence on a four (4.0) per cent grade downward for 465 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 147.68 feet, the elevation of the intersection of grades being 145.68 feet, the elevation of the end of said vertical curve being 145.68 feet, thence on a level grade for 135 feet to the end point.

OAHU AVENUE.

SECTION 31. *Center Line. Oahu Avenue.* That the center line of Oahu avenue shall be and is established as follows:

Beginning at a point on the center line of Oahu avenue produced, which is by true azimuth 29° 21′ and distant 494.2 feet from a City Street Survey Monument at the intersection of Oahu avenue and Kamehameha avenue, the co-ordinates of which referred to the Government Survey Triangulation Station "Punchbowl", being South 3388.85 feet, and East 9652.61 feet, and running by true azimuths as follows:

1. 209° 21′ 00″—494.2 feet along a prolongation of the center line of Oahu avenue, which becomes an offset line 9.5 feet Northwest of the center line for that portion of Oahu avenue, which is 56.0 feet wide between the Southwest boundary of the College Hills Tract and Kamehameha avenue; thence

2. 209° 21′ 00″—1581.28 feet to the beginning of a curve to the right, the radius of which is 259.25 feet, the azimuth and distance of the long chord being,

3. 231° 51′ 00″—198.42 feet; thence

4. 254° 21′ 00″—484.32 feet to the beginning of a curve to the left, the radius of which is 87.5 feet, the azimuth and distance of the long chord being,

5. 232° 53′ 30″—64.02 feet; thence

6. 211° 26′ 00″—250.21 feet to a City Street Survey Monument at the intersection of Oahu avenue and East Manoa road; thence on a five-foot offset, Southeast of the center line.

7. 216° 55′ 00″—1362.59 feet to the end of the five-foot offset; thence running on the center line on a curve to the left, the radius of which is 359.265 feet, the azimuth and distance of the long chord being,

8. 208° 32′ 30″—104.65 feet; thence

9. 200° 10′ 00″—1545.89 feet to the intersection with the center line of Manoa road.

SECTION 32. *Curb Lines. Oahu Avenue.* That the curb lines of Oahu avenue shall be parallel with and distant from the center line, described in Section 31 above, as follows:

For that portion of Oahu Avenue lying Southwest of Kamehameha avenue, the West curb line shall be seven (7.0) feet, and the east curb line shall be seventeen (17.0) feet therefrom. For that portion of Oahu avenue from Kamehameha avenue to the end of course 7, the curb lines shall be seventeen (17.0) feet on either side thereof. For the portion parallel to course 9, the curb lines shall be ten (10.0) feet on either side thereof.

The radius of all curb connections with intersecting streets is 18.0 feet except at Kaala avenue, where the radius is 73.0 feet.

SECTION 33. *Curb Grades. Oahu Avenue.* That the curb grades of Oahu avenue shall be and are established as follows:

Beginning at a point which is minus 50 feet from the point described in Section 31 above, as the initial point of Oahu avenue center line, the elevation of said point being 147.04 feet, and running thence on a six (6.0) per cent grade downward for 40 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 144.64 feet, the elevation of the intersection of grades being 141.64 feet, the elevation of the end of said vertical curve being 141.64 feet, thence on a level grade for 210 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 141.64 feet, the elevation of the intersection of grades being 141.64 feet, the elevation of the end of said vertical curve being 142.34 feet, thence on a one and four-tenths (1.4) per cent grade upward for 200 feet to the point of beginning of a vertical curve 140 feet long, the elevation of the point of beginning being 145.14 feet, the elevation of the intersection of grades being 146.12 feet, the elevation of the end of said vertical curve being 144.58 feet, thence on a two and two-tenths (2.2) per cent grade downward for 120 feet to the beginning of vertical curve 100 feet long, the elevation of the point of beginning being 141.94 feet, the elevation of the intersection of grades being 140.84 feet, the elevation of end of said vertical curve being 140.84 feet, thence on a level grade for 150 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 140.84 feet, the elevation of the intersection of grades being 140.84 feet, the elevation of the end of said vertical curve being 142.54 feet, thence on a three and four-tenths (3.4) per cent grade upward for 310 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 153.08 feet, the elevation of the intersection of grades being 154.78, the elevation of the end of said vertical curve being 155.83 feet, thence on a two and one-tenth (2.1) per cent grade upward for 280 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 161.71 feet, the elevation of the intersection of grades being 162.76 feet, the elevation of the end of said vertical curve being 164.36 feet, thence on a three and two-tenths (3.2) per cent grade upward for 215 feet to the beginning of a vertical curve 250 feet long, the elevation of the point of beginning being 171.24 feet, the elevation of the intersection of grades being 175.24 feet, the elevation of the end of said vertical curve being 175.61 feet, thence on a three-tenths (0.3) per cent grade upward for 335 feet to a point of grade change, the elevation of said point of change being 176.62 feet, thence on a level grade for 300 feet, thence on a five-tenths (0.5) per cent grade upward for 300 feet to a point of grade change, the elevation of said point of change being 178.12 feet, thence on a one and one-tenth (1.1) per cent grade upward for 620 feet to the beginning of a vertical curve 200 feet long, the elevation of the point of beginning being 184.94 feet, the elevation of the intersection of grades being 186.04 feet, the elevation of the end of said vertical curve being 189.84 feet, thence on a three and eight-tenths (3.8) per cent grade

upward for 230 feet to the beginning of a vertical curve 200 feet long, the elevation of the point of beginning being 198.58 feet, the elevation of the intersection of grades being 202.38 feet, the elevation of the end of said vertical curve being 198.18 feet, thence on a four and two-tenths (4.2) per cent grade downward for 150 feet to the beginning of a vertical curve 200 feet long, the elevation of the point of beginning being 191.98 feet, the elevation of the intersection of grades being 187.78 feet, the elevation of the end of said vertical curve being 186.78 feet, thence on a one per cent (1.0%) grade downward for 200 feet to the beginning of a vertical curve 400 feet long, the elevation of the point of beginning being 184.78 feet, the elevation of the intersection of grades being 182.78 feet, the elevation of the end of said vertical curve being 185.58 feet, thence on a one and four-tenths (1.4) per cent grade upward for 150 feet to the beginning of a vertical curve 200 feet long, the elevation of the point of beginning being 187.68 feet, the elevation of the intersection of grades being 189.08 feet, the elevation of the end of said vertical curve being 197.28 feet, thence on a reverse vertical curve 100 feet long, the elevation of the intersection of grades being 201.38 feet, the elevation of the end of said reverse vertical curve being 203.38 feet, thence on a four (4.0) per cent grade upward for 50 feet to the end point, the elevation of said end point, being 205.38 feet.

JONES STREET

SECTION 34. *Center Line. Jones Street.* That the center line of Jones street shall be and is established as follows:

Beginning at a point which is the intersection of the center line tangents of Oahu avenue between Vancouver highway and East Manoa road, the co-ordinates of said point referred to the Government Survey Triangulation Station "Punchbowl", being South 1748.20 feet, and East 11,083.06 feet, and running thence by true azimuth on an offset line 11.35 feet South of the center line as follows:

1. 280° 19′—808.9 feet to the stone wall at the end of Jones street.

SECTION 35. *Curb Lines. Jones Street.* That the curb lines of Jones street shall be parallel with and distant ten (10.0) feet on either side of the center line described in Section 34 above. The radius of all curb connections with intersecting streets is 18.0 feet.

SECTION 36. *Curb Grades. Jones Street.* That the curb grades of Jones street shall be and are established as follows:

Beginning at a point on the center line of Jones street, 20 feet from the point described in Section 34 above, as the initial point of Jones street center line, the elevation of said point being 176.6 feet, and running thence on a one and four-tenths (1.4) per cent grade upward for a distance of 780 feet to the end point of the Jones street grade line, the elevation of said point being 187.52 feet.

PARKER STREET.

SECTION 37. *Center Line. Parker Street.* That the center line of Parker street shall be and is established as follows:

Beginning at a point on the offset line described in Section 34 above for Jones street, said point being by true azimuth 280° 19′ and distant 600.2 feet from the initial point of said offset line, and running by true azimuth as follows:

1. 29° 21′—673.8 feet to the stone wall at the end of Parker street.

SECTION 38. *Curb Lines. Parker Street.* That the curb lines of Parker street, shall be parallel with and distant ten (10.0) feet on either side of the center line described in Section 37 above. The radius of the curb connections with Jones street is 18.0 feet.

SECTION 39. *Curb Grades. Parker Street.* That the curb grades of Parker street shall be and are established as follows:

Beginning at the point described in Section 37 above, as the end point of Parker street center line, the elevation of said point being 157.7 feet, and running thence on an eight (8.0) per cent grade upward for 320 feet to the beginning of a vertical curve 200 feet long, the elevation of the point of beginning being 183.3 feet, the elevation of the intersection of grades being 191.3 feet, the elevation of the end of said vertical curve being 188.7 feet, thence on a two and six-tenths (2.6) per cent grade downward for 153.8 feet to the initial point, the elevation of said initial point being 184.7 feet.

ARMSTRONG STREET.

SECTION 40. *Center Line. Armstrong Street.* That the center line of Armstrong street shall be and is established as follows:

Beginning at a City Street Survey Monument on the center line of East Manoa road, the co-ordinates of said monument referred to the Government Survey Triangulation Station "Punchbowl", being South 1484.98 feet, and East 10,065.56 feet and running by true azimuths as follows:

1. 344° 21′—436.82 feet along an offset line 11.6 feet Southwest of the center line to a City Street Survey Monument at the intersection with the center line of Liloa Rise.

2. 299° 21′ 00″—265.5 feet to the center line of Oahu avenue; thence,

3. 299° 21′ 00″—385.5 feet to a City Street Survey Monument at the intersection of Vancouver Highway and Armstrong street; thence,

4. 299° 21′ 00″—333.0 feet to the end of Armstrong street.

SECTION 41. *Curb Lines. Armstrong Street.* That the curb lines of Armstrong street shall be parallel with and distant ten (10.0) feet on either side of the center line described in Section 40 above. The radius of all curb connections with intersecting streets is 18.0 feet.

SECTION 42. *Curb Grades. Armstrong Street.* That the curb grades of Armstrong street shall be and are established as follows:

Beginning at a point on the center line of Armstrong street, said point being determined by offset from the initial point as described in Section 40 above, said point being also the beginning of a vertical curve 100 feet long, the elevation of said point of beginning being 220.9 feet, the elevation of the intersection of grades being 219.4 feet, the elevation of the end of said vertical curve being 212.15 feet, thence on a reverse vertical curve 100 feet long, the elevation of the intersection of grades being 204.9 feet, the elevation of the end of said reverse vertical curve being 199.2 feet, thence on an eleven and four-tenths (11.4) per cent grade downward for 130 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 184.4 feet, the elevation of the intersection of grades being 178.7 feet, the elevation of the end of said vertical curve being 177.2 feet, thence on a three per cent (3%) grade downward for 20 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 176.6 feet, the elevation of the intersection of grades being 175.1 feet, the elevation of the end of said vertical curve bing 171.55 feet, thence on a seven and one-tenth per cent (7.1%) grade downward for 30 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 169.42 feet, the elevation of the intersection of grades being 165.87 feet, the elevation of the end of said vertical curve being 165.87 feet, thence on a level grade for 50 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 165.87 feet, the elevation of the intersection of grades being 165.87 feet, the elevation of the end of said vertical curve being 169.07 feet, thence on a six and four-tenths (6.4) per cent grade upward for 70 feet to the beginning of a vertical curve 140 feet long, the elevation of the point of beginning being 173.55 feet, the elevation of the intersection of grades being 178.03 feet, the elevation of the end of said vertical curve being 179.15 feet, thence on a one and six-tenth (1.6) per cent grade upward for 200 feet to the beginning of a vertical curve 180 feet long, the elevation of the point of beginning being 182.35 feet, the elevation of the intersection of grades being 183.79 feet, the elevation of the end of said vertical curve being 177.85 feet, thence on a six and six-tenths (6.6) per cent grade downward to the end of Armstrong street.

KAALA AVENUE.

SECTION 43. *Center Line. Kaala Avenue.* That the center line of Kaala avenue shall be and is established as follows:

Beginning at the point of intersection of the center line of Kaala avenue and Oahu avenue, said point being by true azimuth 209° 21′ and distant 586.95 feet from a City Street Survey Monument at the intersection of Kamehameha avenue and Oahu avenue, the co-ordinates

of which referred to the Government Survey Triangulation Station "Punchbowl", being South 3388.85 feet and East 9652.61 feet, and running by true azimuths as follows:

1. 299° 21′—385.5 feet to a City Street Survey Monument at the intersection of Kaala avenue and Vancouver highway; thence

2. 299° 21′—343.0 feet to the end of Kaala avenue.

SECTION 44. *Curb Line. Kaala Avenue.* That the curb lines of Kaala avenue shall be parallel with and distant twelve (12.0) feet on either side of the center line described in Section 43 above. The radius of curb connections with intersecting streets is 18.0 feet, except at Oahu avenue, where the radius is 73 feet.

SECTION 45. *Curb Grades. Kaala Avenue.* That the curb grades of Kaala avenue shall be and are established as follows:

Beginning at the point described in Section 43 above as the initial point of Kaala avenue center line, the elevation of said point being 141.0 feet, thence on a four and four-tenths (4.4) per cent grade downward for 100 feet to the beginning of a vertical curve 200 feet long, the elevation of the point of beginning being 136.6 feet, the elevation of the intersection of grades being 132.2 feet, the elevation of the end of said vertical curve being 131.2 feet, thence on a one per cent (1%) grade downward for 60 feet, to a point of grade change, the elevation of said point being 130.6 feet, thence on a level grade for 50 feet, thence on a five-tenths (0.5) per cent grade upward for 318.5 feet to the end of Kalaa avenue.

MAILE WAY.

SECTION 46. *Center Line. Maile Way.* That the center line of Maile way shall be and is established as follows:

Beginning at a point on the center line of Oahu avenue, said point being by true azimuth 29° 21′ and distant 278.55 feet from a City Street Survey Monument at the intersection of Kamehameha avenue and Oahu avenue, the co-ordinates of which referred to the Government Survey Triangulation Station "Punchbowl", being South 3388.85 feet, and East 9652.61 feet, and running thence by true azimuth as follows:

1. 299° 21′—288.39 feet to the intersection with center line of Vancouver highway extension.

SECTION 47. *Curb Lines. Maile Way.* That the curb lines of Maile way shall be parallel with and at a distance of twelve (12.0) feet on either side of the center line described in Section 46 above. The radius of all curb connections with intersecting streets is 18.0 feet.

SECTION 48. *Curb Grades. Maile Way.* That the curb grades of Maile way shall be and are established as follows:

Beginning at a point on the center line of Maile way, said point being 20 feet from the point described in Section 46 above, as the initial point of Maile way center line, the elevation of said point being 141.6 feet and running thence on a three per cent (3.0%) grade upward

for 150 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 146.1 feet, the elevation of the intersection of grades being 147.6 feet, the elevation of the end of said vertical curve being 144.6 feet, thence on a six per cent (6.0%) grade downward to the intersection with the boundary of Manoa Improvement District No. 1.

VANCOUVER HIGHWAY.

SECTION 49. *Center Line. Vancouver Highway.* That the center line of Vancouver highway shall be and is established as follows:

Beginning at the point of intersection of the center lines of Vancouver highway extension and Maile way, said point being by true azimuth 299° 21′ and distant 288.39 feet from the initial point described for the center line of Maile way and running by true azimuths as follows:

1. 233° 35′—187.01 feet to the beginning of a curve to the left, the radius of which is 231.01 feet, the azimuth and distance of the long chord being,

2. 221° 28′—96.98 feet; thence

3. 209° 21′—2087.23 feet to an intersection with center line of Oahu avenue, said point of intersection being by true azimuth 74° 21′ and distant 81.04 feet from the initial point for Jones street center line.

SECTION 50. *Curb Lines. Vancouver Highway.* That the curb lines of Vaucouver highway shall be parallel with and distant ten (10.0) feet on either side of the center line described in Section 49 above. The radius of all curb connections with intersecting streets is 18.0 feet.

SECTION 51. *Curb Grades. Vancouver Highway.* That the curb grades of Vancouver highway shall be and are established as follows:

Beginning at a point on the center line of Vancouver highway, said point being 10 feet from the point described in Section 49 above as the initial point of Vancouver highway center line, the elevation of said point being 143.52 feet, thence on a four-tenths (0.4) per cent grade upward for 50 feet to the beginning of a vertical curve 100 feet long the elevation of the point of beginning being 143.72 feet, the elevation of the intersection of grades being 143.92 feet, the elevation of the end of said vertical curve being 146.92 feet, thence on a six per cent (6.0%) grade upward for 80 feet to the beginning of a vertical curve 180 feet long, the elevation of the point of beginning being 151.72 feet, the elevation of the intersection of grades being 157.12 feet, the elevation of the end of said vertical curve being 148.12 feet, thence on a ten (10.0) per cent grade downward for 100 feet to the beginning of a vertical curve 140 feet long, the elevation of the point of beginning being 138.12 feet, the elevation of the intersection of grades being 131.12 feet, the elevation of the end of said vertical curve being 130.98 feet, thence on a

two-tenths (0.2) per cent grade downward for 190 feet to a point of grade change, the elevation of said point of change being 130.6 feet, thence on a level grade for 50 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 130.6 feet, the elevation of the intersection of grades being 130.6 feet, the elevation of the end of said vertical curve being 136.6 feet, thence on a reverse vertical curve 200 feet long, the elevation of the intersection of grades being 148.6 feet, the elevation of the end of said reverse vertical curve being 149.7 feet, thence on a reverse vertical curve 200 feet long, the elevation of the intersection of grades being 150.8 feet, the elevation of the end of said reverse vertical curve being 156.6 feet, thence on a five and eight-tenths (5.8) per cent grade upward for 350 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 176.9 feet, the elevation of the intersection of grades being 179.8 feet, the elevation of the end of said vertical curve being 179.8 feet, thence on a reverse vertical curve 100 feet long, the elevation of the intersection of grades being 179.8 feet, the elevation of the end of said reverse vertical curve being 182.3 feet, thence on a reverse vertical curve 100 feet long, the elevation of the intersection of grades being 184.8 feet, the elevation of the end of said reverse vertical curve being 183.6 feet, thence on a two and four-tenths (2.4) per cent grade downward for 290 feet, the elevation of the end point being 176.64 feet.

LANIHULI DRIVE.

SECTION 52. *Center Line. Lanihuli Drive.* That the center line of Lanihuli Drive shall be and is established as follows:

Beginning at a Street Survey Monument on the center line of Manoa Road at the intersection with the center line of Lanihuli Drive, the co-ordinates of said monument referred to the Government Survey Triangulation Station "Punchbowl" being south 2,306.90 feet, and east 8,139.56 feet, and running by true azimuth as follows:

1. 299° 21′—1,401.57 feet to an intersection with the center line of Kamehameha avenue.

SECTION 53. *Curb Lines. Lanihuli Drive.* That the curb lines of Lanihuli Drive shall be parallel with and distant twelve feet on either side of the center line described in Section 52 above. The radius of curb connections with all intersecting streets is 18.0 feet.

SECTION 54. *Curb Grades. Lanihuli Drive.* That the curb grades of Lanihuli Drive shall be and are established as follows:

Beginning at the point described in Section 52 above, as the initial point of Lanihuli Drive center line, the elevation of said point being 206.4 feet and running thence on a six tenths (0.6) per cent grade upward for 700 feet to the beginning of a vertical curve 200 feet long, the elevation of the point of beginning being 210.6 feet, the elevation of the intersection of grades being 211.2 feet, the elevation of the end

of said vertical curve being 202.2 feet, thence on a nine per cent (9.0%) grade downward for 380 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 168.0 feet, the elevation of the intersection of grades being 163.5 feet, the elevation of the end of said vertical curve being 163.2 feet.

McKINLEY STREET.

SECTION 55. *Center Line. McKinley Street.* That the center line of McKinley street shall be and is established as follows:

Beginning at a point on the center line of McKinley street, said point being by true azimuth 29° 21′ and distant 82.22 feet from a City Street Survey Monument at the intersection of McKinley street and Atherton road, the co-ordinates of which referred to the Government Survey Triangulation Station "Punchbowl" being south 3,751.35 feet, and east 8,183.91 feet, and running by true azimuth as follows:

1. 209° 21′—1,705.05 feet to an intersection with the center line of Kamehameha avenue.

SECTION 56. *Curb Lines. McKinley Street.* That the curb lines of McKinley street shall be parallel with and distant ten (10.0) feet on either side of the center line described in Section 55 above. The radius of all curb connections with intersecting streets is 18.0 feet.

SECTION 57. *Curb Grades. McKinley Street.* That the curb grades of McKinley street shall be and are established as follows:

Beginning at the point described in Section 55 above as the initial point of McKinley street center line, the elevation of said point being 163.9 feet, thence on a four (4.0) per cent grade upward for 350 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 177.9 feet, the elevation of the intersection of grades being 179.9 feet, the elevation of the end of said vertical curve being 184.1 feet, thence on an eight and four-tenths (8.4) per cent grade upward for 200 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 200.9 feet, the elevation of the intersection of grades being 205.1 feet, the elevation of the end of said vertical curve being 206.6 feet, thence on a three per cent (3.0%) grade upward for 90 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 209.3 feet, the elevation of the intersection of grades being 210.8 feet, the elevation of the end of said vertical curve being 215.8 feet, thence on a ten per cent (10.0%) grade upward for 60 feet to the beginning of a vertical curve 160 feet long, the elevation of the point of beginning being 221.8 feet, the elevation of the intersection of grades being 229.8 feet, the elevation of the end of said vertical curve being 221.8 feet, thence on a ten per cent (10.0%) grade downward for 40 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 217.8 feet, the elevation of the intersection of grades being 212.8 feet, the elevation of the end of

said vertical curve being 211.0 feet, thence on a three and six-tenths per cent (3.6%) grade downward for 300 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 200.2 feet, the elevation of the intersection of grades being 198.4 feet, the elevation of the end of said vertical curve being 198.4 feet.

DAMON STREET.

SECTION 58. *Center Line. Damon Street.* That the center line of Damon street shall be and is established as follows:

Beginning at a City Street Survey Monument at the intersection of Hunnewell street, Damon street and Atherton road, the co-ordinates of said monument referred to the Government Survey Triangulation Station "Punchbowl" being south 3,409.27 feet and east 9,128.91 feet and running thence by true azimuth as follows:

1. 119° 21′—655.95 feet to an intersection with the center line of McKinley street.

SECTION 59. *Curb Lines. Damon Street.* That the curb lines of Damon street shall be parallel with and distant ten (10.0) feet on either side of the center line described in Section 58 above. The radius of all curb connections with intersecting streets is 18.0 feet.

SECTION 60. *Curb Grades. Damon Street.* That the curb grades of Damon street shall be and are established as follows:

Beginning at the point described in Section 58 above as the initial point of the center line of Damon street, said point being also the beginning of a vertical curve 100 feet long, the elevation of said point of beginning being 209.3 feet, the elevation of the intersection of grades being 207.8 feet, the elevation of the end of said vertical curve being 201.5 feet, thence on a twelve and six-tenths (12.6) per cent grade downward for 420 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 148.58 feet, the elevation of the intersection of grades being 142.28 feet, the elevation of the end of said vertical curve being 141.58 feet, thence on a one and four-tenths (1.4) per cent grade downward for 30 feet, the elevation of the end point being 141.16 feet.

ATHERTON ROAD.

SECTION 61. *Center Line. Atherton Road.* That the center line of Atherton road shall be and is established as follows:

Beginning at a City Street Survey Monument at the intersection of Atherton road and McKinley street, the co-ordinates of said monument referred to the Government Survey Triangulation Station "Punchbowl" being south 3,751.35 feet and east 8,183.91 feet, and running by true azimuth as follows:

1. 250° 06′—1,004.96 feet along an offset line 2.9 feet south of the center line to the City Street Survey Monument at the intersection of Damon street, Hunnewell street and Atherton road.

SECTION 62. *Curb Lines. Atherton Road.* That the curb lines of Atherton road shall be parallel with and ten (10.0) feet on either side of the center line described in Section 61 above. The radius of all curb connections with intersecting streets is 18.0 feet.

SECTION 63. *Curb Grades. Atherton Road.* That the curb grades of Atherton road shall be and are established as follows:

Beginning at the point described in Section 61 above as the initial point of Atherton road center line, the elevation of said point being 167.3 feet, thence on a one and two tenths (1.2) per cent grade downward for 80 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 166.34 feet, the elevation of the intersection of grades being 165.74 feet, the elevation of the end of said vertical curve being 162.64 feet, thence on a six and two-tenths (6.2) per cent grade downward for 190 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 150.86 feet, the elevation of the intersection of grades being 147.76 feet, the elevation of the end of said vertical curve being 147.11 feet, thence on a one and three-tenths (1.3) per cent grade downward for 380 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 142.17 feet, the elevation of the intersection of grades being 141.52 feet, the elevation of the end of said vertical curve being 141.32 feet, thence on a four-tenths (0.4) per cent grade downward for 50 feet, the elevation of the end point being 141.12 feet.

HYDE STREET.

SECTION 64. *Center Line. Hyde Street.* That the center line of Hyde street shall be and is established as follows:

Beginning at a City Street Survey Monument at the intersection of Hyde and Hunnewell streets, the co-ordinates of said monument referred to the Government Survey Triangulation Station "Punchbowl" being south 3,506.03 feet and east 9,074.50 feet, and running by true azimuth as follows:

1. 299° 21′—446.3 feet to a City Street Survey Monument at the intersection of Hyde street and Oahu avenue.

SECTION 65. *Curb Lines. Hyde Street.* That the curb lines of Hyde street shall be parallel with and distant ten (10.0) feet on either side of the center line described in Section 64 above. The radius of all curb connections with intersecting streets is 18.0 feet.

SECTION 66. *Curb Grades. Hyde Street.* That the curb grades of Hyde street shall be and are established as follows:

Beginning at the point described in Section 64 above, as the initial point of the center line of Hyde street, the elevation of said point

being 136.0 feet, thence on a four tenths (0.4) per cent grade downward for 200 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 135.2 feet, the elevation of the intersection of grades being 135.0 feet, the elevation of the end of said vertical curve being 136.7 feet, thence on a three and four-tenths (3.4) per cent grade upward for 150 feet, the elevation of the end point being 141.8 feet.

HUNNEWELL STREET.

SECTION 67. *Center Line. Hunnewell Street.* That the center line of Hunnewell street shall be and is established as follows:

Beginning at a point on the center line of Hunnewell street, said point being by true azimuth 29° 21′ and distant 379.0 feet from a City Street Survey Monument at the intersection of Hyde and Hunnewell streets, the co-ordinates of which referred to the Government Survey Triangulation Station "Punchbowl" being south 3.506.03 feet, and east 9,074.50 feet, and running by true azimuth as follows:

1. 209° 21′—965.95 feet to an intersection with the center line of Lanihuli drive.

SECTION 68. *Curb Lines. Hunnewell Street.* That the curb lines of Hunnewell street shall be parallel with and distant ten (10.0) feet on either side of the center line described in Section 67 above. The radius of all curb connections with intersecting streets is 18.0 feet.

SECTION 69. *Curb Grades. Hunnewell Street.* That the curb grades of Hunnewell street shall be and are established as follows:

Beginning at the point described in Section 67 above as the initial point of the center line of Hunnewell street, the elevation of said point being 139.08 feet, thence on an eight and eight-tenths (8.8) per cent grade downward, for (10.0) ten feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 138.2 feet, the elevation of the intersection of grades being 133.8 feet, the elevation of the end of said vertical curve being 134.05 feet, thence on a five tenths (0.5) per cent grade upward for 215 feet to the beginning of a vertical curve 150 feet long, the elevation of the point of beginning being 135.12 feet, the elevation of the intersection of grades being 135.5 feet, the elevation of the end of said vertical curve being 140.22 feet, thence on a six and three-tenths (6.3) per cent grade upward for 225 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 154.4 feet, the elevation of the intersection of grades being 157.55 feet, the elevation of the end of said vertical curve being 158.7 feet thence on a two and three-tenths (2.3) per cent grade upward for 165 feet, the elevation of the end point being 162.5 feet.

LILOA RISE.

SECTION 70. *Center Line. Liloa Rise.* That the center line of Liloa Rise shall be and is established as follows:

Beginning at a City Street Survey Monument on Kamehameha avenue, the co-ordinates of said monument referred to the Government Survey Triangulation Station "Punchbowl" being south 2,523.88 feet, and east 9,332.55 feet, and running by true azimuths as follows:

1. 254° 21′—619.82 feet on the long chord of a curve to the left, the radius of which is 438.28 feet; thence,

2. 209° 21′—517.72 feet to a City Street Survey Monument at the intersection with the center line of Armstrong street.

SECTION 71. *Curb Lines. Liloa Rise.* That the curb lines of Liloa Rise shall be parallel with and distant sixteen (16.0) feet on the northwest side and four (4.0) feet on the southeast side of the center line described in Section 70 above, except that the curb lines which follow the curve therein established shall be twenty (20) feet apart and determined by an independent center line radius, 440.78 feet in length, the end point of the independent center line curve being at right angles to and distant six (6.0) feet northwest of the end of the curve established and described in Section 70 above, the radius of the independent center line curve and the radius of the curve described in Section 70 above, being coincident at said end point.

SECTION 72. *Curb Grades. Liloa Rise.* That the curb grades of Liloa Rise shall be and are established as follows:

Beginning at the point described in Section 70 above as the initial point of the center line of Liloa Rise, the elevation of said point being 192.8 feet, thence on a four and four-tenths (4.4) per cent grade downward, for 230 feet to the beginning of a vertical curve 200 feet long, the elevation of the point of beginning being 182.68 feet, the elevation of the intersection of grades being 178.28 feet, the elevation of the end of said vertical curve being 182.88 feet, thence on a four and six tenths (4.6) per cent grade upward for 170 feet to the beginning of a vertical curve 200 feet long, the elevation of the point of beginning being 190.7 feet, the elevation of the intersection of grades being 195.3 feet, the elevation of the end of said vertical curve being 195.1 feet, thence on a two-tenths (0.2) per cent grade downward for 100 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 194.9 feet, the elevation of the intersection of grades being 194.8 feet, the elevation of the end of said vertical curve being 190.4 feet, thence on an eight and eight-tenths (8.8) per cent grade downward for 90 feet to the beginning of a vertical curve being 190.4 feet, thence on an eight and eight-tenths being 182.48 feet, the elevation of the intersection of grades being 178.08 feet, the elevation of the end of said vertical curve being 177.18 feet, thence on a one and eight-tenths (1.8) per cent grade downward for ten (10.0) feet, the elevation of the end point being 177.0 feet.

BECKWITH STREET.

SECTION 73. *Center Line. Beckwith Street.* That the center line of Beckwith street shall be and is established as follows:

Beginning at a point on the center line of Kamehameha avenue, said point being by true azimuth 299° 21′ and distant 571.42 feet from a City Street Survey Monument at the intersection of Kamehameha avenue and Manoa road, the co-ordinates of which referred to the Government Survey Triangulation Station "Punchbowl," being south 2,078.69 feet, and east 8,521.55 feet, and running by true azimuths as follows:

1. 209° 21′—71.91 feet to the beginning of a curve to the right, the radius of which is 50.0 feet, the azimuth and distance of the long chord being,
2. 228° 13′—32.34 feet; thence,
3. 247° 05′—655.75 feet to the beginning of a curve to the left, the radius of which is 78.0 feet, the azimuth and distance of the long chord being,
4. 205° 43′—103.10 feet; thence,
5. 164° 21′—301.08 feet to a City Street Survey Monument at the intersection of Beckwith street and East Manoa road.

SECTION 74. *Curb Lines. Beckwith Street.* That the curb lines of Beckwith street shall be parallel with and distant ten (10) feet on either side of the center line described in Section 73 above. The radius of all curb connections with intersecting streets is 18.0 feet.

SECTION 75. *Curb Grades. Beckwith Street.* That the curb grades of Beckwith street shall be and are established as follows:

Beginning at the point described in Section 73 above, as the initial point of Beckwith street center line, the elevation of said point being 198.28 feet, thence running on a four-tenths (0.4) per cent grade downward for 40 feet to the beginning of a vertical curve 160 feet long, the elevation of the point of beginning being 198.12 feet, the elevation of the intersection of grades being 197.8 feet, the elevation of the end of said vertical curve being 207.4 feet, thence on a twelve per cent grade upward for 275 feet to the beginning of a vertical curve 130 feet long, the elevation of the point of beginning being 240.4 feet, the elevation of the intersection of grades being 248.2 feet, the elevation of the end of said vertical curve being 248.85 feet, thence on a one per cent (1.0%) grade upward for 45 feet, to the beginning of a vertical curve 200 feet long, the elevation of the point of beginning being 249.3 feet, the elevation of the intersection of grades being 250.3 feet, the elevation of the end of said vertical curve being 241.5 feet, thence on an eight and eight tenths (8.8) per cent grade downward for 80 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 234.46 feet, the elevation of the intersection of grades being 230.06 feet, the elevation of the end of said vertical curve being 229.86 feet, thence on a four-tenths (0.4) per cent grade downward for 150 feet, the elevation of the end point being 229.26 feet.

ADOLPH STREET.

SECTION 76. *Center Line. Adolph Street.* That the center line of Adolph street shall be and is established as follows:

Beginning at a point on the center line of Manoa road, said point being by true azimuth 238° 45′ 30″ and distant 1,056.7 feet, from a Government Street Monument in Manoa road, the co-ordinates of which referred to the Government Survey Triangulation Station "Punchbowl" being south 1,938.16 feet, and east 8,728.70 feet, and running by true azimuth as follows:

1. 148° 39″—471.4 feet to the end of Adolph street.

SECTION 77. *Curb Lines. Adolph Street.* That the curb lines of Adolph street shall be parallel with and distant ten (10.0) feet on either side of the center line described in Section 76 above. The radius of all curb connections with intersecting streets is 18.0 feet.

SECTION 78. *Curb Grades. Adolph Street.* That the curb grades of Adolph street shall be and are established as follows:

Beginning at the point described in Section 76 above as the initial point of the center line of Adolph street, the elevation of said point being 322.72 feet, and running thence on a nineteen and four tenths (19.4) per cent grade downward for 175 feet to the beginning of a vertical curve 50 feet long, the elevation of the point of beginning being 288.77 feet, the elevation of the intersection of grades being 283.92 feet, the elevation of the end of said vertical curve being 282.92 feet, thence on a reverse vertical curve 50 feet long, the elevation of the intersection of grades being 281.92 feet, the elevation of the end of said reverse vertical curve being 278.07 feet, thence on a fifteen and four-tenths (15.4) per cent grade downward for 115 feet to the beginning of a vertical curve 80 feet long, the elevation of the point of beginning being 260.36 feet, the elevation of the intersection of grades being 254.2 feet, the elevation of the end of said vertical curve being 252.6 feet.

FERDINAND AVENUE.

SECTION 79. *Center Line. Ferdinand Avenue.* That the center line of Ferdinand avenue shall be and is established as follows:

Beginning at a point on the center line of Ferdinand avenue, said point being connected with the initial point of Adolph street center line, described above, by the following traverse: (a) 148° 39′—247.64 feet; (b) 58° 18′—513.6 feet; and running thence by true azimuths as follows:

1. 238° 18′—513.6 feet to an intersection with the center line of Adolph street; thence,
2. 238° 51′ 30″—496.3 feet; thence,
3. 235° 19′ 30″—819.1 feet to an intersection with the center line of Ferdinand street.

SECTION 80. *Curb Lines. Ferdinand Avenue.* That the curb lines of Ferdinand avenue shall be parallel with and distant ten feet on either side of the center line described in Section 79 above. The radius of all curb connections with intersecting streets is 18.0 feet.

SECTION 81. *Curb Grades. Ferdinand Avenue.* That the curb grades of Ferdinand avenue shall be and are established as follows:

Beginning at the point described in Section 79 above, as the initial point of the center line of Ferdinand avenue, the elevation of said point being 272.8 feet, and running thence on a four and two-tenths (4.2) per cent grade upward for 300 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 285.4 feet, the elevation of the intersection of grades being 287.5 feet, the elevation of the end of said vertical curve being 285.9 feet, thence on a three and two-tenths (3.2) per cent grade downward for 80 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 283.34 feet, the elevation of the intersection of grades being 281.74 feet, the elevation of the end of said vertical curve being 285.04 feet, thence on a six and six-tenths (6.6) per cent grade upward for 110 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 292.3 feet, the elevation of the intersection of grades being 295.60 feet, the elevation of the end of said vertical curve being 296.7 feet, thence on a two and two-tenths (2.2) per cent grade upward for 160 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 300.22 feet, the elevation of the intersection of grades being 301.32 feet, the elevation of the end of said vertical curve being 301.32 feet, thence on a reverse vertical curve, 100 feet long, the elevation of the intersection of grades being 301.32 feet, the elevation of the end of said reverse vertical curve being 303.82 feet, thence on a five per cent (5.0%) grade upward for 150 feet to the beginning of a vertical curve 200 feet long, the elevation of the point of beginning being 311.32 feet, the elevation of the intersection of grades being 316.32 feet, the elevation of the end of said vertical curve being 313.32 feet, thence on a three per cent (3.0%) grade downward for 330 feet, the elevation of the end point being 303.42 feet.

FERDINAND STREET.

SECTION 82. *Center Line. Ferdinand Street.* That the center line of Ferdinand street shall be and is established as follows:

Beginning at a point on the center line of Manoa road, said point being by true azimuth 235° 28′ and distant 300.25 feet from a Government Street Monument in Manoa road, the co-ordinates of which referred to the Government Survey Triangulation Station "Punchbowl" being south 855.48 feet, and east 10,513.49 feet, and running by true azimuth as follows:

1. 145° 18′—278.87 feet to an intersection with the center line of Ferdinand avenue.

SECTION 83. *Curb Lines. Ferdinand Street.* That the curb lines of Ferdinand street shall be parallel with and distant ten (10.0) feet on either side of the center line described in Section 82 above. The radius of all curb connections with intersecting streets is 18.0 feet.

SECTION 84. *Curb Grades. Ferdinand Street.* That the curb grades of Ferdinand street shall be and are established as follows:

Beginning at the point described in Section 82 above as the initial point of the center line of Ferdinand street, said point being also the beginning of a vertical curve 70 feet long, the elevation of said point being 303.42 feet, the elevation of the intersection of grades being 302.37 feet, the elevation of the end of said vertical curve being 298.17 feet, thence on a twelve per cent (12.0%) grade downward for 85 feet to the beginning of a vertical curve 100 feet long, the elevation of the point of beginning being 287.97 feet, the elevation of the intersection of grades being 281.97 feet, the elevation of the end of said vertical curve being 279.97 feet, thence on a four per cent (4.0%) grade downward for 25 feet, the elevation of the end point being 278.97 feet.

SECTION 85. *Plan and Profile.* That Grade Map No. 10, on file in the office of the Engineer of the City and County of Honolulu, is hereby approved and adopted as the plan and profile of said lines and grades herein established, which said Grade Map No. 10 is herein incorporated by reference.

SECTION 86. That Ordinance No. 62, being an Ordinance entitled "An Ordinance Relative to the Establishment of Grades and Sidewalk Lines on East Manoa Road, in the District of Honolulu, City and County of Honolulu, Territory of Hawaii," is hereby repealed.

SECTION 87. This Ordinance shall take effect from and after the date of its approval.

Introduced by

ROBERT W. SHINGLE,
Supervisor.

Date of Introduction: September 16, 1915.

Approved this 9th day of October, 1915.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 99.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN MANOA IMPROVEMENT DISTRICT NUMBER ONE.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Definitions.* That the word "Board" whenever used herein shall mean the Board of Supervisors of the City and County of Honolulu.

That the phrase "Improvement District" whenever used herein shall mean Manoa Improvement District Number One, as described in, and created by, Resolution No. 195, of said Board.

All references herein to "subdistricts" shall refer to and mean the subdistricts of said Improvement District, likewise described, in and created by, said Resolution No. 195.

That the phrase "Improvement Law" whenever used herein shall mean and refer to Sections 1793-1813, Revised Laws of Hawaii, 1915, as amended by Act 164, Session Laws of Hawaii, 1915.

That the phrase "City and County" whenever used herein shall mean and refer to the City and County of Honolulu.

SECTION 2. *Preliminary Proceedings Confirmed.* That this Board does hereby confirm all and singular the proceedings heretofore had and taken under said Improvement Law with respect to the creation and establishment of said Improvement District and Subdistricts and making of the proposed improvements, as set forth and referred to in Resolutions Nos. 94, 148, 151, 195, 350, 460 and 464, heretofore adopted by this Board, including also the report of the City and County Engineer, dated February 25, 1916, accompanying which were the corrected map of said Improvement District, and list of owners, lessees and occupants so far as known, of which notice has heretofore been given by advertisement as required by said Improvement Law, and as further supplemented by the details contained in the summary of descriptions of property in said district, dated April 11th, 1916, the same being authenticated by the signature of the said Engineer, and being on file and of record in the office of the Clerk of said City and County; to all of which reference is hereby made for a more particular and detailed description of the said Improvement District and subdistricts thereof, heretofore created and established, and the character, extent and particular location of the improvements aforesaid, the acquisition of new lands for widening, the location of the respective parcels of land subject to assessment, the names of the owners, lessees and occupants thereof so far as known, and the properties exempt from assessment, and the contributions to cost to be made by said City and County; all of the same being by this reference also made part hereof.

SECTION 3. *Confirmation of Assessments.* That it is hereby specifically found and established that each and every parcel of land within said Improvement District is or will be benefited by the said improvements to the amount of the respective assessments proposed therefor; and that the said several proposed assessments, heretofore advertised in accordance with said Improvement Law, are hereby confirmed as and for the assessments against the properties in said Improvement District and against the owners thereof respectively, as hereinafter set forth.

SECTION 4. *Private Property and Public Lands Not Specifically Assessed.* That the property in said Improvement District owned by Central Union Church of Honolulu, the Free Kindergarten and Children's Aid Association of the Hawaiian Islands, the Mid-Pacific Institute, the Trustees of the Oahu College, and the Salvation Army, and public lands, including City and County quarry, parks and parking, shall not be specifically assessed herein, but the proportion of cost which would be assessable against such lands, if privately owned and not exempt, shall be borne by the City and County as hereinafter provided.

SECTION 5. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said Improvement District, based upon the bid of F. R. Ritchie, the lowest responsible bidder, including grading, paving, guttering, moving and resetting of existing curbs, engineering and incidentals, drainage, acquiring of new land and for new curbing upon the highways included in the authorized improvements, is the sum of $196,157.00; that the total proportion of this cost which is to be borne by the City and County, is the sum of $30,631.50; that the balance of $165,525.50 is hereby charged, assessed and levied against, and shall be collected from, the properties in said Improvement District privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the rates of assessment hereinafter set forth.

SECTION 6. *Appropriation by the City and County.* That the sum of Thirty Thousand Six Hundred and Thirty-one and 50/100 Dollars ($30,631.50) be and the same is hereby appropriated out of all moneys in the Permanent Improvement Fund of said City and County, the same being derived from the general revenues of the City and County, and shall be transferred as soon as the same shall become available into an account to be known as the "Special Improvement Fund for Manoa Improvement District Number One," as payment in full of the proportion of cost of said improvements so to be borne by said City and County, provided, however, that against the amount herein so appropriated shall be credited the various sums heretofore appropriated as advances by said Board on account of the cost of said improvements by Resolutions Nos. 197, 264, 294, 330, 405, 453 and 483, amounting in all for such advances to the total sum of $6,577.30; and any balances unexpended or uncontracted for out of said funds so

heretofore appropriated shall be transferred to said Special Improvement Fund, when ascertained; and provided, further, that so much of said sum of $6,577.30 so advanced and credited as originally came from the General Fund of the City and County, being a total of $4,134.30, is hereby transferred from the Permanent Improvement Fund to the General Fund of said City and County.

SECTION 7. *Assessment Rate for General Improvement Subdistrict "A".* All properties privately owned and not exempt as aforesaid, and the owners thereof respectively, within Subdistrict "A" within said Improvement District, are hereby assessed (on an area basis) at the rate of $0.01967 per square foot towards the cost of general street improvements within said district and subdistrict, including grading, paving, guttering, moving and resetting of existing curbs, engineering and incidentals, and drainage.

SECTION 8. *Assessment Rate for General Improvements, Subdistrict "B".* All properties privately owned and not exempt as aforesaid, and the owners thereof respectively, within Subdistrict "B" within said Improvement District, are hereby assessed (on an area basis) at the rate of $0.01588 per square foot towards the cost of general street improvements within said district and subdistrict, including grading, paving, guttering, moving and resetting of existing curbs, engineering and incidentals.

SECTION 9. *Additional Assessment, Widening Manoa Road.* All properties abutting upon Manoa road within said Improvement District, privately owned and not exempt as aforesaid, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis) at the rate of $0.06203 per front foot towards the cost of acquiring new land for widening Manoa road within said district.

SECTION 10. *Additional Assessment, Widening East Manoa Road.* All properties abutting upon East Manoa road in said Improvement District, privately owned and not exempt as aforesaid, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis) at the rate of $0.2037 per front foot towards the cost of acquiring new land for widening East Manoa road.

SECTION 11. *Additional Assessment, Curbing.* All properties in said entire Improvement District privately owned and not exempt as aforesaid, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said Engineer's report of February 25, 1916) at the rate of $0.3432 per lineal foot for the curb so required in front of said property.

SECTION 12. *Collection of Assessments.* That in accordance with said Improvement Law, it shall be the duty of the tax assessor of the First Taxation Division, in said City and County of Honolulu, to proceed forthwith to notify, by letter and by posting upon the lands assessed, the several owners respectively of the several amounts due

from each, and of the date when such assessments are payable as hereinafter provided. It shall also be his duty to collect said assessments and pay all moneys so collected to the City and County Treasurer from time to time as required by such treasurer.

SECTION 13. *Lien.* All assessments herein made shall be a lien against each lot or parcel of land assessed, according to the respective assessments, from the date of the first publication of this Ordinance until paid, and shall have priority over all other liens except the lien of property taxes and liens for other public purposes; and in case assessments become delinquent, the accrued interest and other charges authorized by the improvement law in enforcing the payment of the same shall be satisfied out of said lien.

SECTION 14. *Payment of the Whole of Assessments.* That all assessments herein made shall be due and payable and must be paid to the said Tax Assessor within thirty days after the date of the last publication of this Ordinance; provided, that any such assessments may, at the election of the owner of the land assessed, be paid in installments with interest, as hereinafter provided. Failure to pay the whole of any assessment within said period of thirty days shall be conclusively considered and held an election on the part of all persons interested in such assessment, whether under disability or otherwise, to pay in such instalments.

SECTION 15. *Payment of Assessments in Installments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay any assessment in installments, the assessments herein made shall be due and must be paid to said tax assessor in ten (10) equal annual installments of principal, the first of said installments of principal to be due and payable and must be paid within thirty days after the date of the last publication of this Ordinance; and all subsequent installments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 16. *Enforcement of Payment.* Failure to pay any installment, whether of principal or interest, within thirty days after the date when it shall first have become due, shall cause the whole of the unpaid principal and accrued interest to become due and payable immediately, and the whole amount of unpaid principal and accrued interest shall thereafter draw interest at the rate of one per cent per month or fraction thereof until the day of sale made as provided in the improvement law; and the collection of said amount so due and payable with accrued interest thereon and all costs of enforcement shall be enforced as provided in the improvement law. Provided, that at any time prior to the day of sale the owner may pay the amount of all delinquent installments with interest at one per cent per month or fraction of a month, as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments

in the same manner as if default had not been made. The owner of any land assessed, not in default as to any installment or payment, may at any time, when any annual installment is due, pay the entire unpaid principal with accrued interest. The owner of any undivided interest in any land may pay his share of any assessment at any time when due.

SECTION 17. *Certified Copies.* That upon the final publication of this Ordinance a certified copy hereof and of its due publication, and of the corrected map, the list of owners, lessees and occupants so far as known, and the summary of description of property within said improvement district, all as on file as aforesaid, shall be forthwith made and delivered by the Clerk of the City and County to the Tax Assessor of the First Taxation Division, in the City and County of Honolulu, Territory of Hawaii.

SECTION 18. *Disposition of Assessments Collected.* All moneys collected from said assessments and paid over to the treasurer of the City and County as cash payments of the whole assessment, or of the first installment, due within thirty days after the date of the last publication hereof, shall be kept in said Special Improvement Fund and applied toward the cost of the improvement authorized.

All moneys, due and collected as part of any subsequent installments and interest, and covered by any bond issue respecting the authorized improvements in said improvement district made under improvement law, shall be set aside by the treasurer of the City and County in a Special Improvement Bond Fund of said district and applied solely as provided in said improvement law.

SECTION 19. *Constitutionality.* If any section, or any part or clause of any section, of this Ordinance, be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of this Ordinance as a whole, or of any section or part thereof which can be given effect without that so decided to be unconstitutional or invalid.

SECTION 20. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: April 13, 1916.

Approved this 29th day of April, A. D. 1916.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 103.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN FRONTAGE IMPROVEMENT NO. 1, LUSITANA STREET.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Definitions.* That the word "Board" whenever used herein shall mean the Board of Supervisors of the City and County of Honolulu.

That the phrase "Frontage Improvement" whenever used herein shall mean Frontage Improvement No. 1, Lusitana Street, as described in, and created by Resolution No. 395.

That the phrase "Improvement Law" whenever used herein shall mean and refer to Sections 1793-1813, Revised Laws of Hawaii, 1915, as amended by Act 164, Session Laws of Hawaii, 1915.

That the phrase "City and County" whenever used herein shall mean and refer to the City and County of Honolulu.

SECTION 2. *Preliminary Proceedings Confirmed.* That said Board does hereby confirm all and singular the proceedings heretofore had and taken under said improvement law with respect to the creation and establishment of said improvement district and the making of the proposed improvements, as set forth and referred to in Resolution Nos. 209, 300, 301, 380, 395, 448, 451, 469 and 471, heretofore adopted by said Board, including also that certain agreement, dated October 11, 1915, and the supplementary agreement, dated December 14, 1915, by and between the Territory of Hawaii and the City and County, the final report of the City and County Engineer, dated February 8, 1916, as amended by Resolution No. 451, and the report of the City and County Engineer, dated March 13, 1916, accompanying which were the corrected map of said frontage improvement and the list of owners, lessees and occupants so far as known, in respect to which notice has heretofore been given by advertisement and public hearing has been had as required by said improvement law, and as further supplemented by the details contained in the summary of descriptions of property abutting upon said frontage improvement, dated April 28, 1916, the same being on file and of record in the office of the Clerk of said City and County; to all of which reference is hereby made for a more particular and detailed description of the said frontage improvement, heretofore created and established, and the character, extent and particular location of the improvements aforesaid, the acquisition of new lands for widening, the location of the respective parcels of land subject to assessment, the names of the owners, lessees and occupants thereof so far as known, and the properties exempt from assessment, and the con-

tributions to be made by said City and County and by the Territory of Hawaii; all of the same being by this reference also made part hereof.

SECTION 3. *Confirmation of Assessments.* That it is hereby specifically found and established that each and every parcel of land abutting upon said frontage improvement is or will be benefited by the said improvements to the amount of the respective assessments proposed therefor; and that the said several proposed assessments, heretofore advertised in accordance with said improvement law, are hereby confirmed as and for the assessments against the properties abutting upon said frontage improvement and against the owners thereof respectively as hereinafter set forth.

SECTION 4. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said frontage improvement, based upon the bid of Lord-Young Engineering Company, Ltd., the lowest bidder, including grading, paving, guttering, moving and resetting of existing curbs, storm drainage, engineering and incidentals, acquiring of new land and for new curbing upon the highway included in the authorized improvements, is the sum of $39,916.60; that the total proportion of this cost which is to be borne by the City and County is the sum of $12,118.52; that the total proportion of this cost which is to be borne by the Territory of Hawaii, under its agreements with the City and County as aforesaid, is the sum of $17,775.69; that the balance of $10,022.39 is hereby charged, assessed and levied against, and shall be collected from, the properties abutting upon said frontage improvement privately owned and not specifically exempted by this Ordinance, and against the owners thereof respectively, according to the rate of the assessment hereinafter set forth.

SECTION 5. *Contribution by the Territory of Hawaii.* That the sum of seventeen thousand seven hundred and seventy-five 69/100 dollars ($17,775.69), herein found and declared to be the proportion of cost to be borne by the Territory of Hawaii, under its said agreement and supplementary agreement, as aforesaid, shall be disbursed and paid to said City and County, from time to time, on warrants drawn by the auditor of said Territory, based upon vouchers approved by the Commissioner of Public Lands and certified by the Superintendent of Public Works of said Territory, to be applied as set forth in said agreements, and the same so contributed shall be in lieu of such assessments only which might be made against the properties of the owners thereof, respectively, as are covered by said agreements of the Territory of Hawaii, if said properties were privately owned and not covered by said agreements.

SECTION 6. *Other Private Property and Public Lands Not Specifically Assessed.* That in addition to the exemptions covered by Section 5, the property abutting on frontage improvement, owned by Queen's Hospital and the Church of Jesus Christ of Latter Day Saints,

and public lands not covered by said agreements, including the frontage of Royal School premises and the frontage of intersecting streets, shall not be specifically assessed herein; that the proportion of cost which would be assessable against such land, if privately owned and not exempt, except such lands as are covered and included in said agreements between the Territory of Hawaii and the City and County aforesaid, shall be borne by the City and County, as hereinafter provided.

SECTION 7. *Appropriation by the City and County.* That the sum of twelve thousand one hundred and eighteen and 52/100 dollars ($12,118.52) be and the same is hereby appropriated out of all moneys in the Permanent Improvement Fund of said City and County, the same being derived from the general revenues of the City and County, the same being derived under the authority herein given as soon as the same shall become available to an account to be known as the "Special Improvement Fund for Frontage Improvement No. 1, Lusitana Street," as payment in full of the proportion of cost of said improvement so to be borne by said City and County; provided, however, that against the amount herein so appropriated shall be credited the various sums heretofore so appropriated as advances by said Board on account of the cost of said improvement by Resolutions Nos. 385, 405, 455, 476 and 465, amounting in all for such advances to the total sum of $2,536.65; and any balances unexpended or uncontracted for out of said fund so heretofore appropriated, shall be transferred to said special improvement fund, when ascertained; and provided, further, that so much of said sum of $2,536.65, so advanced and credited, as originally came from the general fund of the City and County, being a total of $307.50, is hereby transferred from the permanent improvement fund to the general fund of said City and County.

SECTION 8. *Assessment Rate per General Improvement.* All properties privately owned and not exempt as aforesaid, and the owners thereof respectively, abutting upon said frontage improvement, are hereby assessed on a frontage basis at the rate of $3.185043 per front foot toward the cost of general improvement abutting upon said frontage improvement, including grading, paving, guttering, moving and resetting of existing curbs, engineering and incidentals and drainage.

SECTION 9. *Additional Assessments, Curbing.* All properties abutting upon said entire frontage improvement privately owned and not exempt as aforesaid, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required shown in detail in said engineer's report of March 13, 1916), at the rate of 35 cents per front foot for the curb so required in front of said property.

SECTION 10. *Collection of Assessments.* That in accordance with said improvement law, it shall be the duty of the Tax Assessor of the First Taxation Division in said City and County of Honolulu to pro-

ceed forthwith to notify, by letter and by posting upon the lands assessed, the several owners respectively of the several amounts due from each, and of the date when such assessments are payable as hereinafter provided. It shall also be his duty to collect said assessments and pay all moneys so collected to the City and County Treasurer from time to time as required by such Treasurer.

SECTION 11. *Lien.* All assessments herein made shall be a lien against each lot or parcel of land assessed, according to the respective assessments from the date of the first publication of this Ordinance until paid, and shall have priority over all other liens except the lien of property taxes and liens for other public purposes; and in case assessments become delinquent, the accrued interest and other charges authorized by the improvement law in enforcing the payment of the same shall be satisfied out of said lien.

SECTION 12. *Payment of the Whole of Assessments.* That all assessments herein made shall be due and payable and must be paid to the said Tax Assessor within thirty days after the date of the last publication of this Ordinance; Provided, that any such assessments may, at the election of the owner of the land assessed, be paid in instalments with interest, as hereinafter provided. Failure to pay the whole of assessment within said period of thirty days shall be conclusively considered and held an election on the part of all persons interested in such assessment, whether under disability or otherwise, to pay in such instalments.

SECTION 13. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay any assessment in instalments, the assessments herein made shall be due and must be paid to said Tax Assessor in Ten (10) equal annual instalments of principal, the first of said instalments of principal, to be due and payable and must be paid within thirty days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 14. *Enforcement of Payment.* Failure to pay any instalment, whether of principal or interest, within thirty days after the date where it shall first have become due, shall cause the whole of the unpaid principal and accrued interest to become due and payable immediately, and the whole amount of unpaid principal and accrued interest shall thereafter draw interest at the rate of One per cent per month or fraction thereof until the day of sale made as provided in the Improvement Law; and the collection of said amount so due and payable with accrued interest thereon and all costs of enforcement shall be enforced as provided in the Improvement Law. Provided, that at any time prior to the day of sale the owner may

pay the amount of all delinquent instalments with interest at One per cent per month or fraction of a month, as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in instalments in the same manner as if default had not been made. The owner of any land assessed, not in default as to any instalment or payment, may at any time, when any annual instalment is due, pay the entire unpaid principal with accrued interest. The owner of any undivided interest in any land may pay his share of any assessment at any time when due.

SECTION 15. *Certified Copies.* That upon the final publication of this Ordinance a certified copy hereof and of its due publication, and of the corrected map, the list of owners, lessees and occupants so far as known, and the summary of descriptions of property abutting on said Frontage Improvement, all as on file as aforesaid, shall be forthwith made and delivered by the Clerk of the City and County to the Tax Assessor of the First Taxation Division, in the City and County of Honolulu, Territory of Hawaii.

SECTION 16. *Disposition of Assessments Collected.* All moneys collected from said assessments and paid over to the Treasurer of the City and County as cash payments of the whole assessment, or of the first instalment, due within thirty days after the date of the last publication hereof, shall be kept in said Special Improvement Fund and applied toward the cost of the two improvements authorized.

All moneys, due and collected as part of any subsequent instalments and interest, and covered by any bond issue respecting the authorized improvements in said Frontage Improvement made under Improvement Law, shall be set aside by the Treasurer of the City and County in a Special Improvement Bond Fund for said Frontage Improvement and applied solely as provided in said Improvement Law.

SECTION 17. *Constitutionality.* If any section, or any part or clause of any section, of this Ordinance be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of this Ordinance as a whole, or of any section or part thereof which can be given effect without that so decided to be unconstitutional or invalid.

SECTION 18. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of introduction: April 28, 1916.

Approved this 18th day of May, A. D. 1916.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 104.

AN ORDINANCE RELATIVE TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON SARATOGA ROAD, BEACH WALK, LEWERS ROAD, KALIA ROAD AND HELUMOA ROAD WITHIN "BEACH WALK IMPROVEMENT DISTRICT NUMBER TWO," IN WAIKIKI, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Saratoga road, Beach walk, Lewers road, Kalia road and Helumoa road within "Beach Walk Improvement District Number Two" are hereby established as shown on the plans set forth on Sheets 1, 2, 3, 4 and 5 respectively of Grade Map Number 17, dated May 18, 1916, and authenticated by the signature of the City and County Engineer, on file and of record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Saratoga road, Beach walk, Lewers road, Kalia road and Helumoa road within "Beach Walk Improvement District Number Two" are hereby established as shown on the plan and profile set forth on Sheets 1, 2, 3, 4 and 5 respectively of Grade Map Number 17, dated May 18, 1916, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: Honolulu, Hawaii, May 23, 1916.

Approved this 8th day of June, A. D. 1916.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 106.

AN ORDINANCE RELATIVE TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON VANCOUVER HIGHWAY AND ROCKY HILL STREET WITHIN THE LIMITS OF "SEA VIEW FRONTAGE IMPROVEMENT NUMBER THREE," IN MANOA, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Vancouver Highway and Rocky Hill street within the limits of "Sea View Frontage Improvement Number Three," are hereby established as shown on the plans set forth on Sheets 1 and 2 respectively of Grade Map Number 18, dated June 27, 1916, and authenticated by the signature of the City and County Engineer, on file and of record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Vancouver Highway and Rocky Hill Street within the limits of "Sea View Frontage Improvement Number Three," are hereby established as shown on the plan and profile set forth on Sheets 1 and 2 respectively of Grade Map Number 18, dated June 27, 1916, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of introduction: Honolulu, Hawaii, July 3, 1916.

Approved this 27th day of July, A. D. 1916.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 107.

AN ORDINANCE RELATIVE TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON KING STREET EXTENSION FROM McCULLY STREET TO BERETANIA STREET AT MOILIILI, ALL WITHIN THE LIMITS OF "FRONTAGE IMPROVEMENT NUMBER TWO," IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of King Street extension from McCully Street to Beretania Street at Moiliili, within the limits of "Frontage Improvement Number Two," are hereby established as shown on the plans set forth on Sheets 1 and 2 respectively of Grade Map Number 16, dated July 18, 1916, and authenticated by the signature of the City and County Engineer, on file and of-record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of King Street extension from McCully Street to Beretania Street at Moiliili, within the limits of "Frontage Improvement Number Two," are hereby established as shown on the plan and profile set forth on Sheets 1 and 2 respectively of Grade Map Number 16, dated July 18, 1916, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of introduction: Honolulu, Hawaii, July 18, 1916.

Approved this 1st day of August, A. D. 1916.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 109.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN BEACH WALK IMPROVEMENT DISTRICT NUMBER TWO.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Definitions.* That the word "Board" whenever used herein shall mean the Board of Supervisors of the City and County of Honolulu.

That the phrase "Improvement District" whenever used herein shall mean Beach Walk Improvement District Number Two, as described in, and created by Resolution of the Board No. 525.

That the phrase "Improvement Statutes" whenever used herein shall mean and refer to Sections 1793-1813, Revised Laws of Hawaii, 1915, as amended by Act 164, Session Laws of Hawaii, 1915.

That the phrase "City and County" whenever used herein shall mean and refer to the City and County of Honolulu.

SECTION 2. *Preliminary Proceedings Confirmed.* That said Board does hereby confirm all and singular the proceedings heretofore had and taken under said improvement law with respect to the creation and establishment of said improvement district and the making of the proposed improvement as modified and corrected and as set forth and referred to in Resolutions Nos. 404, 480, 481, 525, 526, 534, 543 and the minutes of meetings heretofore adopted by said Board, the final report of the City and County Engineer, dated May 31, 1916, and the assessment report of the City and County Engineer, dated July 3, 1916, accompanying which were the corrected map of said frontage improvement, the list of owners, lessees and occupants so far as known, and supplementary detail of descriptions, in respect to which notice has heretofore been given by advertisement and public hearing has been had as required by said improvement law, corrected as of July 25th, 1916, on the basis of said public hearing, to all of which reference is hereby made for a more particular and detailed description of said improvement district heretofore created and established, and the character, extent and particular location of the improvement aforesaid, the acquisition of a right-of-way for a storm drain, the location of the respective parcels of land subject to assessment, the names of the owners, lessees and occupants thereof so far as known, and the properties exempt from assessment, and the proportion to be paid by said City and County; all of the same being by this reference also made part hereof.

SECTION 3. *Confirmation of Assessment.* That it is hereby specifically found an destablished that each and every parcel of land subject to assessment within said improvement district is or will be

benefited by said improvements to the amount of the respective assessments proposed therefor; and that the said several proposed assessments heretofore advertised in accordance with said improvement law, corrected as of July 25th, 1916, are hereby confirmed and adopted as and for the assessments against properties within said improvement district and against the owners thereof respectively, as hereinafter set forth.

SECTION 4. *Cost of Authorized Improvement.* That it is hereby found and declared that the total cost of the authorized improvements in said improvement district, based upon the bid of Lord-Young Engineering Company, Limited, the lowest responsible bidder, including grading, paving, new curbing, moving and resetting of old curbs, construction of a storm sewer system and engineering and incidentals upon the highways included in the authorized improvement, is the sum of thirty-three thousand two hundred sixty-four and 17/100 dollars ($33,264.17); that the total proportion of this cost which is to be borne by the City and County is the sum of four hundred forty-five and 91/100 dollars ($445.91); that the balance of thirty-two thousand eight hundred eighteen and 26/100 dollars ($32,818.26) is hereby charged, assessed and levied against, and shall be collected from, the properties in said improvement district privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the rates of assessments hereinafter set forth.

SECTION 5. *Cost of Curbing in Front of Public Lands.* That the cost of new curbing to be laid in front of the United States Military Reservation and opposite street intersections shall not be specifically assessed against such public lands, but the proportion of cost set forth in the proceedings heretofore confirmed shall be borne by the City and County as hereinbefore provided.

SECTION 6. *Appropriation by the City and County.* That the sum of four hundred forty-five and 91/100 dollars ($445.91) be and the same is hereby appropriated out of all moneys in the permanent improvement fund of said City and County, the same being derived from general revenues of the City and County, and shall be transferred as soon as the same shall become available into a fund to be known as the "Special Improvement Fund for Beach Walk Improvement District Number Two, as payment in full of the proportion of costs of said improvement so to be borne by said City and County, provided, however, that against the amount herein so appropriated shall be credited the various sums heretofore appropriated as advances by said Board on account of the costs of said improvement by Resolutions Nos. 492, 523 and 540, amounting in all for such advance to the total sum of eight hundred ninety-eight dollars ($898.00), and the excess between the amount herein appropriated and the total amount so heretofore advanced which has been or shall be expended toward the cost of improvements in said district shall be a continuing obligation due to the City and County from the fund of this district, available from

assessments or sale of bonds for said district until finally paid; and out of said special fund created herein, the sum of four hundred forty-five and 91/100 dollars ($445.91) is hereby appropriated for the following purpose, to wit: "Cost of Improvements—Beach Walk Improvement District Number Two."

SECTION 7. *Assessment Rates for General Improvement.* That all properties privately owned and not herein specifically exempt, and the owners thereof respectively, within said improvement district, are hereby assessed (on an area basis) at the rate of $0.04813937 per square foot toward the cost of general improvements within said district, including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing.

SECTION 8. *Additional Assessment, Curbing.* That all properties within said improvement district, privately owned and not herein specifically exempt, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said engineer's report of July 3, 1916, corrected as of July 25, 1916), at the rate of $0.34 per front foot for the curb so required in front of said property.

SECTION 9. *Collection of Assessments.* That in accordance with said improvement law, it shall be the duty of the tax assessor of the First Taxation Division, in said City and County of Honolulu, to proceed forthwith to notify, by letter and by posting upon the lands assessed, the several owners respectively of the several amounts due from each, and of the date when such assessments are payable as hereinafter provided. It shall also be his duty to collect said assessments and pay all moneys so collected to the City and County treasurer from time to time as required by such treasurer.

SECTION 10. *Lien.* All assessments herein made shall be a lien against each lot or parcel of land assessed, according to the respective assessments, from the date of the first publication of this Ordinance until paid, and shall have priority over all other liens except the lien of property taxes and liens for other public purposes; and in case assessments become delinquent, the accrued interest and other charges authorized by the improvement law in enforcing the payment of the same shall be satisfied out of said lien.

SECTION 11. *Payment of the Whole of Assessments.* That all assessments herein made shall be due and payable and must be paid to the said tax assessor within thirty days after the date of the last publication of this Ordinance; provided, that any such assessments may, at the election of the owner of the land assessed, be paid in instalments with interest, as hereinafter provided. Failure to pay the whole of any assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested in such assessment, whether under disability or otherwise, to pay in such instalments.

SECTION 12. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay any assessment in instalments, the assessments herein made shall be due and must be paid to said tax assessor in ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within 30 days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 13. *Enforcement of Payment.* Failure to pay any instalment, whether of principal or interest, within thirty days after the date when it shall first have become due, shall cause the whole of the unpaid principal and accrued interest to become due and payable immediately, and the whole amount of unpaid principal and accrued interest shall thereafter draw interest at the rate of one per cent per month or fraction thereof until the day of sale made as provided in the Improvement Statutes; and the collection of said amount so due and payable with accrued interest thereon and all costs of enforcement shall be enforced as provided in the Improvement Statutes. Provided, that at any time prior to the day of sale the owner may pay the amount of all delinquent instalments with interest at one per cent per month or fraction of a month, as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in instalments in the same manner as if default had not been made. The owner of any land assessed, not in default as to any instalment or payment, may at any time, when any annual instalment is due, pay the entire unpaid principal with accrued interest. The owner of any undivided interest in any land may pay his share of any assessment at any time when due.

SECTION 14. *Certified Copies.* That upon the final publication of this Ordinance a certified copy hereof and of its due publication, and of the Corrected Map, the list of owners, lessees and occupants so far as known, and the summary of descriptions of property within said Improvement District, all as on file as aforesaid, shall be forthwith made and delivered by the Clerk of the City and County to the Tax Assessor of the First Taxation Division, in the City and County of Honolulu, Territory of Hawaii.

SECTION 15. *Disposition of Assessments Collected.* All moneys collected from said assessments and paid over to the Treasurer of the City and County as cash payments of the whole assessment, or of one or more instalments, due or paid within thirty days after the date of the last publication hereof, shall be kept in said Special Improvement Fund and applied toward the cost of the improvement authorized.

All moneys, due and collected thereafter as part of any subsequent instalments and interest, and covered by any bond issue respecting the authorized improvements in said Improvement District made under Improvement Law, shall be set aside by the Treasurer of the City and County in a Special Improvement Bond Fund of said district and applied solely as provided in said Improvement Law.

SECTION 16. *Constitutionality.* If any section, or any part or clause of any section of this Ordinance, be decided by the Courts to be unconstitutional or invalid, the same shall not affect the validity of this Ordinance as a whole, or of any section or part thereof which can be given effect without that so decided to be unconstitutional or invalid.

SECTION 17. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction, July 25, 1916.

Approved this 8th day of August, A. D. 1916.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 111.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON KALAKAUA AVENUE FROM ENA ROAD TO PARK ROAD, IN WAIKIKI, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII; AND REPEALING ORDINANCE NO. 78.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Kalakaua Avenue, from Ena Road to Park Road, within the limits of "Frontage Improvement Number Four," are hereby established as shown on the plans set forth on Sheets 1, 2, 3, 4 and 5 respectively of Grade Map Number 13, dated August 17, 1916, and authenticated by the signature of the City and County Engineer, on file and of record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb-Grades.* That the curb grades of Kalakaua Avenue, from John Ena Road to Park Road, within the limits of "Frontage Improvement Number Four," are hereby established as shown on the plan and profile set forth on Sheets 1, 2, 3, 4 and 5 respectively of Grade Map Number 13, dated August 17, 1916, hereinbefore specifically referred to and incorporated.

SECTION 3. Ordinance No. 78, and all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: Honolulu, Hawaii, August 17, 1916.

Approved this 2nd day of September, A. D. 1916.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 112.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENT IN SEA VIEW FRONTAGE IMPROVEMENT NUMBER THREE.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Definitions.* That the word "Board" whenever used herein shall mean the Board of Supervisors of the City and County of Honolulu.

That the phrase "Frontage Improvement" whenever used herein shall mean Sea View Frontage Improvement Number Three, as described in, and created by Resolution of the Board No. 550.

That the phrase "Improvement Statutes" whenever used herein shall mean and refer to Sections 1793-1813, Revised Laws of Hawaii, 1915, as amended by Acts 164 and 197, Session Laws of Hawaii, 1915.

That the phrase "City and County" whenever used herein shall mean and refer to the City and County of Honolulu.

SECTION 2. *Preliminary Proceedings Confirmed.* That the said Board does hereby confirm all and singular the proceedings heretofore had and taken under said statutes with respect to the creation and establishment of said Frontage Improvement and the making of

the proposed improvement as modified and corrected and as set forth and referred to in Resolutions of said Board Nos. 482, 487, 497, 550, 551, 572 and 579 and the minutes of meetings of said Board as heretofore adopted, the final report of the City and County Engineer, dated July 11, 1916, and the assessment report of the City and County Engineer, dated August 17, 1916, accompanying which were the corrected map of said Frontage Improvement, the list of owners, lessess and occupants so far as known, and a summary of detailed descriptions, in respect to which notice has heretofore been given by advertisement and a public hearing has been had as required by said Improvement Statutes, to all of which reference is hereby made for a more particular detailed description of said Frontage Improvement heretofore created and established, and the character, extent and particular location of the improvement aforesaid, the acquisition of new land for road widening (it being specifically found and declared that all new land, necessary and as advertised, has been acquired according to said Improvement Statutes), the location of the respective parcels of land subject to assessment, the special benefits accruing thereto, the names of the owners, lessees and occupants thereof so far as known, and the properties exempt from assessment, and the proportion to be paid by said City and County; all of the same being by this reference also made a part hereof.

SECTION 3. *Confirmation of Assessment.* That it is hereby specifically found and established that each and every parcel of land subject to assessment abutting upon said Frontage Improvement is or will be specially benefited by said improvements to the amount of the respective assessments proposed therefor; and that the said several proposed assessments heretofore advertised in accordance with said Improvement Statutes are hereby confirmed and adopted as and for the assessments against properties abutting upon said Frontage Improvement and against the owners thereof respectively, as hereinafter set forth.

SECTION 4. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said Frontage Improvement, based upon the bid of L. M. Whitehouse, the lowest responsible bidder, including grading, paving, new curbing, moving and resetting of old curbs, construction of a storm sewer system, acquisition of new land, and engineering and incidentals upon the highway included in the authorized Frontage Improvement, is the sum of Nine Thousand Forty-six and 01/100 Dollars ($9,046.01); that the total proportion of this cost, which is to be borne by the City and County is the sum of One Thousand Three Hundred and Twenty and 31/100 Dollars ($1,320.31); that the balance of Seven Thousand Seven Hundred and Twenty-five and 70/100 Dollars ($7,725.70) is hereby charged, assessed and levied against, and shall be collected from, the properties abutting upon said Frontage Improvement privately owned and not specifically exempted by this

Ordinance, and the owners thereof respectively, according to the rates of assessment hereinafter set forth.

SECTION 5. *Public Lands Not Specifically Assessed.* That the property of the College of Hawaii and the frontage of Sea View Avenue upon Rocky Hill Street shall not be specifically assessed herein, but the proportion of cost set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 6. *Appropriation by the City and County.* That the sum of One Thousand Three Hundred and Twenty and 31/100 Dollars ($1,320.31) be and the same is hereby appropriated out of all moneys in the Permanent Improvement Fund of the Treasury of said City and County, the same being derived from general revenues of the City and County, and shall be transferred as soon as the same shall become available into a fund to be known as the "Special Improvement Fund for Sea View Frontage Improvement Number Three," as payment in full of the proportion of cost of said improvement so to be borne by said City and County; provided, however, that against the amount herein so appropriated shall be credited the various sum or sums heretofore appropriated as advances by said Board and said City and County on account of the cost of said Frontage Improvement by Resolutions Nos. 490, 548 and 558, amounting in all for such advances to the total sum of Nine Hundred and Fifty-nine and 68/100 Dollars ($959.68) and any balances unexpended or uncontracted for out of said advances so heretofore appropriated, shall be transferred to said Special Improvement Fund, when ascertained; and out of said Special Improvement Fund, created herein, the sum of One Thousand Three Hundred and Twenty and 31/100 Dollars ($1,320.31) is hereby appropriated for the following purpose, to-wit: "Cost of improvements in Sea View Frontage Improvement Number Three."

SECTION 7. *Assessment Rates for General Improvements.* That all properties, abutting upon said Frontage Improvement, privately owned and not herein specifically exempt, and the owners thereof respectively, are hereby assessed (on a frontage basis) at the rate of $2.26966 per front foot toward the cost of general improvements within said Frontage Improvement, including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing.

SECTION 8. *Additional Assessment, Curbing.* That all properties abutting upon said Frontage Improvement, privately owned and not herein specifically exempt, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said Engineer's report of August 17, 1916), at the rate of $0.40 per front foot for the curb so required in front of said property.

SECTION 9. *Collection of Assessments.* That in accordance with said Improvement Statutes, it shall be the duty of the Tax Assessor of the First Taxation Division, in said City and County of Honolulu, to proceed forthwith to notify, by letter and by posting upon the lands assessed, the several owners respectively of the several amounts due from each and the property of each, and of the date when such assessments are payable as hereinafter provided. It shall also be his duty to collect said assesments and pay all moneys so collected to the City and County Treasurer from time to time as required by such Treasurer.

SECTION 10. *Lien.* All assessments herein made shall be a lien against each lot or parcel of land assessed, according to the respective assessments, from the date of the first publication of this Ordinance until paid, and shall have priority over all other liens except the lien of property taxes and liens for other public purposes; and in case assessments become delinquent, the accrued interest and other charges authorized by the Improvement Statutes in enforcing the payment of the same shall be satisfied out of said lien.

SECTION 11. *Payment of the Whole of Assessments.* That all assessments herein made shall be due and payable and must be paid to the said Tax Assessor within thirty days after the date of the last publication of this Ordinance; provided, that any such assessments may, at the election of the owner of the land assessed, be paid in instalments with interest, as hereinafter provided. Failure to pay the whole of any assessment within said period of thirty days shall be conclusively considered and held an election on the part of all persons interested in such assessment, whether under disability or otherwise, to pay in such instalments.

SECTION 12. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay any assessment in instalments, the assessments herein made shall be due and must be paid to said Tax Assessor in Five (5) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 13. *Enforcement of Payment.* Failure to pay any instalment, whether of principal or interest, within thirty days after the date when it shall first have become due, shall cause the whole of the unpaid principal and accrued interest to become due and payable immediately, and the whole amount of unpaid principal and accrued interest at the rate of one per cent per month or fraction thereof until the day of sale made as provided in the Improvement Statutes; and the collection of said amount so due and payable with accrued inter-

est thereon and all costs of enforcement shall be enforced as provided in the Improvement Statutes. Provided, that at any time prior to the day of sale the owner may pay the amount of all delinquent instalments with interest at one per cent per month or fraction of a month, as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in instalments in the same manner as if default had not been made. The owner of any land assessed, not in default as to any instalment or payment, may at any time, when any annual instalment is due, pay the entire unpaid principal with accrued interest. The owner of any undivided interest in any land may pay his share of any assessment at any time when due.

SECTION 14. *Certified Copies.* That upon the final publication of this Ordinance a certified copy hereof and of its due publication, and of the Corrected Map, the list of owners, lessees and occupants so far as known, and the summary of descriptions of property abutting upon said Frontage Improvement, all as on file as aforesaid, shall be forthwith made and delivered by the Clerk of the City and County to the Tax Assessor of the First Taxation Division, in the City and County of Honolulu, Territory of Hawaii.

SECTION 15. *Disposition of Assessments Collected.* All moneys collected from said assessments and paid over to the Treasurer of the City and County as cash payments of the whole assessment, or of one or more instalments, due or paid within thirty days after the date of the last publication hereof, shall be kept in said Special Improvement Fund and applied toward the cost of the improvement authorized.

All moneys due and collected thereafter as part of any subsequent instalments and interest, and covered by any bond issue respecting the authorized improvements in said Frontage Improvement made under the Improvement Statutes, shall be set aside by the Treasurer of the City and County in a Special Improvement Bond Fund of said Frontage Improvement and applied solely as provided in said Improvement Statutes.

SECTION 16. *Constitutionality.* If any section, or any part or clause of any section of this Ordinance or of the Improvement Statutes, be decided by the Courts to be unconstitutional or invalid, the same shall not affect the validity of this Ordinance as a whole, or of any section or part thereof which can be given effect without that so decided to be unconstitutional or invalid.

SECTION 17. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction, September 13, 1916.

Approved this 5th day of October, A. D. 1916.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 114

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENT IN KALAKAUA FRONTAGE IMPROVEMENT NUMBER FOUR.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Definitions.* That the word "Board" whenever used herein shall mean the Board of Supervisors of the City and County of Honolulu.

That the phrase "Frontage Improvement" whenever used herein shall mean Kalakaua Frontage Improvement Number Four, as described in, and created by Resolution of the Board No. 574.

That the phrase "Improvement Statutes" whenever used herein shall mean and refer to Sections 1793-1813, Revised Laws of Hawaii, 1915, as amended by Acts 164 and 197, Session Laws of Hawaii, 1915.

That the phrase "City and County" whenever used herein shall mean and refer to the City and County of Honolulu.

SECTION 2. *Preliminary Proceedings Confirmed.* That the said Board does hereby confirm all and singular the proceedings heretofore had and taken under said statutes with respect to the creation and establishment of said Frontage Improvement and the making of the proposed improvement as modified and corrected and as set forth and referred to in Resolutions of said Board Nos. 243, 341, 352, 363 and 436, Motions of this Board of January 18, 26, and February 21, 1916, Resolution of the Board No. 470, Motions of the Board of May 9, 16, June 6 and 13, 1916, and Resolutions Nos. 531, 532, 574, 581, 599 and 606, and the minutes of the meetings of said Board as heretofore adopted, the modified preliminary report of the City and County Engineer, dated June 20, 1916, final report of said Engineer dated August 22, 1916, and the assessment report of said Engineer dated October 3, 1916, accompanying which were the corrected map of said Frontage Improvement, the list of owners, lessees and occupants so far as known, and a summary of detailed descriptions, in respect to which notice has heertofore been given by advertisement and a public hearing has been had as required by said Improvement Statutes, to all of which reference is hereby made for a more particular detailed description of said Frontage Improvement heretofore created and established, and the character, extent and particular location of the improvement aforesaid, the location of the respective parcels of land subject to assessment, the special benefits accruing thereto, the names of the owners, lessees and occupants thereof so far as known, and the properties exempt from assessment, and the proportion to be paid by said City and County; all of the same being by this reference also made a part hereof.

SECTION 3. *Confirmation of Assessment.* That it is hereby specifically found and established that each and every parcel of land subject to assessment abutting upon said Frontage Improvement is or will be specially benefited by said improvements to the amount of the respective assessments proposed therefor; and that the said several proposed assessments heretofore advertised in accordance with said Improvement Statutes are hereby confirmed and adopted as and for the assessments against properties abutting upon said Frontage Improvement and against the owners thereof respectively as hereinafter set forth.

SECTION 4. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said Frontage Improvement, based upon the bid of Spalding Construction Company, the lowest responsible bidder, including grading, paving, new curbing, moving and resetting of old curbs, construction of a storm sewer system, and engineering and incidentals upon the highways included in the authorized Frontage Improvement, is the sum of Ninety-six Thousand Two Hundred Ninety Dollars ($96,290.00); that the total proportion of this cost, which is to be borne by the City and County is the sum of Forty-six Thousand One Hundred Forty-eight and 20/100 Dollars ($46,148.20); that the balance of Fifty Thousand One Hundred Forty-one and 80/100 Dollars ($50,141.80) is hereby charged, assessed and levied against, and shall be collected from, the properties abutting upon said Frontage Improvement privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the rates of assessment hereinafter set forth.

Section 5. *Public and Exempt Lands, Not Specifically Assessed.* That the frontages of all intersecting streets, lanes, highways, parks and sea wall at a line forming a continuation of the property lines of Kalakaua Avenue, the property and frontage of the United States Military Reservation and of the Catholic Mission shall not be specifically assessed herein, but the proportion of cost set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinatfer provided.

SECTION 6. *Appropriation by City and County Into Special Improvement Fund for Kalakaua Frontage Improvement Number Four.* That the sum of Forty-six Thousand One Hundred Forty-eight and 20/100 Dollars ($46,148.20) be and the same is hereby appropriated out of all moneys in the Permanent Improvement Fund of the Treasury of said City and County, the same being derived from general revenues of said City and County, and shall be transferred as soon as the same shall become available into a fund to be known as "Special Improvement Fund for Kalakaua Frontage Improvement Number Four" as payment in full of the proportion of cost of said improvement so to be borne by said City and County; provided, however,

that against the amount herein so appropriated shall be credited the various sum or sums heretofore appropriated as advances by said Board and said City and County on account of the cost of said Frontage Improvement by Resolutions Nos. 329, 405, 508, 530, 549 and 615, amounting in all for such advances to the total sum of Two Thousand Nine Hundred Forty-eight Dollars ($2,948.00); and any balances unexpended or uncontracted for out of said advances so heretofore appropriated shall, when ascertained, be transferred to said Special Improvement Fund; and provided further, that so much of said sum of $2,948.00, so advanced and credited as originally came from the General Fund of said City and County, being a total of Eight Hundred Dollars ($800.00), is hereby transferred from the Permanent Improvement Fund to said General Fund of said City and County.

SECTION 7. *Appropriation From Special Fund to Working Account.* That out of said Special Improvement Fund, created herein, the sum of Ninety-six Thousand Two Hundred Ninety Dollars ($96,290.00) be and the same is hereby appropriated for the following purposes, to-wit: "Cost of Improvements Kalakaua Frontage Improvement Number Four."

SECTION 8. *Assessment Rates for General Improvements.* That all properties, abutting upon said Frontage Improvement, privately owned and not herein specifically exempt, and the owners thereof respectively, are hereby assessed (on a frontage basis) at the rate of $4.3073566 per front foot toward the cost of general improvements within said Frontage Improvement, including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing.

SECTION 9. *Additional Assessment, Curbing.* That all properties abutting upon said Frontage Improvement, privately owned and not herein specifically exempt, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said Engineer's report of October 3, 1916), at the rate of $0.3823404 per front foot for the curb so required in front of said property.

SECTION 10. *Collection of Assessments.* That in accordance with said Improvement Statutes, it shall be the duty of the Tax Assessor of the First Taxation Division, in said City and County of Honolulu, to proceed forthwith to notify, by letter and by posting upon the lands assessed, the several owners respectively of the several amounts due from each and the property of each, and of the date when such assessments are payable as hereinafter provided. It shall also be his duty to collect said assessments and pay all moneys so collected to the City and County Treasurer from time to time as required by such Treasurer.

SECTION 11. *Liens.* All assessments herein made shall be a lien against each lot or parcel of land assessed, according to the respective assessments, from the date of the first publication of this Ordinance until paid, and shall have priority over all other liens except the lien of property taxes and liens for other public purposes; and in case assessments become delinquent, the accrued interest and other charges authorized by the Improvement Statutes in enforcing the payment of the same shall be satisfied out of said lien.

SECTION 12. *Payment of the Whole of Assessments.* That all assessments herein made shall be due and payable and must be paid to the said Tax Assessor within thirty days after the date of the last publication of this Ordinance; provided, that any such assessment may, at the election of the owner of the land assessed, be paid in ten instalments with interest, as hereinafter provided. Failure to pay the whole of any assessment within said period of thirty days shall be conclusively considered and held an election on the part of all persons interested in such assessment, whether under disability or otherwise, to pay in such instalments.

SECTION 13. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay any assessment in instalments, the assessments herein made shall be due and must be paid to said Tax Assessor in Ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 14. *Enforcement of Payment.* Failure to pay any instalment, whether of principal or interest, within thirty days after the date when it shall first have become due, shall cause the whole of the unpaid principal and accrued interest to become due and payable immediately, and the whole amount of unpaid principal and accrued interest at the rate of one per cent per month or fraction thereof until the day of sale made as provided in the Improvement Statutes; and the collection of said amount so due and payable with accrued interest thereon and all costs of enforcement shall be enforced as provided in the Improvement Statutes. Provided, that at any time prior to the day of sale the owner may pay the amount of all delinquent instalments with interest at one per cent per month or fraction of a month, as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in instalments in the same manner as if default had not been made. The owner of any land assessed, not in default as to any instalment or payment, may at any time, when any annual instalment is due, pay

the entire unpaid principal with accrued interest. The owner of any undivided interest in any land may pay his share of any assessment at any time when due.

SECTION 15. *Certified Copies.* That upon the final publication of this Ordinance a certified copy hereof and of its due publication and, of the Corrected Map, the list of owners, lessees and occupants so far as known, and the summary of descriptions of property abutting upon said Frontage Improvement, all as on file as aforesaid, shall be forthwith made and delivered by the Clerk of the City and County to the Tax Assessor of the First Taxation Division, in the City and County of Honolulu, Territory of Hawaii.

SECTION 16. *Disposition of Assessments Collected.* All moneys collected from said assessments and paid over to the Treasurer of the City and County as cash payments of the whole assessment, or of one or more instalments, due or paid within thirty days after the date of the last publication hereof, shall be kept in said Special Improvement Fund and applied toward the cost of the improvement authorized.

All moneys due and collected thereafter as part of any subsequent instalments and interest, and covered by any bond issue respecting the authorized improvements in said Frontage Improvement Statutes, shall be set aside by the Treasurer of the City and County in a Special Improvement Bond Fund of said Frontage Improvement and applied solely as provided in said Improvement Statutes.

SECTION 17. *Constitutionality.* If any section, or any part or clause of any section of this Ordinance, or of the Improvement Statutes, be decided by the Courts to be unconstitutional or invalid, the same shall not affect the validity of this Ordinance as a whole, or of any section or part thereof which can be given effect without that so decided to be unconstitutional or invalid.

SECTION 18. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction October 20, 1916.

Approved this 31st day of October, A. D. 1916.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 115

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENT IN FRONTAGE IMPROVEMENT NUMBER TWO—KING STREET EXTENSION.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Definitions.* That the word "Board" whenever used herein shall mean the Board of Supervisors of the City and County of Honolulu.

That the phrase "Frontage Improvement" whenever used herein shall mean Frontage Improvement Number Two—King Street Extension, as described in, and created by Resolution of the Board No. 561.

That the phrase "Improvement Statutes" whenever used herein shall mean and refer to Sections 1793-1813, Revised Laws of Hawaii, 1915, as amended by Acts 164 and 197, Session Laws of Hawaii, 1915.

That the phrase "City and County" whenever used herein shall mean and refer to the City and County of Honolulu.

SECTION 2. *Preliminary Proceedings Confirmed.* That the said Board does hereby confirm all and singular the proceedings heretofore had and taken under said statutes with respect to the creation and establishment of said Frontage Improvement and the making of the proposed improvement as modified and corrected and as set forth and referred to in Resolutions of said Board Nos. 349, 383, 384, 524, 561, 562, 578 and 594, and motions of said Board of February 3, and April 4, 1916, and the minutes of meetings of said Board as heretofore adopted, the modified preliminary report of the City and County Engineer dated June 1, 1916, the final report of said Engineer dated July 25, 1916, and the assessment report of said Engineer dated September 12, 1916, accompanying which were the corrected map of said Frontage Improvement, the list of owners, lessees and occupants so far as known, and a summary of detailed descriptions, in respect to which notice has heretofore been given by advertisement and a public hearing has been had as required by said Improvement Statutes, to all of which reference is hereby made for a more particular detailed description of said Frontage Improvement heretofore created and established, and the character, extent and particular location of the improvement aforesaid, the location of the respective parcels of land subject to assessment, the special benefits accruing thereto, the names of the owners, lessees and occupants thereof so far as known, and the properties exempt from assessment, and the proportion to be paid by said City and County; all of the same being by this reference also made a part hereof.

SECTION 3. *Confirmation of Assessment.* That it is hereby specifically found and established that each and every parcel of land subject to assessment abutting upon said Frontage Improvement is or will be specially benefited by said improvements to the amount of the respective assessments proposed therefor; and that the said several proposed assessments heretofore advertised in accordance with said Improvement Statutes are hereby confirmed and adopted as and for the assessments against properties abutting upon said Frontage Improvement and against the owners thereof respectively, as hereinafter set forth.

SECTION 4. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said Frontage Improvement, based upon the bid of Lord-Young Engineering Company, Limited, the lowest responsible bidder, including grading, paving, new curbing, moving and resetting of old curbs, construction of a storm sewer system, and engineering and incidentals upon the highways included in the authorized Frontage Improvement, is the sum of Thirty-two Thousand Nine Hundred Forty-two and 88/100 Dollars ($32,942.88); that the total proportion of this cost which is to be borne by the City and County is the sum of Twelve Thousand Three Hundred Forty-three and 17/100 Dollars ($12,343.17); that the balance of Twenty Thousand Five Hundred Ninety-nine and 71/100 Dollars ($20,599.71) is hereby charged, assessed and levied against, and shall be collected from, the properties abutting upon said Frontage Improvement privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the rate of assessment hereinafter set forth.

SECTION 5. *Public and Exempt Land Not Specifically Assessed.* That the property of the Episcopal Church, known as St. Mary's Mission, and the frontage of all streets, lanes, highways, parks and the gore strip at the junction with Beretania Street shall not be specifically assessed herein, but the proportion of cost set forth in the proceedings heretofore confiremd and which would be assessable against such land if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 6. *Appropriation by City and County Into Special Improvement Fund for Frontage Improvement Number Two—King Street Extension.* That the sum of Twelve Thousand Three Hundred Forty-three and 17/100 Dollars ($12,343.17) be and the same is hereby appropriated out of all moneys in the Permanent Improvement Fund of the Treasury of said City and County, the same being derived from general revenues of the City and County, and shall be transferred as soon as the same shall become available into a fund to be known as the "Special Improvement Fund for Frontage Improvement Number Two—King Street Extension," as payment in full of the proportion of cost of said improvement so to be borne by said City and County; provided, however, that against the amount herein so appropriated shall

be credited the various sum or sums heretofore appropriated as advances by said Board and said City and County on account of the cost of said Frontage Improvement by Resolutions Nos. 345, 405, 506, 541, 547 and 595, amounting in all for such advances to the total sum of One Thousand Five Hundred Ninety-seven Dollars $1,597.00); and any balances unexpended or uncontracted for out of said advances so heretofore appropriated shall be transferred to said Special Improvement Fund, when ascertained; and provided further that so much of said sum of $1,597.00 so advanced and credited as originally came from the General Fund of said City and County, being a total of One Hundred Ninety-nine Dollars ($199.00), is hereby transferred from the Permanent Improvement Fund to the General Fund of said City and County.

SECTION 7. *Appropriation from Special Improvement Fund to Working Account.* That out of said Special Improvement Fund, created herein, the sum of Thirty-two Thousand Nine Hundred Forty-two and 88/100 Dollars ($32,942.88) be and the same is hereby appropriated out of all moneys in the Special Improvement Fund for Frontage Improvement Number Two—King Street Extension for the following purposes, to-wit: "Cost of Improvements Frontage Improvement Number Two—King Street Extension."

SECTION 8. *Assessment Rates for General Improvements.* That all properties, abutting upon said Frontage Improvement, privately owned and not herein specifically exempt, and the owners thereof respectively, are hereby assessed (on a frontage basis) at the rate of $3.32 per front foot toward the cost of general improvements within said Frontage Improvement, including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing.

SECTION 9. *Additional Assessment, Curbing.* That all properties abutting upon said Frontage Improvement, privately owned and not herein specifically exempt, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said Engineer's report of September 12, 1916), at the rate of $0.4309524 per front foot for the curb so required in front of said property.

SECTION 10. *Collection of Assessments.* That in accordance with said Improvement Statutes, it shall be the duty of the Tax Assessor of the First Taxation Division, in said City and County of Honolulu, to proceed forthwith to notify by letter and by posting upon the lands assessed, the several owners respectively of the several amounts due from each and the property of each, and of the date when such assesments are payable as hereinafter provided. It shall also be his duty to collect said assessments and pay all moneys so collected to the City and County Treasurer from time to time as required by said Treasurer.

SECTION 11. *Lien.* All assessments herein made shall be a lien against each lot or parcel of land assessed, according to the respective assessments, from the date of the first publication of this Ordinance until paid, and shall have priority over all other liens except the lien of property taxes and liens for other public purposes; and in case assessments become delinquent, the accrued interest and other charges authorized by the Improvement Statutes in enforcing the payment of the same shall be satisfied out of said lien.

SECTION 12. *Payment of the Whole of Assessments.* That all assessments herein made shall be due and payable and must be paid to the said Tax Assessor within thirty days after the date of the last publication of this Ordinance; provided, that any such assessments may, at the election of the owner of the land assessed, be paid in ten instalments with interest, as hereinafter provided. Failure to pay the whole of any assessment within said period of thirty days shall be conclusively considered and held an election on the part of all persons interested in such assessment, whether under disability or otherwise, to pay in such instalments.

SECTION 13. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay any assessment in instalments, the assessments herein made shall be due and must be paid to said Tax Assessor in Ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 14. *Enforcement of Payment.* Failure to pay any instalment, whether of principal or interest, within thirty days after the date when it shall first have become due, shall cause the whole of the unpaid principal and accrued interest to become due and payable immediately, and the whole amount of unpaid principal and accrued interest at the rate of one per cent per month or fraction thereof until the day of sale made as provided in the Improvement Statutes; and the collection of said amount so due and payable with accrued interest thereon and all costs of enforcement shall be enforced as provided in the Improvement Statutes. Provided, that at any time prior to the day of sale the owner may pay the amount of all delinquent instalments with interest at one per cent per month or fraction of a month, as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in instalments in the same manner as if default had not been made. The owner of any land assessed, not in default as to any instalment or payment, may at any time, when any annual instalment is due, pay the entire unpaid prin-

cipal with accrued interest. The owner of any undivided interest in any land may pay his share of any assessment at any time when due.

SECTION 15. *Certified Copies.* That upon the final publication of this Ordinance a certified copy hereof and of its due publication, and of the Corrected Map, the list of owners, lessees and occupants so far as known, and the summary of descriptions of property abutting upon said Frontage Improvement, all as on file as aforesaid, shall be forthwith made and delivered by the Clerk of the City and County to the Tax Assessor of the First Taxation Division, in the City and County of Honolulu, Territory of Hawaii.

SECTION 16. *Disposition of Assessments Collected.* All moneys collected from said assessments and paid over to the Treasurer of the City and County as cash payments of the whole assessment, or of one or more instalments, due or paid within thirty days after the date of the last publication hereof, shall be kept in said Special Improvement Fund and applied toward the cost of the improvement authorized.

All moneys due and collected thereafter as part of any subsequent instalment and interest, and covered by any bond issue respecting the authorized improvements in said Frontage Improvement made under the Improvement Statutes, shall be set aside by the Treasurer of the City and County in a Special Improvement Bond Fund of said Frontage Improvement and applied solely as provided in said Improvement Statutes.

SECTION 17. *Constitutionality.* If any section, or any part or clause of any section of this Ordinance, or of the Improvement Statutes, be decided by the Courts to be unconstitutional or invalid, the same shall not affect the validity of this Ordinance as a whole, or of any section or part thereof which can be given effect without that so decided to be unconstitutional or invalid.

SECTION 18. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: October 20, 1916.

Approved this 31st day of October, A.D. 1916.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 116

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON BERETANIA STREET, FROM KING STREET TO NUUANU STREET, IN PALAMA, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII; AND REPEALING ORDINANCE NO. 87.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Beretania Street, from King Street to Nuuanu Street, within the limits of "Frontage Improvement Number Five," are hereby established as shown on the plans set forth on Sheets 1 and 2 respectively of Grade Map No. 14, dated October 3, 1916, and authenticated by the signature of the City and County Engineer, on file and of record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Beretania Street, from King Street to Nuuanu Street, within the limits of "Frontage Improvement Number Five," are hereby established as shown on the plan and profile set forth on Sheets 1 and 2 respectively of Grade Map No. 14, dated October 3, 1916, hereinbefore specifically referred to and incorporated.

SECTION 3. Ordinance No. 87, and all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: Honolulu, Hawaii, October 25, 1916.

Approved this 10th day of November, A. D. 1916.

JOHN C. LANE,
Mayor, City and County of Honolulu.

ORDINANCE NO. 117

AN ORDINANCE RELATIVE TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON SMITH STREET, FROM BERETANIA STREET TO QUEEN STREET, ALL WITHIN THE LIMITS OF "FRONTAGE IMPROVEMENT NUMBER SIX," IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Smith Street, from Beretania Street to Queen Street, within the limits of "Frontage Improvement Number Six," are hereby established as shown on the plans set forth on Sheet 1 of Grade Map Number 19, dated January 30, 1917, and authenticated by the signature of the City and County Engineer, on file and of record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Smith Street, from Beretania Street to Queen Street, within the limits of "Frontage Improvement Number Six," are hereby established as shown on the plan and profile set forth on Sheet No. 1 of Grade Map Number 19, dated January 30, 1917, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: Honolulu, Hawaii, January 30, 1917.

Approved this 13th day of February, A. D. 1917.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 118

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENT IN FRONTAGE IMPROVEMENT NUMBER FIVE—BERETANIA STREET (KING TO NUUANU SECTION).

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Definitions.* The word "Board" whenever used herein shall mean the Board of Supervisors of the City and County of Honolulu.

The phrase "Frontage Improvement" whenever used herein shall mean Frontage Improvement Number Five—Beretania Street (King to Nuuanu Section), as described in and created by Resolution of the Board No. 600.

The phrase "Improvement Statutes" whenever used herein shall mean and refer to Section 1793-1813, Revised Laws of Hawaii, 1915, as amended by Acts 164 and 197, Session Laws of Hawaii, 1915.

The phrase "City and County" whenever used herein shall mean and refer to the City and County of Honolulu.

SECTION 2. *Preliminary Proceedings Confirmed.* The said Board does hereby confirm all and singular the proceedings heretofore had and taken under the statutes with respect to the creation and establishment of said Frontage Improvement and the making of the proposed improvement as modified and corrected and as set forth and referred to in Resolutions of said Board Nos. 556, 568, 589, 600, 623, 665, 680 and 699, and the minutes of meetings of said Board as heretofore adopted, the modified final report of the City and County Engineer, dated December 12, 1916, and the assessment report of the City and County Engineer, dated January 15, 1917, accompanying which were the corrected map of said Frontage Improvement, the list of owners, lessees and occupants so far as known, and a summary of detailed descriptions, in respect to which notice has heretofore been given by advertisement and a public hearing has been had as required by said Improvement Statutes, to all of which reference is hereby made for a more particular detailed description of said Frontage Improvement heretofore created and established, and the character, extent and particular location of the improvement aforesaid, the location of the respective parcels of land subject to assessment, the special benefits accruing thereto, and the properties exempt from assessment, and the proportion to be paid by said City and County; all of the same being by this reference also made a part hereof.

SECTION 3. *Confirmation of Assessment.* There being no protests made or filed at the assessment hearing held for this Frontage Improvement, it is hereby specifically found and established that each

and every parcel of land subject to assessment abutting upon said Frontage Improvement is or will be specially benefited by said improvements to the amount of the respective assessments proposed therefor; and that the said several proposed assessments heretofore advertised in acordance with said Improvement Statutes are hereby confirmed and adopted as and for the assessments against properties abutting upon said Frontage Improvement and against the owners thereof respectively, as hereinafter set forth.

SECTION 4. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said Frontage Improvement, based upon the bid of Lord-Young Engineering Company, Limited, the lowest responsible bidder, including grading, paving, new curbing, moving and resetting of old curbs, construction of a storm sewer system, and engineering and incidentials upon the highways included in the authorized Frontage Improvement, is the sum of Thirty-three Thousand Dollars ($33,000.00); that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against public or exempt land, is the sum of Sixteen Thousand Two Hundred and Seven and 48/100 Dollars ($16,207.48); that the balance of Sixteen Thousand Seven Hundred Ninety-two and 52/100 Dollars ($16,792.52) is hereby charged, assessed and levied against, and shall be collected from, the properties abutting upon said Frontage Improvement privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively according to the rates of assessment hereinafter set forth.

SECTION 5. *Public Lands Not Specifically Assessed.* The Frontages of Lots Nos. 4, 7, 13, 14, 15, 22, 26, 27, 28, 29, 30, 31, 42, 44, 47, 53, 61 and 62 as shown on said corrected map of January 15, 1917, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 6. *Appropriation by the City and County.* The sum of Sixteen Thousand Two Hundred and Seven and 48/100 Dollars ($16,207.48) be and the same is hereby appropriated out of all moneys in the Permanent Improvement Fund of the Treasury of said City and County, and shall be transferred as soon as the same shall become available into a fund, to be known as the "Special Improvement Fund for Frontage Improvement Number Five—Beretania Street—(King to Nuuanu Section," as payment in full of the proportion of cost of said improvement so to be borne by said City and County; provided, however, that against the amount herein so appropriated shall be credited the various sum or sums heretofore appropriated as advances by said Board and said City and County on account of the cost of said Frontage Improvement by Resolutions Nos. 405 and 567,

amounting in all for such advances to the total sum of Seven Hundred Seventy-five and 60/100 Dollars ($775.60), being for expenditures made since July 18, 1916; and any balance unexpended or uncontracted for out of said advances so heretofore appropriated, shall be transferred to said Special Improvement Fund, when ascertained; and out of said Special Improvement Fund, created herein, the sum of Thirty-three Thousand Dollars ($33,000.00) is hereby appropriated for the following purpose to-wit: "Cost of Improvements in Frontage Improvement Number Five—Beretania Street."

SECTION 7. *Assessment Rates for General Improvements.* All properties, abutting upon said Frontage Improvement, privately owned and properties not herein specifically exempt, and the owners thereof respectively, are hereby assessed (on a frontage basis) at the rate of $5.404606 per front foot toward the cost of general improvements within said Frontage Improvement, including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing.

SECTION 8. *Additional Assessment, Curbing.* That all properties abutting upon said Frontage Improvement, privately owned and properties not herein specifically exempt, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said Engineer's report of January 15, 1917), at the rate of $0.40 per front foot for the curb so required in front of said property.

SECTION 9. *Collection of Assessments.* That in accordance with said Improvement Statutes, it shall be the duty of the Tax Assessor of the First Taxation Division, in said City and County of Honolulu, to proceed forthwith to notify, by letter and by posting upon the lands assessed, the several owners respectively of the several amounts due from each and the property of each, and of the date when such assessments are payable as hereinafter provided. It shall also be his duty to collect said assessments and pay all money so collected to the City and County Treasurer from time to time as required by such Treasurer.

SECTION 10. *Lien.* All assessments herein made shall be a lien against each lot or parcel of land assessed, according to the respective assessments, from the date of the first publication of this Ordinance until paid, and shall have priority over all other liens except the lien of property taxes and liens for other public purposes; and in case assessments become delinquent, the accrued interest and other charges authorized by the Improvement Statutes in enforcing the payment of the same shall be satisfied out of said lien.

SECTION 11. *Payment of the Whole of Assessments.* That all assessments herein made shall be due and payable and must be paid to the said Tax Assessor within thirty days after the date of the last publication of this Ordinance; provided, that any such assessment may, at

the election of the owner of the land assessed, be paid in instalments, with interest, as hereinafter provided. Failure to pay the whole of any assessment within said period of thirty days shall be conclusively considered and held an election on the part of all persons interested in such assessment, whether under disability or otherwise, to pay in such instalments.

SECTION 12. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay any assessment in instalments, the assessments herein made shall be due and must be paid to said Tax Assessor in Ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 13. *Enforcement of Payment.* Failure to pay any instalment, whether of principal or interest, within thirty days after the date when it shall first have become due, shall cause the whole of the unpaid principal and accrued interest to become due and payable immediately, and the whole amount at the rate of one per cent per month or fraction thereof until the day of sale made as provided in the Improvement Statutes; and the collection of said amounts so due and payable with accrued interest thereon and all costs of enforcement shall be enforced as provided in the Improvement Statutes. Provided, that at any time prior to the day of sale the owner may pay the amount of all delinquent instalments with interest at one per cent per month or fraction of a month, as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in instalments in the same manner as if default had not been made. The owner of any land assessed, not in default as to any instalment or payment, may at any time, when any annual instalment is due, pay the entire unpaid principal with accrued interest. The owner of any undivided interest in any land may pay his share of any assessment at any time when due.

SECTION 14. *Certified Copies.* That upon the final publication of this Ordinance a certified copy hereof and of its due publication, and of the Corrected Map, the list of owners, lessees and occupants so far as known, and the summary of descriptions of property abutting upon said Frontage Improvement, all as on file as aforesaid, shall be forthwith made and delivered by the Clerk of the City and County to the Tax Assessor of the First Taxation Division, in the City and County of Honolulu, Territory of Hawaii.

SECTION 15. *Disposition of Assessments Collected.* All moneys collected from said assessments and paid over to the Treasurer of the

City and County as cash payments of the whole assessment, or of one or more instalments, due or paid within thirty days after the date of the last publication hereof, shall be kept in said Special Improvement Fund and applied toward the cost of the improvement authorized.

All moneys due and collected thereafter as part of any subsequent instalments and interest, and covered by any bond issue respecting the authorized improvements in said Frontage Improvement made under the Improvement Statutes, shall be set aside by the Treasurer of the City and County in a Special Improvement Bond Fund of said Frontage Improvement and applied solely as provided in said Improvement Statutes.

SECTION 16. *Constitutionality.* If any section, or any part or clause of any section of this Ordinance or of the Improvement Statutes, be decided by the Courts to be unconstitutional or invalid, the same shall not affect the validity of this Ordinance as a whole, or of any section or part thereof which can be given effect without that so decided to be unconstitutional or invalid.

SECTION 17. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: February 13, 1917.

Approved this 1st day of March, A. D. 1917.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 119

AN ORDINANCE RELATIVE TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON LAIMI, PARK AND PUIWA ROADS, IN NUUANU VALLEY, ALL WITHIN THE LIMITS OF "FRONTAGE IMPROVEMENT NUMBER SEVEN," IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII, AND REPEALING ORDINANCE NO. 58.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Laimi, Park and Puiwa roads, in Nuuanu Valley, within the limits of "Frontage Im-

provement Number Seven," are hereby established as shown in the plans set forth on Sheets 1 and 2 respectively of Grade Map No. 9, dated March 27, 1917, and authenticated by the signature of the City and County Engineer, on file and of record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Laimi, Park and Puiwa roads, in Nuuanu Valley, within the limits of "Frontage Improvement Number Seven," are hereby established as shown on the plan and profile set forth on Sheets 1 and 2 respectively of Grade Map No. 9, dated March 27, 1917, hereinbefore specifically referred to and incorporated.

SECTION 3. Ordinance No. 58 and all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: Honolulu, Hawaii, March 27, 1917.

Approved this 12th day of April, A. D. 1917.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 122.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENT IN FRONTAGE IMPROVEMENT NUMBER SIX, SMITH STREET, (QUEEN TO BERETANIA).

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Definitions.* The word "Board" whenever used herein shall mean the Board of Supervisors of the City and County of Honolulu.

The phrase "Frontage Improvement" whenever used herein shall mean Frontage Improvement Number Six, Smith Street, (Queen to Beretania) as described in and created by Resolution of the Board No. 662.

The phrase "Improvement Statutes" whenever used herein shall mean and refer to Sections 1793-1813, Revised Laws of Hawaii, 1915, as amended by Acts 164 and 197, Session Laws of Hawaii, 1915, and by Act 239 of the Session Laws of Hawaii, 1917.

The phrase "City and County" whenever used herein shall mean and refer to the City and County of Honolulu.

SECTION 2. *Preliminary Proceedings Confirmed.* The said Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under said statutes with respect to the creation and establishment of said Frontage Improvement and the making of the proposed improvement as modified and corrected and as set forth and referred to in Resolutions of said Board Nos. 573, 607, 632, 662, 700, 711, 773 and Ordinance No. 117, and the minutes of meetings of said Board as heretofore adopted, the modified preliminary report of the City and County Engineer, dated October 31, 1916, his final report dated January 30, 1917, and the assessment report of the City and County Engineer, dated May 15, 1917, accompanying which were the corrected map of said Frontage Improvement, the list of owners, lessees and occupants so far as known, a Preliminary Assessment Roll and a summary of detailed descriptions, in respect to which notice has heretofore been given by advertisement and a public hearing has been had as required by said improvement statutes, to all of which reference is hereby made for a more particular detailed description of said Frontage Improvement heretofore created and established, and the character, extent and particular location of the improvement aforesaid, the subdistricts and zones thereof, the location of the respective parcels of land subject to assessment, the special benefits accruing thereto, the properties exempt from assessment, and the proportion to be paid by said City and County; all of the same being by this reference also made a part hereof.

SECTION 3. *Confirmation of Assessment.* The only protest made or filed at the assessment hearing held for this Frontage Improvement, having been duly considered and found to be not well taken, it is hereby specifically found and established that each and every parcel of land subject to assessment abutting upon said Frontage Improvement is or will be specially benefited by said improvements to the amount of the respective assessments proposed therefor, and said several assessments are hereby declared just and equitable as so listed and advertised; and that the said several proposed assessments heretofore listed and advertised in accordance with said improvement statutes are hereby confirmed and adopted as and for the assessments against properties abutting upon said Frontage Improvement and against the owners thereof respectively, and that each and every parcel of land required for said improvement has been acquired as provided in said improvement statutes.

SECTION 4. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said Frontage Improvement, based upon the bid of Lord-Young Engineering Company, Limited, the lowest responsible bidder, including cost of new land grading, paving, new curbing, moving and resetting of old curbs, construction of a storm sewer system, and engineering and incidentals upon the highways included in the authorized Frontage

Improvement, is the sum of forty-three thousand five hundred sixty-seven and 50/100 dollars ($43,567.50); that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against public or exempt land, is the sum of twelve thousand three hundred and eight and 69/100 dollars ($12,308.69); that the balance of thirty-one thousand two hundred fifty-eight and 81/100 dollars ($31,258.81) is hereby charged, assessed and levied against, and shall be collected from, the properties abutting upon said Frontage Improvement privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed and advertised and computed according to the rates of assessment hereinafter set forth.

SECTION 5. *Public Lands Not Specifically Assessed.* The Frontage of lots Nos. 11, 12, 21, 22, 30, 31, and 36 and 37, being frontages of abutting highways and lot No. 39 as shown on said corrected map and assessment roll of May 15, 1917, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 6. *Appropriation by the City and County.* The sum of twelve thousand three hundred and eight and 69/100 dollars ($12,308.69) be and the same is hereby appropriated out of all moneys in the Permanent Improvement Fund of the treasury of said City and County, and shall be transferred as soon as the same shall become available into a fund to be known as the "Special Improvement Fund for Frontage Improvement Number Six, Smith Street (Queen to Beretania)," as payment in full of the proportion of cost of said improvement so to be borne by said City and County; provided, however, that against the amount herein so appropriated shall be credited the various sum or sums heretofore appropriated as advances by said Board and said City and County on account of the cost of said Frontage Improvement by Resolutions Nos. 405, 664, 682, 698, 716 and 748, amounting in all for such advances to the total sum of twenty-one thousand one hundred thirty-five and 75/100 dollars ($21,135.75), being advances for the purchase of land and engineering and incidentals; and the excess between the amount herein appropriated and the total amount so heretofore advanced which has been or shall be expended toward the cost of improvements in said Frontage Improvement shall be a continuing obligation due to the City and County from the funds for said Frontage Improvement available from assessments or sale of bonds for said Frontage Improvement until finally paid; and out of said Special Improvement Fund, created herein, the sum of forty-three thousand five hundred sixty-seven and 50/100 dollars ($43,567.50) is hereby appropriated for the following purpose, to-wit: "Cost of Im-

provement in Frontage Improvement Number Six, Smith Street (Queen to Beretania)."

SECTION 7. *Assessment Rates for General Improvements.* All properties, abutting upon said Frontage Improvement privately owned and properties not herein specifically exempt, and the owners thereof respectively, are hereby assessed (on a frontage basis) at the rate of $8.177303 per front foot toward the cost of general improvement within said Frontage Improvement, including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing and the cost of acquiring new property.

SECTION 8. *Additional Assessment, Curbing.* That all properties abutting upon said Frontage Improvement, privately owned and properties not herein specifically exempt, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said preliminary assessment roll of May 15, 1917), at the rate of $0.43658 per front foot for the curb so required in front of said property.

SECTION 9. *Additional Assessments—Cost of Acquiring New Property.* (a) Zone 1. All property privately owned in Zone 1, Subdistrict A, and abutting upon said Frontage Improvement, not heretofore specifically exempted (approximately between Queen Street and points midway between King and Hotel Streets, shown in detail on the corrected map and assessment roll heretofore incorporated), and the owners thereof respectively are hereby further and separately assessed $6.5182739 per front foot for the cost of acquiring new property;

(b) Zone II. All property privately owned in Zone II, Subdistrict A, and abutting upon said Frontage Improvement, not heretofore specifically exempted (approximately between the northerly limit of Zone I and points midway between Hotel and Pauahi Streets, shown in detail on said corrected map and assessment roll, heretofore incorporated), and the owners thereof respectively are hereby further and separately assessed $5.118395 per front foot for the cost of acquiring new property;

(c) Zone III. All property privately owned in Zone III, Subdistrict A, and abutting upon said Frontage Improvement, not heretofore specifically exempted (approximately between the northerly limit of Zone II and Beretania Street, shown in detail on said corrected map and assessment roll, heretofore incorporated), and the owners thereof respectively are hereby assessed $3.016371 per front foot for the cost of acquiring new property.

SECTION 10. *Collection of Assessments.* That in accordance with said improvement statutes, it shall be the duty of the treasurer of the City and County of Honolulu to proceed forthwith to notify, by letter and by posting upon the lands assessed, the several owners, lessees and

occupants respectively so far as known of the several amounts assessed on the respective properties, and of the date when such assessments are payable as hereinafter provided. It shall also be his duty to collect said assessments and to set aside all moneys so collected in a special fund or funds for said Frontage Improvement.

SECTION 11. *Lien.* All assessments herein made shall be a lien against each lot or parcel of land assessed, according to the respective assessments, from the date of the first publication of this Ordinance until paid, and shall have priority over all other liens except the lien of property taxes and liens for other public purposes; and in case assessments become delinquent, the accrued interest and other charges authorized by the improvement statutes in enforcing the payment of the same shall be satisfied out of said lien.

SECTION 12. *Payment of the Whole of Assessments.* That all assessments herein made shall be due and payable and must be paid to the said treasurer within 30 days after the date of the last publication of this Ordinance; provided, that any such assessments may, at the election of the owner of the land assessed, be paid in instalments, with interest, as hereinafter provided. Failure to pay the whole of any assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested in such assessment, whether under disability or otherwise, to pay in such instalments.

SECTION 13. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay any assessment in instalments, the assessments herein made shall be due and must be paid to said treasurer in ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within 30 days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 14. *Enforcement of Payment.* Failure to pay any instalment, whether of principal or interest, within thirty days after the date when it shall first have become due, shall cause the whole of the unpaid principal and accrued interest to become due and payable immediately, and the whole amount of unpaid principal and accrued interest shall thereafter draw interest at the rate of one per cent per month or fraction thereof until the day of sale made as provided in the improvement statutes; and the collection of said amount so due and payable with accrued interest thereon and all costs of enforcement shall be enforced as provided in the improvement statutes. Provided, that at any time prior to the day of sale the owner may pay the amount of all delinquent instalments with interest on the whole amount of the unpaid assessment at one per centum per month or fraction

of a month, as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in instalments in the same manner as if default had not been made. The owner of any land assessed, not in default as to any instalment or payment, may at any time, after the expiration of the first thirty day period, pay the entire unpaid principal with interest thereon to the next annual date for the payment of instalments. The owner of any undivided interest in any land, may pay the whole assessment and may have a joint or severable right of action at law in assumpsit against any other owner or owners of any interest in such land for their proportionate share in said assessment.

SECTION 15. *Certified Copies.* That upon the final publication of this Ordinance a certified copy hereof and of its due publication, and of the corrected map, assessment roll, the list of owners, lessees and occupants so far as known, and the summary of descriptions of property abutting upon said Frontage Improvement, all on file as aforesaid, shall be forthwith made and delivered by the clerk of the City and County to the treasurer of the City and County of Honolulu, Territory of Hawaii.

SECTION 16. *Disposition of Assessments Collected.* All moneys collected from said assessments by the treasurer of the City and County as cash payments of the whole assessment, or of one or more instalments, due or paid within thirty days after the date of the last publication hereof, shall be kept in said Special Improvement Fund and applied toward the cost of the improvement authorized.

All moneys due and collected thereafter as part of any subsequent instalments and interest, and covered by any bond issue respecting the authorized improvements in said Frontage Improvement made under the improvement statutes, shall be set aside by the treasurer of the City and County in a Special Improvement Bond Fund for said Frontage Improvement and applied solely as provided in said improvement statutes.

SECTION 17. *Constitutionality.* If any section, or any part or clause of any section of this Ordinance or of the improvement statutes, be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of this Ordinance as a whole, or of any section or part thereof which can be given effect without that so decided to be unconstitutional or invalid.

SECTION 18. This Ordinance shall take effect on its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: June 12, 1917.

Approved this 23rd day of June, A. D. 1917.

JOHN C. LANE,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 123.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON BERETANIA STREET, FROM ALAPAI STREET TO PUNAHOU STREET, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Beretania Street, from Alapai Street to Punahou Street, within the limits of "Frontage Improvement Number Nine," Beretania Street, are hereby established as shown on the plans set forth on Sheets 1, 2, 3, 4 and 5 respectively of Grade Map No. 20, dated July 3, 1917, and authenticated by the signature of the City and County Engineer, on file and of record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Beretania Street, from Alapai Street to Punahou Street, within the limits of "Frontage Improvement Number Nine," Beretania Street, are hereby established as shown on the plan and profile set forth on Sheets 1, 2, 3, 4 and 5 respectively of Grade Map No. 20, dated July 3, 1917, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: Honolulu, Hawaii, July 3, 1917.

Approved this 17th day of July, A. D. 1917.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, T. H.

ORDINANCE NO. 124.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN FRONTAGE IMPROVEMENT NUMBER EIGHT, HOTEL STREET (NUUANU TO BISHOP).

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Definitions.* The word "Board" whenever used herein shall mean the Board of Supervisors of the City and County of Honolulu.

The phrase "Frontage Improvement" whenever used herein shall mean Frontage Improvement Number Eight, Hotel Street (Nuuanu to Bishop), as described in and created by Resolution of the Board No. 758.

The phrase "Improvement Statutes" whenever used herein shall mean and refer to Section 1793-1813, Revised Laws of Hawaii, 1915, as amended by Acts 164 and 197, Session Laws of Hawaii, 1915, and by Act 239 of the Session Laws of Hawaii, 1917.

The phrase "City and County" whenever used herein shall mean and refer to the City and County of Honolulu.

SECTION 2. *Preliminary Proceedings Confirmed.* The said Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under said statutes with respect to the creation and establishment of said Frontage Improvement and the making of the proposed improvement as modified and corrected and as set forth and referred to in Resolutions of said Board Nos. 643, 654, 702, 758, 770, 790 and 802 and the minutes of meetings of said Board as heretofore adopted, the modified preliminary report of the City and County Engineer, dated February 6, 1917, his final report, dated May 8, 1917, and the assessment report of the City and County Engineer, dated June 26, 1917, accompanying which were the corrected map of said Frontage Improvement, the list of owners, lessees and occupants so far as known, a preliminary assessment roll and a summary of detailed descriptions, in respect to which notice has heretofore been given by advertisement and a public hearing has been had as required by said improvement statutes, and which have been corrected as of July 14, 1917, to all of which reference is hereby made for a more particular detailed description of said Frontage Improvement heretofore created and established, and the character, extent and particular location of the improvement aforesaid, the subdistricts and zones thereof, the location of the respective parcels of land subject to assessment, the special benefits accruing thereto, the properties exempt from assessment, and the proportion to be paid by said City and County; all of the same being by this reference also made a part hereof.

SECTION 3. *Confirmation of Assessments.* No protests having been made, or filed at the assessment hearing held for this Frontage Improvement, but a correction having been necessary and made by the City and County Engineer as of July 14, 1917, it is hereby specifically found and established that each and every parcel of land subject to assessment abutting upon said Frontage Improvement is or will be specifically benefited by said improvements to the amount of the respective assessments proposed therefor, corrected as aforesaid, and said several assessments are hereby declared just and equitable as so listed and advertised, and as so corrected; and that the said several proposed assessments heretofore listed and advertised in accordance with said Improvement statutes, and as so corrected, are hereby confirmed and adopted as and for the assessments against properties abutting upon said Frontage Improvement and against the owners thereof respectively, and that each and every parcel of land required for said improvement has been acquired as provided in said Improvement statutes.

SECTION 4. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said Frontage Improvement, based upon the bid of John Walker, the lowest responsible bidder, including the cost of curbing, paving with asphalt macadam, construction of new curbing, concrete sidewalks, storm drains, and the cost of new land, together with engineering and incidentals upon that portion of the highway, in said Frontage Improvement, which is to be widened, according to the final report of said engineer, incorporated as aforesaid, is the sum of forty-one thousand fourteen and 98/100 dollars ($41,014.98); that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against street frontages, and the contribution to main thoroughfare is the sum of sixteen thousand four hundred fifteen and 98/100 dollars ($16,415.98); that the balance of twenty-four thousand five hundred and ninety-nine dollars ($24,599.00) is hereby charged, assessed and levied against, and shall be collected from, the properties abutting upon said Frontage Improvement privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed and advertised and corrected as aforesaid and computed according to the rates of assessment hereinafter set forth.

SECTION 5. *Public Lands Not Specifically Assessed.* The frontage of lots Nos. 1, 4, 8, 11, 17, 20 and 23, being frontages of abutting highways as shown on said corrected map and assessment roll of June 26, 1917, corrected as of July 14, 1917, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 6. *Appropriation by the City and County.* The sum of sixteen thousand four hundred fifteen and 98/100 dollars ($16,415.98), be and the same is hereby appropriated out of all moneys in the Permanent Improvement Fund of the treasury of said City and County, and shall be transferred as soon as the same shall become available into a fund to be known as the "Special Improvement Fund for Frontage Improvement Number Eight, Hotel Street (Nuuanu to Bishop)," as payment in full of the proportion of cost of said improvement so to be borne by said City and County; provided, however, that against the amount herein so appropriated shall be credited the various sum or sums heretofore appropriated as advances by said Board and said City and County on account of the cost of said Frontage Improvement by Resolutions Nos. 697, 768 and 789, amounting in all for such advances to the total sum of forty thousand three hundred and ninety-eight dollars ($40,398.00), being advances for the purchase of land and engineering and incidentals; and the excess between the amount herein appropriated and the total amount so heretofore advanced which has been or shall be expended toward the cost of improvements in said Frontage Improvement shall be a continuing obligation due to the City and County from the funds of said Frontage Improvement available from assessments or sale of bonds for said Frontage until finally paid; and out of said Special Improvement Fund, created herein, the sum of forty-one thousand fourteen and 98/100 dollars ($41,014.98) is hereby appropriated for the following purpose, to-wit: "Cost of Improvement in Frontage Improvement Number Eight, Hotel Street, (Nuuanu to Bishop)."

SECTION 7. *Assessment Rate in Zone I.* All properties, abutting on said Frontage Improvement in Zone II (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $45.79517 per front foot toward the cost of improvements within said Frontage Improvement, all as set forth in detail in said assessment roll and corrected map heretofore incorporated. Zone II extends approximately between Fort Street and a right angle line across Hotel Street 143.5 feet west of the north corner of Fort and Hotel Streets, and excluding 112 feet of frontage belonging to the Trustees of the Estate of James Campbell, deceased, and 36.65 feet belonging to John D. Detor, said exceptions being included as a part of the consideration for the purchase of land from said owners necessary for road widening.

SECTION 8. *Assessment Rate in Zone II.* All properties, abutting upon said Frontage Improvement in Zone I (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed on a uniformly graduated basis per front foot, commencing with a rate of $37.03542 per front foot at the Waikiki or south-easterly boundary of this zone, and diminishing at a uniform rate to $0.00 at the Ewa or westerly or Nuuanu Street boundary of Zone I, all as set forth in detail in said

assessment roll and corrected map heretofore incorporated. The boundaries of Zone I are approximately between the northwest boundary of Zone II and a line 330 feet Ewa, or westerly therefrom, at Nuuanu Street.

SECTION 9. *Assessment Rate in Zone III.* All properties, abutting upon said Frontage Improvement in Zone III (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed on a uniformly graduated basis per front foot, commencing with a rate of $37.03542 per front foot at the Ewa or Fort Street end of this zone, and diminishing at a uniform rate to $0.00 at the Waikiki or southeasterly or Bishop Street boundary of Zone III, all as set forth in detail in said assessment roll and corrected map, heretofore incorporated. The boundaries of Zone III are approximately between the Ewa property line of Fort Street and a line 330 feet Waikiki or southeasterly therefrom at Bishop Street.

SECTION 10. *Collection of Assessments.* That in accordance with said improvement statutes, it shall be the duty of the treasurer of the City and County of Honolulu to proceed forthwith to notify, by letter and by posting upon the lands assessed, the several owners, lessees and occupants respectively, so far as known, of the several amounts assessed on the respective properties, and of the date when such assessments are payable as hereinafter provided. It shall also be his duty to collect said assessments and to set aside all moneys so collected in a special fund or funds for said Frontage Improvement.

SECTION 11. *Lien.* All assessments herein made shall be a lien against each lot or parcel of land assessed, according to the respective assessments, from the date of the first publication of this Ordinance until paid, and shall have priority over all other liens except the lien of property taxes and liens for other public purposes; and in case assessments become delinquent, the accrued interest and other charges authorized by the Improvement Statutes in enforcing the payment of the same shall be satisfied out of said lien.

SECTION 12. *Payment of the Whole of Assessments.* That all assessments herein made shall be due and payable and must be paid to the said treasurer within thirty (30) days after the date of the last publication of this Ordinance; provided, that any such assessments may, at the election of the owner of the land assessed, be paid in instalments, with interest, as hereinafter provided. Failure to pay the whole of any assessment within said period of thirty days shall be conclusively considered and held an election on the part of all persons interested in such assessment, whether under disability or otherwise, to pay in such instalments.

SECTION 13. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay any assessment in instalments, the assessments herein made shall be due and must be paid to said treasurer in ten (10)

equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter dating from the date of last publication of this Ordinance.

SECTION 14. *Enforcement of Payment.* Failure to pay any instalment, whether of principal or interest, within thirty days after the date when it shall first have become due, shall cause the whole of the unpaid principal and accrued interest to become due and payable immediately, and the whole amount of unpaid principal and accrued interest shall thereafter draw interest at the rate of one per cent per month or fraction thereof until the day of sale made as provided in the improvement statutes. Provided, that at any time prior to the day of sale the owner may pay the amount of all delinquent instalments with interest on the whole amount of unpaid assessment at one per centum per month or fraction of a month, as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in instalments in the same manner as if default had not been made. The owner of any land assessed, not in default as to any instalment or payment, may at any time, after the expiration of the first thirty day period, pay the entire unpaid principal with interest thereon to the next annual date for the payment of instalments. The owner of any undivided interest in any land, may pay the whole assessment and may have a joint or severable right of action at law in assumpsit against any other owner or owners of any interest in such land for their proportionate share in said assessment.

SECTION 15. *Certified Copies.* That upon the final publication of this Ordinance a certified copy hereof and of its due publication, and of the corrected map, assessment roll, the list of owners, lessees and occupants so far as known, and the summary of description of property abutting upon said frontage improvement, all on file as aforesaid, shall be forthwith made and delivered by the clerk of the City and County to the treasurer of the City and County of Honolulu, Territory of Hawaii.

SECTION 16. *Disposition of Assessments Collected.* All moneys collected from said assessments by the treasurer of the City and County as cash payments of the whole assessment, or of one or more instalments, due or paid within thirty (30) days after the date of the last publication hereof, shall be kept in said Special Improvement Fund and applied toward the cost of the improvement authorized.

All moneys due and collected thereafter as part of any subsequent instalments and interest, and covered by any bond issue respecting the authorized improvements in said frontage improvement made under the improvement statutes, shall be set aside by the treasurer of the City and County in a Special Improvement Bond Fund for said

frontage improvement and applied solely as provided in said improvement statutes.

SECTION 17. *Constitutionality.* If any section, or any part or clause of any section of this Ordinance or of the improvement statutes, be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of this Ordinance as a whole, or of any section or part thereof which can be given effect without that so decided to be unconstitutional or invalid.

SECTION 18. This Ordinance shall take effect on its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: July 17, 1917.

Approved this 3rd day of August, A. D. 1917.

JOSEPH J. FERN,
Mayor of the City and County of Honolulu.

ORDINANCE NO. 125.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN FRONTAGE IMPROVEMENT NUMBER NINE, BERETANIA STREET (ALAPAI TO PUNAHOU).

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Definitions.* The word "Board" whenever used herein shall mean the Board of Supervisors of the City and County of Honolulu.

The phrase "Frontage Improvement" whenever used herein shall mean Frontage Improvement Number Nine, Beretania street (Alapai to Punahou), as described in and created by Resolution of the Board No. 2 (1917).

The phrase "Improvement Statutes" whenever used herein shall mean and refer to Sections 1793-1813, Revised Laws of Hawaii, 1915, as amended by Acts 164 and 197, Session Laws of Hawaii, 1915, and by Act 239 of the Session Laws of Hawaii, 1917.

The phrase "City and County" whenever used herein shall mean and refer to the City and County of Honolulu.

SECTION 2. *Preliminary Proceedings Confirmed.* The said Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under said statutes with respect to the creation and establishment of said frontage improvement and the making of the proposed improvement as modified and corrected and as set forth and referred to in Resolutions of said Board Nos. 633, 634 (1916), and 2, 5, 25, 26 and 62 (1917), and the minutes of meetings of said Board as heretofore adopted, the preliminary report of the City and County Engineer, dated November 8, 1916, his final report, dated July 9, 1917, and the assessment report of the City and County Engineer, dated September 11, 1917, accompanying which were the corrected map of said frontage improvement, the list of owners, lessees and occupants so far as known, a preliminary assessment roll and a summary of detailed descriptions, in respect to which notice has heretofore been given by advertisement and a public hearing has been had as required by said improvement statutes, and which have been corrected as of October 9, 1917, to all of which reference is hereby made for a more particular detailed description of said frontage improvement heretofore created and established, and the character, extent and particular location of the improvement aforesaid, the subdistricts and zones thereof, the location of the respective parcels of land subject to assessment, the special benefits accruing thereto, the properties exempt from assessment, and the proportion to be paid by said City and County; all of the same being by this reference also made a part hereof.

SECTION 3. *Confirmation of Assessments.* No protests having been made, or filed at the assessment hearing held for this frontage improvement, but a correction having been necessary and made by the City and County Engineer as of October 9, 1917, it is hereby specially found and established that each and every parcel of land subject to assessment abutting upon said frontage improvement is or will be specially benefited by said improvements to the amount of the respective assessments proposed therefor, corrected as aforesaid, and said several assessments are hereby declared just and equitable as so listed and advertised, and as so corrected; and that the said several proposed assessments heretofore listed and advertised in accordance with said improvement statutes, and as so corrected, are hereby confirmed and adopted as and for the assessments against properties abutting upon said frontage improvement and against the owners thereof respectively, and that each and every parcel of land required for said improvement has been acquired as provided in said improvement statutes.

SECTION 4. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said frontage improvement, based upon the bid of Lord-Young Engineering Company, Limited, the lowest responsible bidder, including the cost of curbing, grading, paving with concrete and bitulithic, mov-

ing and resetting of curbs, storm sewer system, and other improvements in place complete, together with engineering and incidentals upon that portion of the highway, in said frontage improvement, which is designated in these proceedings, according to the final report of said engineer, incorporated as aforesaid, is the sum of one hundred seventeen thousand and five hundred dollars ($117,500.00); that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against street frontages, and the contribution to main thoroughfare is the sum of sixty-one thousand six hundred three and 11/100 dollars ($61,603.11); that the balance of fifty-five thousand eight hundred ninety-six and 89/100 dollars ($55,896.89), is hereby charged, assessed and levied against, and shall be collected from, the properties abutting upon said frontage improvement privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed and advertised and corrected as aforesaid and computed according to the rates of assessment hereinafter set forth.

SECTION 5. *Public Lands Not Specifically Assessed.* The frontage of lots Nos. 1, 2, 18, 19, 22, 23, 24, 25, 26, 27, 41, 46, 50, 76, 77, 82, 85, 93 and 94, being frontages of abutting highways and of lands exempt by law, as shown on said corrected map and assessment roll of September 11, 1917, corrected as of October 9, 1917, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 6. *Appropriation by City and County.* The sum of fifty-two thousand dollars ($52,000.00) is hereby appropriated out of all moneys in the Cash Basis Operating Fund, as authorized and created by virtue of Act 236 of the Session Laws, 1917, into the "Special Improvement Fund, Frontage Improvement Number Nine, Beretania Street (Alapai to Punahou);" provided, however, that against said sum shall be credited all advances for said improvements made from said Cash Basis Operating Fund prior to the date of the approval of this Ordinance to be ascertained from the books of the City and County auditor, and the amount of such advances is hereby authorized to be transferred as soon as ascertained to said Cash Basis Operating Fund; and the sum of nine thousand six hundred three and 11/100 dollars ($9,603.11) is hereby appropriated out of all moneys in the Permanent Improvement Fund in the treasury of the City and County, and shall be transferred as soon as the same shall become available into said Special Improvement Fund, created herein, as the balance of the cost of said improvement so to be borne by the City and County; provided, that against said last mentioned sum shall be credited all advances heretofore made from said Permanent Improvement Fund on account

of the cost of said improvement by Resolutions Nos. 405 and 721 (1916) and No. 15 (1917), amounting in all to the total sum of five hundred and eighty-nine and 60/100 dollars ($589.60), and any balances unexpended or uncontracted for out of said advances on the date of approval hereof shall be transferred to said Permanent Improvement Fund when ascertained on the books of said City and County auditor; and out of all moneys in said Special Improvement Fund, created herein, the sum of one hundred seventeen thousand and five hundred dollars ($117,500.00), is hereby appropriated into an account to be known as "Cost of Improvements, Frontage Improvement Number Nine, Beretania Street (Alapai to Punahou).

SECTION 7. *Assessment Rate for General Improvements.* All properties, abutting on said frontage improvement (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $5.466 per front foot toward the cost of general improvements within said frontage improvement, all as set forth in detail in said assessment roll and corrected map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing.

SECTION 8. *Additional Assessment, New Curbing.* All properties abutting upon said frontage improvement, privately owned and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said engineer's report of September 11, 1917), at the uniform rate of $0.44 per front foot for the curb so required in front of said property.

SECTION 9. *Collection of Assessments.* That in accordance with said improvement statutes, it shall be the duty of the treasurer of the City and County of Honolulu to proceed forthwith to notify, by letter and by posting upon the lands assessed, the several owners, lessees and occupants respectively, so far as known, and of the several amounts assessed on the respective properties, and of the date when such assessments are payable as hereinafter provided. It shall also be his duty to collect said assessments and to set aside all money so collected in a special fund or funds for said frontage improvement.

SECTION 10. *Lien.* All assessments herein made shall be a lien against each lot or parcel of land assessed, according to the respective assessments, from the date of the first publication of this Ordinance until paid, and shall have priority over all other liens except the lien of property taxes and liens for other public purposes; and in case assessments become delinquent, the accrued interest and other charges authorized by the improvement statutes in enforcing the payment of the same shall be satisfied out of said lien.

SECTION 11. *Payment of the Whole of Assessments.* That all assessments herein made shall be due and payable and must be paid to

said treasurer within thirty (30) days after the date of the last publication of this Ordinance; Provided, that any such assessments may, at the election of the owner of the land assessed, be paid in instalments, with interest, as hereinafter provided.

SECTION 12. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in instalments, the assessments herein made shall be due and must be paid to said treasurer in ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 13. *Enforcement of Payment.* Failure to pay any instalment, whether of principal or interest, within thirty (30) days after the date when it shall first have become due, shall cause the whole of the unpaid principal and accrued interest to become due and payable immediately, and the whole amount of unpaid principal and accrued interest shall thereafter draw interest at the rate of one per cent per month or fraction thereof until the day of sale made as provided in the improvement statutes. Provided, that at any time prior to the day of sale the owner may pay the amount of all delinquent instalments with interest on the whole amount of unpaid assessment at one per centum per month or fraction of a month, as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in instalments in the same manner as if default had not been made. The owner of any land assessed, not in default as to any instalment or payment, may at any time, after the expiration of the first thirty (30) day period, pay the entire unpaid principal with interest thereon to the next annual date for the payment of instalments. The owner of any undivided interest in any land, may pay the whole assessment and may have a joint or severable right of action at law in assumpsit against any other owner or owners of any interest in such land for their proportionate share in said assessment.

SECTION 14. *Certified Copies.* That upon the final publication of this Ordinance a certified copy hereof and of its due publication, and of the corrected map, assessment roll, the list of owners, lessees and occupants so far as known, and the summary of descriptions of property abutting upon said frontage improvement, all on file as aforesaid, shall be forthwith made and delivered by the clerk of the City and County to the treasurer of the City and County of Honolulu, Territory of Hawaii.

SECTION 15. *Disposition of Assessments Collected.* All moneys collected from said assessments by the treasurer of the City and County as cash payments of the whole assessment, or of one or more instal-

ments, due or paid prior to the authorization of any bond issue for said improvement, shall be entered in said Special Improvement Fund and applied toward the cost of the improvement authorized.

All moneys due and collected thereafter as part of any subsequent instalments and interest, and covered by any bond issue respecting the authorized improvements in said frontage improvement made under the improvement statutes, shall be set aside by the treasurer of the City and County in a Special Improvement Bond Fund for said frontage improvement and applied solely as provided in said improvement statutes.

SECTION 16. *Constitutionality.* If any section, or any part or clause of any section of this Ordinance or of the improvement statutes, be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of this Ordinance as a whole, or of any section or part thereof which can be given effect without that so decided to be unconstitutional or invalid.

SECTION 17. This Ordinance shall take effect on its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: October 9, 1917.

Approved this 18th day of October, A. D. 1917.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, T. H..

ORDINANCE NO. 1[illegible]

AN ORDINANCE CREATING AND APPROVING GENERAL PROVISIONS FOR ALL LOCAL ASSESSMENT ORDINANCES HEREAFTER TO BE ENACTED BY THE CITY AND COUNTY OF HONOLULU.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Definitions.* The word "Board" whenever used herein, or in any local assessment ordinance, shall mean the Board of Supervisors of the City and County of Honolulu.

The phrase "Frontage Improvement" or "Improvement District" or "District Improvement" whenever used herein, or in any local assess-

ment ordinance, shall mean the Frontage Improvement or Improvement District as created by the Board by resolution incorporated in each respective local assessment ordinance by reference.

The phrase "Improvement Statutes" whenever used herein, or in any local assessment ordinance or in any of the proceedings incorporated in such ordinance by reference, shall mean and refer to ~~Sections 1793-1813~~ chapter 129, Revised Laws of Hawaii, ~~1915~~ 1945, as amended by Acts ~~164 and 197, Session Laws of Hawaii, 1915, and by Act 239~~ 44, 145 and all and joint Resolutions 23 of the Session Laws of Hawaii, ~~1917.~~ 1947.

The phrase "City and County" whenever used herein, or in any local assessment ordinance, shall mean and refer to the City and County of Honolulu.

SECTION 2. *Collection of Assessments.* That in accordance with said improvement statutes, it shall be the duty of the treasurer of the City and County of Honolulu to proceed forthwith, upon the approval of each specific local assessment ordinance, to notify, by letter and by posting upon the lands abutting upon the frontage improvement or included within the improvement district therein being assessed, the several owners, lessees and occupants respectively, so far as known, of the several amounts levied and assessed upon the respective properties, and of the date when such assessments are due, payable and delinquent as hereinafter or in each local assessment ordinance provided. It shall also be his duty to collect said assessments and to set aside all moneys so collected in a special fund or funds for the particular frontage or district improvement as to which the assessment is levied and collected.

SECTION 3. *Liens.* All assessments made by such local assessment ordinances shall be liens against each lot or parcel of land assessed, according to the respective assessments, from the date of the first publication of such ordinance until paid, and shall have priority over all other liens except the lien of property taxes and liens for other public purposes; and in case assessments become delinquent, the accrued interest and other charges authorized by the improvement statutes in enforcing the payment of the same shall be satisfied out of said lien.

SECTION 4. *Payment of the Whole of Assessments.* That all assessments made by such local assessment ordinances shall be due and payable and must be paid to said treasurer within thirty (30) days after the date of the last publication of such ordinance; Provided, that any such assessments may, at the election of the owner of the land assessed, be paid in instalments, with interest, as specially provided in the several ordinances.

SECTION 5. *Enforcement of Payment.* Failure to pay any intalment, whether of principal or interest, ~~within thirty (30) days after the date when it shall first have become due~~ shall cause the whole of the unpaid principal and accrued interest to become due and payable immediately, and the whole amount of unpaid principal and accrued interest shall thereafter draw interest at the rate of one per cent per

District Assessment Improvement Fund

month or fraction thereof until the day of sale made as provided in the improvement statutes. Provided, that at any time prior to the day of sale the owner may pay the amount of all delinquent instalments with interest ~~on the whole amount of unpaid assessment~~ thereon at one per centum per month, or fraction of a month, as aforesaid, and all costs and expenses penalties accrued, and shall thereupon be restored to the right thereafter to pay in instalments in the same manner as if default had not been made. The owner of any land assessed, not in default as to any instalment or payment, may at any time, after the expiration of the first thirty (30) day period, pay the entire unpaid principal with interest thereon to the next annual date for the payment of instalments. The owner of any undivided interest in any land, may pay the whole assessment and may have a joint or several right of action at law in assumpsit against any other owner or owners of any interest in such land for their proportionate share in said assessment.

SECTION 6. *Certified Copies.* That upon the final publication of any local assessment ordinance a certified copy thereof and of its due publication, and of the corrected map, assessment roll, the list of owners, lessees and occupants so far as known, and the summary of descriptions of property abutting upon said frontage or district improvement, all as incorporated in such ordinance, shall be forthwith made and delivered by the clerk to the treasurer of the City and County.

SECTION 7. *Disposition of Assessments Collected.* All moneys collected from such assessments by the treasurer of the City and County as cash payments of the whole assessment, or of one or more instalments, ~~due or paid~~ prior to the ~~authorization~~ issuance of any bond issue for such improvement, shall be entered in ~~the~~ Special Improvement Fund special fund for the particular improvement as to which they are collected and applied toward the cost of the respective improvements authorized.

All moneys ~~due and~~ collected thereafter as part of any subsequent instalments and interest, and covered by any bond issue respecting the authorized improvements in such frontage or district improvement made under the improvement statutes, shall be set aside by the treasurer of the City and County in a Special Improvement Bond Fund special fund for such frontage or district improvement and applied solely as provided in said improvement statutes.

SECTION 8. *Constitutionality.* If any section, or any part or clause of any section of this or any local assessment ordinance or of the improvement statutes, or of the resolutions or ordinances of the Board relating to any frontage or district improvement be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of the local assessment ordinance as a whole, or of any section or part thereof which can be given effect without that so decided to be unconstitutional or invalid, or as to which the invalidity or unconstitutionality can be cured or amended by further action or hearing by or before the Board.

SECTION 9. The provisions and sections of this Ordinance shall be taken and construed as a part of each and every local assessment ordinance hereafter to be approved without further reference or incorporation.

SECTION 10. This Ordinance shall take effect upon its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: February 12, 1918.

Approved this 2nd day of March, A. D. 1918.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 129.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN FRONTAGE IMPROVEMENT NUMBER SEVEN, LAIMI, PARK AND PUIWA ROADS (NUUANU VALLEY).

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under the improvement statutes with respect to the development, creation and establishment of Frontage Improvement Number Seven, Laimi, Park and Puiwa Roads, in Nuuanu Valley, and the making of the proposed improvement as modified and corrected and as set forth and referred to in Resolutions of said Board Nos. 617, 618 (1916), and 733, 734, 53, 103 and 148 (1917), and the minutes of meetings of said Board as heretofore adopted, the consent of property owners heretofore acted upon, the report of the City and County Engineer, dated October 17, 1916, March 30 and June 19, 1917, and the assessment report of said engineer, dated November 28, 1917, accompanying which were the corrected map of said frontage improvement, the list of owners, lessees and occupants (so far as known), a preliminary assessment roll and a summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said improvement statutes, and the report of the committee of the Board on highways, bridges, garbage

and public improvements, dated January 29, 1918, the ordinance creating and approving general provisions for local assessment ordinances and the grade Ordinance No. 119 heretofore enacted together with the corrections thereafter made with the approval of said engineer as to clerical errors therein and omissions supplied thereon from reference to the field notes upon which said grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said frontage improvement, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* A protest from but one owner having been made or filed at the final assessment hearing, held for this frontage improvement, and full and fair hearings having been held in respect thereto and after careful consideration of the facts relating thereto and the method of apportionment heretofore advertised, it is hereby specially found and established that each and every parcel of land rated in or made subject to the assessment and abutting upon said frontage improvement is or will be specially benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor and said several assessments are hereby declared just and equitable both as to the respective total amounts and as to the apportionment as so listed and advertised; and that the said several proposed assessments heretofore listed and advertised in accordance with said improvement statutes are hereby confirmed and adopted as and for the assessments against properties abutting upon said frontage improvement and against the owners thereof respectively, and that each and every parcel of land required and necessary for the street improvements has been acquired as provided in said improvement statutes.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said frontage improvement, based upon the bid of John Duggan, the lowest responsible bidder, including the cost of curbing, grading, paving with concrete, moving and resetting of curbs, storm sewer system, acquiring new land and other improvements in place complete, is the total sum of sixteen thousand two hundred eight and 20/100 dollars ($16,208.20); that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against street frontages, be contribution to main thoroughfare and the cost of new land is the sum of six thousand eight hundred forty-eight and 40/100 dollars ($6,848.40); that the balance of nine thousand three hundred fifty-nine and 80/100 dollars ($9,359.80) is hereby charged, assessed and levied against, and shall be collected from, the properties abutting upon said frontage improvement privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed and

advertised and corrected as aforesaid and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Public Lands Not Specifically Assessed.* The frontage of lots Nos. 1, 2, 7, 8, 10, 32, 34 and 35 being frontages of abutting highways and of lands exempt by law, as shown on said corrected map and assessment roll, dated November 26, 1917, and incorporated in the engineer's report of November 28, 1917, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 5. *Appropriations by the City and County.* All appropriations heretofore made and expenditures thereunder for the purpose of engineering, incidentals and inspection for said frontage improvement shall continue and remain a charge against the revenues of the City and County. In addition thereto the sum of four hundred thirty-one and 20/100 dollars ($431.20) is hereby appropriated out of all moneys in the Permanent Improvement Fund—Permanent Road Allotment for an account to be known as Purchase New Land, Frontage Improvement Number Seven and the auditor is hereby authorized to draw against said account two warrants, one of one hundred eighty-five and 60/100 dollars ($185.60), and one of two hundred forty-five and 60/100 dollars ($245.60), in favor of the treasurer of the City and County to be credited respectively upon the assessment levied upon the lands abutting upon said frontage improvement now owned or owned at the time of purchase of new land by Harold Giffard or his wife and by Marion Waterhouse Wilcox or her husband as payment in full by the City and County for such new land heretofore conveyed for said improvement, the balances of the assessments against the lands of such owners or of their successors in title to be collected in the same manner as if such balances were the original assessments. In addition to the foregoing, Resolutions Nos. 137 and 138, heretofore adopted by the Board, appropriating a total sum of fifteen thousand seven hundred and seventy-seven dollars ($15,777.00) and creating the "Special Fund for Frontage Improvement Number Seven—Laimi, Park and Puiwa Roads," are hereby confirmed and adopted and all moneys so advanced in excess of the sum of $6,417.20, being the proportion of contract cost to be paid by the City and County shall be transferred as soon as available from such special fund by the auditor and the treasurer of the City and County to the credit of the Permanent Improvement Fund—Permanent Road Allotment.

SECTION 6. *Assessment Rate for General Improvements.* All properties, abutting on said frontage improvement (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $2.011315 per front foot toward the cost of general improvements within said

frontage improvement all as set forth in detail in said assessment roll and corrected map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing and the cost of acquiring new land.

SECTION 7. *Additional Assessment, New Curbing.* All properties abutting upon said frontage improvement, privately owned and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said engineer's report of November 28, 1917), at the uniform rate of $0.5274 per front foot for the curb so required in front of said property.

SECTION 8. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in instalments, the assessments herein made shall be due and must be paid to said treasurer in ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 9. This Ordinance shall take effect upon its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: February 12, 1918.

Approved this 2nd day of March, A. D. 1918.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 133.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON FORT, HALEKAUWILA, KEKUANAOA AND BISHOP STREETS, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Fort, Halekauwila, Kekuanaoa and Bishop Streets, within the limits of "Improvement District Number Three—Fort, Halekauwila, Kekuanaoa and Bishop Streets," are hereby established as shown on the plans set forth on sheets 1 and 2 respectively of Grade Map No. 22, dated 8th of April, 1918, and authenticated by the signature of the City and County engineer, on file and of record in the office of the City and County engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Fort, Halekauwila, Kekuanaoa and Bishop Streets, within the limits of "Improvement District Number Three—Fort, Halekauwila, Kekuanaoa and Bishop Streets," are hereby established as shown on the plan and profile set forth on sheets 1 and 2 respectively of Grade Map No. 22, dated April 8th, 1918, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance snall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: Honolulu, Hawaii, April 9, 1918.

Approved this 7th day of May, A. D. 1918.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 134.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON KING STREET FROM RICHARDS STREET TO McCULLY STREET, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of King Street, from Richards Street to McCully Street, within the limits of "Frontage Improvement Number Twelve—King Street," are hereby established as shown on the plans set forth on sheets 1, 2, 3, 4, 5, 6, 7 and 8 respectively of Grade Map No. 23, dated April 15, 1918, and authenticated by the signature of the City and County engineer, on file and of record in the office of the City and County engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of King Street from Richards Street to McCully Street, within the limits of "Frontage Improvement Number Twelve—King Street," are hereby established as shown on the plan and profile set forth on sheets 1, 2, 3, 4, 5, 6, 7 and 8 respectively of Grade Map No. 23, dated April 15, 1918, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: Honolulu, Hawaii, April 23, 1918.

Approved this 14th day of May, A. D. 1918.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 135.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON IWILEI ROAD, PRISON ROAD, PACIFIC STREET, PINE STREET, KUWILI STREET, SUMNER STREET AND QUEEN STREET, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Iwilei Road, Prison Road, Pacific Street, Pine Street, Kuwili Street, Sumner Street and Queen Street, within the limits of "Improvement District Number Four—Iwilei," are hereby established as shown on the plans set forth on sheets 1 and 2 respectively of Grade Map No. 24, dated April 18, 1918, and authenticated by the signature of the City and County engineer, on file and of record in the office of the City and County engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Iwilei Road, Prison Road, Pacific Street, Pine Street, Kuwili Street, Sumner Street and Queen Street, within the limits of "Improvement District Number Four—Iwilei," are hereby established as shown on the plan and profile set forth on sheets 1 and 2 respectively of Grade Map No. 24, dated April 18, 1918, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: Honolulu, Hawaii, April 23, 1918.

Approved this 14th day of May, A. D. 1918.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 136.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON KALAKAUA AVENUE EXTENSION, PARK DRIVE AND PORTION OF DIAMOND HEAD ROAD, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Kalakaua Avenue Extension, Park Drive and portion of Diamond Head Road, within the limits of "Frontage Improvement Number Thirteen—Kalakaua Avenue Extension, Park Drive and portion of Diamond Head Road," are hereby established as shown on the plans set forth on sheets 1, 2, 3, 4 and 5 respectively of Grade Map No. 25, dated May 6, 1918, and authenticated by the signature of the City and County engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Kalakaua Avenue Extension, Park Drive and portion of Diamond Head Road, within the limits of "Frontage Improvement Number Thirteen—Kalakaua Avenue Extension, Park Drive and portion of Diamond Head Road," are hereby established as shown on the plan and profile set forth on sheets 1, 2, 3, 4 and 5 respectively of Grade Map No. 25, dated May 6, 1918, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: Honolulu, Hawaii, May 7, 1918.

Approved this 24th day of May, A. D. 1918.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 138.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN "IMPROVEMENT DISTRICT NUMBER THREE—FORT, HALEKAUWILA, KEKUANAOA AND BISHOP STREETS."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under the improvement statutes with respect to the development, creation and establishment of Improvement District Number Three—Fort, Halekauwila, Kekuanaoa and Bishop Streets, and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 117 (1917) and 242, 286, 343, 412 and 414 (1918); and the minutes of meetings of said Board as heretofore adopted, the consent of property owners heretofore acted upon, the report of the City and County engineer, dated January 22, 1918, and the assessment report of said engineer, dated May 31, 1918, accompanying which were the corrected map of said improvement district, the list of owners, lessees and occupants, (so far as known), a preliminary assessment roll and a summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said improvement statutes, the ordinance creating and approving general provisions for local assessment ordinances, being Ordinance No. 128, and the grade Ordinance No. 133 heretofore enacted together with any corrections thereafter made with the approval of said engineer as to clerical errors therein and omissions supplied thereon from reference to the field notes upon which said grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said improvement district, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* No protests having been made or filed at the final assessment hearing, held for this improvement district, and full and fair hearings having been held in respect thereto and after careful consideration of the facts relating thereto and the method of apportionment heretofore advertised, it is hereby specially found and established that each and every parcel of land rated in or made subject to the assessment and in said improvement district is or will be specially benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor and said several assessments are hereby declared just and in fair proportion to the respective assessments proposed therefor and said several assessments are hereby declared just and equitable

both as to the respective total amounts and as to the apportionment as so listed and advertised; where part only of a lot is included, the part so included represents the fair proportion of special benefit accruing to the whole premises of the respective owner at the uniform rate; and that the said several proposed assessments heretofore listed and advertised in accordance with said improvement statutes are hereby confirmed and adopted as and for the assessments against properties in said improvement district and against the owners thereof respectively, and that each and every parcel of land required and necessary for the street improvements has been acquired as provided in said improvement statutes.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said improvement district based upon the bid of H. P. Benson, the lowest responsible bidder, including the cost of curbing, grading, paving with "bitulithic" surface and concrete base, moving and resetting of curbs, storm sewer system, and other improvements in place complete, is the total sum of fifty-seven thousand nine hundred and seventeen dollars ($57,917.00); that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against street intersection areas and contribution, is the sum of thirty-four thousand five hundred and ninety-two and 73/100 dollars (34,592.73); that the balance of twenty-three thousand three hundred and twenty-four and 27/100 dollars ($23,324.27) is hereby charged, assessed and levied against, and shall be collected from, the properties within said improvement district privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed, advertised and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Public Lands Not Specifically Assessed.* Lots Nos. 1, 2, 4, 5, 7, 8, 9 and highway intersections being public lands and lands exempt by law, as shown on said corrected map and assessment roll, dated May 31, 1918, and incorporated in the engineer's report of May 31, 1918, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 5. *Appropriations by the City and County.* All appropriations heretofore made and expenditures thereunder for the purpose of engineering, incidentals and inspection for said improvement district shall continue and remain a charge against the revenues of the City and County. And for the purpose of meeting the proportion of cost against public and exempt lands and the general contribution, the total sum of thirty-four thousand five hundred and ninety-two and 73/100 dollars ($34,592.73) be and the same is hereby appropriated

out of all moneys in the treasury of the City and County to the credit of the Permanent Improvement Fund—Permanent Road Allotment, being from the general revenues of said City and County, and said amount shall be transferred as soon as available to the credit of the "Special Fund for Improvement District Number Three;" and out of all moneys now or hereafter to become available in the "Special Fund for Improvement District Number Three," the sum of thirty-four thousand five hundred and ninety-two and 73/100 dollars ($34,592.73) is hereby appropriated into an account to be known as "Cost of Improvements—Improvement District Number Three."

SECTION 6. *Assessment Rate For General Improvements.* All properties within said improvement district (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $0.097776 per square foot toward the cost of general improvements within said improvement district, all as set forth in detail in said assessment roll and corrected map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing.

SECTION 7. *Additional Assessment, New Curbing.* All properties within said improvement district, privately owned and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said engineer's report of May 31, 1918), at the uniform rate of $0.424943 per front foot for the curb so required in front of said property.

SECTION 8. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in instalments, the assessments herein made shall be due and must be paid to said treasurer in ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 9. This Ordinance shall take effect upon its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: June 18, 1918.

Approved this 3rd day of July, A. D. 1918.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 139.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN "FRONTAGE IMPROVEMENT NUMBER THIRTEEN—KALAKAUA AVENUE EXTENSION, PARK DRIVE AND PORTION OF DIAMOND HEAD ROAD."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under the improvement statutes with respect to the development, creation and establishment of Frontage Improvement Number Thirteen—Kalakaua Avenue Extension, Park Drive and portion of Diamond Head Road, and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 120 (1917), and 334, 383, 384, 406, 411 and 427 (1918), and the minutes of meetings of said Board as heretofore adopted, the consent of property owners heretofore acted upon, the report of the City and County engineer, dated March 19, 1918, and the assessment report of said engineer dated June 4, 1918, accompanying which were the corrected map of said frontage improvement, the list of owners, lessees and occupants (so far as known), a preliminary assessment roll and a summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said improvement statutes the ordinance creating and approving general provisions for local assessment ordinances, being Ordinance No. 128, and the grade Ordinance No. 136 heretofore enacted together with the correction thereafter made with the approval of said engineer as to clerical errors therein and omissions supplied thereon from reference to the field notes upon which said grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said frontage improvement, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* No protests having been made or filed at the final assessment hearing, held for this frontage improvement, and full and fair hearings having been held in respect thereto and after careful consideration of the facts relating thereto and the method of apportionment heretofore advertised, it is hereby specially found and established that each and every parcel of land rated in or made subject to the assessment and abutting upon said frontage improvement is or will be specially benefited by said improvements to the amount of and in fair proportion to the respective assess-

ments proposed therefor and said several assessments are hereby declared just and equitable both as to the respective total amounts and as to the apportionment as so listed and advertised; variations in shapes or depths of lots, if any, being immaterial so far as approximate benefits of this improvement are concerned; and that the said several proposed assessments heretofore listed and advertised in accordance with said improvement statutes are hereby confirmed and adopted as and for the assessments against properties abutting upon said frontage improvement and against the owners thereof respectively, and that each and every parcel of land required and necessary for the street improvements has been acquired so far as is necessary as provided in said improvement statutes.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said frontage improvement, based upon the the bid of H. P. Benson, the lowest responsible bidder, including the cost of curbing, sidewalk, grading, paving with concrete with a squeegee surfacing, moving and resetting of curbs, storm sewer system and other improvements in place complete, is the total sum of eighty-two thousand, nine hundred eighty-six dollars ($82,986.00), that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against street frontages, other public or exempt lands and contribution, is the sum of forty-five thousand four hundred seventy-three and 33/100 dollars ($45,473.33); that the balance of thirty-seven thousand five hundred twelve and 67/100 dollars ($37,512.67) is hereby charged, assessed and levied against, and shall be collected from, the properties abutting upon said frontage improvement privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed and advertised and corrected as aforesaid and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Public Lands Not Specifically Assessed.* The frontage of lots Nos. 3, 4, 7, 8, 23, 24, 25 and 26, being frontages of abutting highways, parks and other public or exempt lands, as shown on said corrected map and assessment roll, dated June 3, 1918, and incorporated in the engineer's report of June 4, 1918, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 5. *Appropriations by the City and County.* All appropriations heretofore made and expenditures thereunder for the purpose of engineering, incidentals and inspection for said frontage improvement shall continue and remain a charge against the revenues of the City and County. And for the purpose of meeting the proportion of cost against public and exempt lands and the general contribution,

the total sum of forty-five thousand four hundred seventy-three and 33/100 dollars ($45,473.33), be, and the same is hereby appropriated out of all moneys in the treasury of the City and County to the credit of the Permanent Improvement Fund—Permanent Road Allotment, being from the general revenues of said City and County, and said amount shall be transferred as soon as available to the credit of the "Special Fund for Frontage Improvement Number Thirteen;" and out of all moneys now or hereafter to become available in the "Special Fund for Frontage Improvement Number Thirteen," the sum of forty-five thousand four hundred seventy-three and 33/100 dollars ($45,473.33) is hereby appropriated into an account to be known as "Cost of Improvements—Frontage Improvement Number Thirteen."

SECTION 6. *Assessment Rate For General Improvements.* All properties, abutting on said frontage improvement (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $3.3182287 per front foot toward the cost of general improvements within said frontage improvement all as set forth in detail in said assessment roll and corrected map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing and the cost of sidewalks, both as segregated in the bid of the contractor.

SECTION 7. *Additional Assessment, New Curbing.* All properties abutting upon said frontage improvement, privately owned and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said engineer's report of June 4, 1918), at the uniform rate of $0.623792 per foot for the curb so required in front of said property.

SECTION 8. *Additional Assessment—Sidewalks.* All properties abutting upon said frontage improvement, privately owned and not specifically exempted herein, in front of which new sidewalk is to be laid, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of sidewalk required, shown in detail in said engineer's report of June 4, 1918), at a uniform rate of $1.10 per front foot for the sidewalk so required in front of such property.

SECTION 9. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in instalments, the assessments herein made shall be due and must be paid to said treasurer in ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with in-

terest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 10. This Ordinance shall take effect upon its approval.

Introduced by

C. H. BELLINA,
Supervisor.

Date of Introduction: June 22, 1918.

Approved this 11th day of July, A. D. 1918.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 140.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN "FRONTAGE IMPROVEMENT NUMBER ELEVEN—BISHOP STREET (HOTEL STREET TO ALLEN STREET)."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under the improvement statutes with respect to the development, creation and establishment of Frontage Improvement Number Eleven—Bishop Street (Hotel Street to Allen Street), and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 42 and 116 (1917), and 238, 278, 279, 285 and 432 (1918), and the minutes of meetings of said Board as heretofore adopted, the consent of property owners heretofore acted upon, the report of the City and County engineer, dated September 25, 1917, and the assessment report of said engineer, dated June 8, 1918, accompanying which were the corrected map of said frontage improvement, the list of owners, lessees and occupants (so far as known), a preliminary assessment roll and a summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said improvement statutes, the ordinance creating and approving general provisions for local assessment ordinances, being Ordinance No. 128, heretofore enacted, to all of which reference is hereby made for a more particular and detailed description of said frontage improvement, the extent thereof, the location of the respective parcels of land rated in the assessments and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* No protests having been made or filed at the final assessment hearing, held for this frontage improvement, and full and fair hearings having been held in respect thereto and after careful consideration of the facts relating thereto and the methods of apportionment heretofore advertised, it is hereby specially found and established that each and every parcel of land rated in or made subject to the assessment and abutting upon said frontage improvement is or will be specially benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor and said several assessments are hereby declared just and equitable both as to the respective total amounts and as to the apportionment as so listed and advertised; variations in shapes or depths of lots, if any, being immaterial so far as approximate benefits of this improvement are concerned; and that the said several proposed assessments heretofore listed and advertised in accordance with said improvement statutes are hereby confirmed and adopted as and for the assessments against properties abutting upon said frontage improvement and against the owners thereof respectively, and that each and every parcel of land required and necessary for the street improvements has been acquired so far as is necessary as provided in said improvement statutes.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said frontage improvement, being solely the cost to property owners for moving and reconstructing buildings as damages for opening and extension of Bishop Street through to Allen Street, is the total sum of five thousand, five hundred five and 64/100 dollars ($5,505.64), that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against street frontages, other public or exempt lands and contribution, is the sum of three thousand five hundred ninety-one and 16/100 dollars ($3,591.16); that the balance of one thousand nine hundred fourteen and 48/100 dollars ($1,914.48) is hereby charged, assessed and levied against, and shall be collected from, the properties abutting upon said frontage improvement privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed and advertised and corrected as aforesaid and computed according to the total amounts heretofore listed and advertised and corrected as aforesaid and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Public Lands Not Specifically Assessed.* The frontage lots Nos. 1, 2, 3, 13, and 14, being frontage of abutting highways and other public or exempt lands, as shown on said corrected map and assessment roll, dated June 4, 1918, and incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would be assessable against such lands if pri-

vately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 5. *Appropriation by the City and County.* All appropriations heretofore made and expenditures thereunder for the purpose of engineering, incidentals and inspection for said frontage improvement shall continue and remain a charge against the revenues of the City and County. In addition to the foregoing, Resolutions of said Board Nos. 238 and 279, appropriating moneys as advances to special accounts as to the cost of this improvement, are hereby confirmed and the auditor and treasurer are hereby authorized to transfer the expenditures and to amend the titles of the account therein to an account to be known as "Cost of Improvements, Frontage Improvement Number Eleven—Bishop Street;" and all moneys collected from assessments levied by this Ordinance against privately owned lands shall be credited to the Permanent Improvement Fund for sewer, water and permanent roads as a reimbursement to that extent for advances so made.

SECTION 6. *Assessment Rate For General Improvements.* All properties, abutting on said frontage improvement (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively are hereby assessed at a uniform rate of $1.074337 per front foot toward the full amount of damages and cost aforesaid within said frontage improvement all as set forth in detail in said assessment roll and corrected map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed.

SECTION 7. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in instalments, the assessments herein made shall be due and must be paid to said treasurer in five (5) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 8. This Ordinance shall take effect upon its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: July 2, 1918.

Approved this 19th day of July, A. D. 1918.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 141.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON ALAPAI STREET, KING TO GREEN STREETS, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Alapai Street, within the limits of "Frontage Improvement Number Fifteen—Alapai Street, King to Green Streets," are hereby established as shown on the plans set forth on sheets 1 and 2 respectively of Grade Maps Nos. 43 and 44, dated July 10, 1918, and authenticated by the signature of the City and County engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Alapai Street, within the limits of "Frontage Improvement Number Fifteen—Alapai Street, King to Green Streets," are hereby established as shown on the plan and profile set forth on sheets 1 and 2 respectively of Grade Maps Nos. 43 and 44, dated July 10, 1918, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction:

Approved this 30th day of July, A. D. 1918.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 142.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON AALA STREET—BERETANIA TO KING STREETS, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Aala Street, within the limits of "Frontage Improvement Number Fourteen—Aala Street, Beretania to King Streets," are hereby established as shown on the plans set forth on sheet 1 of Grade Map No. 37, dated June 5, 1918, and authenticated by the signature of the City and County engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Aala Street, within the limits of "Frontage Improvement Number Fourteen—Aala Street, Beretania to King Streets," are hereby established as shown on the plan and profile set forth on sheet 1 of Grade Map No. 37, dated June 5, 1918, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: Honolulu, Hawaii, July 16, 1918.

Approved this 30th day of July, A. D. 1918.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 143.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON ENA, KALIA AND ALA MOANA ROADS, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Ena, Kalia and Ala Moana Roads, within the limits of "Improvement District Number Five," are hereby established as shown on the plans set forth on Grade Map No. 27, dated August 10, 1918, corrected as of August 30, 1918, and authenticated by the signature of the City and County engineer, on file and of record in the office of the City and County engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Ena, Kalia and Ala Moana Roads, within the limits of "Improvement District Number Five," are hereby established as shown on the plan and profile set forth on Grade Map No. 27, dated August 10, 1918, corrected as of August 30, 1918, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: Honolulu, Hawaii, August 30, 1918.

Approved this 22nd day of October, A. D. 1918.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 144.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN "FRONTAGE IMPROVEMENT NUMBER FOURTEEN—AALA STREET, BERETANIA TO KING STREETS."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under the improvement statutes with respect to the development, creation and establishment of Frontage Improvement Number Fourteen—Aala Street, Beretania to King Streets, and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 333, 440, 465, 466, 510 and 511 (1918), and the minutes of meetings of said Board as heretofore adopted, the consent of property owners heretofore acted upon, the report of the City and County engineer, dated June 6, 1918, and the assessment report of said engineer, dated August 20, 1918, accompanying which were the corrected map of said frontage improvement, the list of owners, lessees and occupants (so far as known), a preliminary assessment roll and a summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said improvement statutes, the ordinance creating and approving general provisions for local assessment ordinances, being Ordinance No. 128, and the grade Ordinance No. 142, heretofore enacted, together with any correction thereafter made to date hereof with the approval of said engineer as to clerical errors therein and omissions supplied thereon from reference to the field notes upon which said grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said frontage improvement, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* No protests having been made or filed at the final assessment hearing, held for this frontage improvement, and full and fair hearings having been held in respect thereto and after careful consideration of the facts relating thereto and the method of apportionment heretofore advertised, it is hereby specially found and established that each and every parcel of land rated in or made subject to the assessment and abutting upon said frontage improvement is or will be specially benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor and said several assessments are hereby declared just and equitable both as to the respective total amounts and as to the apportionment as so listed and advertised; variations in

shapes or depths of lots, if any, being immaterial so far as approximate benefits of this improvement are concerned; and that the said several proposed assessments heretofore listed and advertised in accordance with said improvement statutes are hereby confirmed and adopted as and for the assessments against properties abutting upon said frontage improvement and against the owners thereof respectively, and that each and every parcel of land required and necessary for the street improvements has been acquired so far as is necessary as provided in said improvement statutes.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said frontage improvement, based upon the bid of Lord-Young Engineering Company, Limited, the lowest responsible bidder, including the cost of curbing, sidewalk, grading, paving with concrete with a "bitulithic" surfacing, moving and resetting of curbs, storm sewer system and other improvements in place complete, is the total sum of six thousand six hundred seventy-five dollars ($6,675.00), that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against street frontages, other public or exempt lands and contribution, is the sum of two thousand two hundred sixteen and 67/100 dollars ($2,216.67); that the balance of four thousand four hundred fifty-eight and 33/100 dollars ($4,458.33) is hereby charged, assessed and levied against, and shall be collected from, the properties abutting upon said frontage improvement privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed and advertised and corrected as aforesaid and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Appropriations by the City and County.* All appropriations heretofore made and expenditures thereunder for the purpose of engineering, incidentals and inspection for said frontage improvement shall continue and remain a charge against the revenues of the City and County. And for the purpose of meeting the proportion of cost against public and exempt lands and the general contribution, the total sum of two thousand two hundred sixteen and 67/100 dollars ($2,216.67), be, and the same is hereby appropriated out of all moneys in the treasury of the City and County to the credit of the Permanent Improvement Fund—Sewer Works, Water Works and Permanent Roads allotment, being from the general revenues of said City and County, and said amount shall be transferred as soon as available to the credit of the "Special Fund for Frontage Improvement Number Fourteen;" and out of all moneys now or hereafter to become available in the "Special Fund for Frontage Improvement Number Fourteen," the sum of two thousand two hundred sixteen and 67/100 dollars ($2,216.67) is hereby appropriated into an account to be known as "Cost of Improvements—Frontage Improvement Number Fourteen."

SECTION 5. *Assessment Rate for General Improvements.* All properties, abutting on said frontage improvement (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $6.57528 per front foot toward the cost of general improvements within said frontage improvement all as set forth in detail in said assessment roll and corrected map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing and the cost of sidewalks, both as segregated in the bid of the contractor.

SECTION 6. *Additional Assessment, New Curbing.* All properties abutting upon said frontage improvement, privately owned and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are herby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in details in said engineer's report of August 20, 1918), at the uniform rate of $0.50 per front foot for the curb so required in front of said property.

SECTION 7. *Additional Assessment—Sidewalk.* All properties abutting upon said frontage improvement, privately owned and not specifically exempted herein, in front of which new sidewalk is to be laid, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of sidewalk required, shown in detail in said engineer's report of August 20, 1918), at a uniform rate of $2.50 per front foot for the sidewalk so required in front of such property.

SECTION 8. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in instalments, the assessments herein made shall be due and must be paid to said treasurer in ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at a rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 9. This Ordinance shall take effect upon its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: September 24th, 1918.

Approved this 22nd day of October, A. D. 1918.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 146.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN "IMPROVEMENT DISTRICT NUMBER FIVE—ENA, KALIA AND ALA MOANA ROADS."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under the improvement statutes with respect to the development, creation and establishment of Improvement District Number Five—Ena, Kalia and Ala Moana Roads, and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 239, 415, 442, 503, 536 and 550 (1918); and the minutes of meetings of said Board as heretofore adopted, the consent of property owners heretofore acted upon, the report of the City and County engineer, dated May 24, 1918, and the assessment report of said engineer, dated September 13, 1918, accompanying which were the corrected map of said improvement district, the list of owners, lessees and occupants (so far as known), a preliminary assessment roll and a summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said improvement statutes, the ordinance creating and approving general provisions for local assessment ordinances, being Ordinance No. 128, and the grade Ordinance No. 143 heretofore enacted together with any corrections thereafter made with the approval of said engineer as to clerical errors therein and omissions supplied thereon from reference to the field notes upon which said grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said improvement district, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* No protests having been made or filed at the final assessment hearing, held for this improvement district, and full and fair hearings having been held in respect thereto, and after careful consideration of the facts relating thereto and the method of apportionment heretofore advertised, it is hereby specially found and established that each and every parcel of land rated in or made subject to the assessment and in said improvement district is or will be specially benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor and said several assessments are hereby declared just and equitable both as to the respective total amounts and as to the apportionment

as so listed and advertised; where part only of a lot is included, the part so included represents the fair proportion of special benefit accruing to the whole premises of the respective owner at the uniform rate; and that the said several proposed assessments heretofore listed and advertised in accordance with said improvement statutes are hereby confirmed and adopted as and for the assessments against properties in said improvement district and against the owners thereof respectively, and that no new land is required and necessary for the street improvements contemplated by these proceedings.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said Improvement District based upon the bid of Hawaiian Contracting Co., Ltd., the lowest responsible bidder, including the cost of curbing, grading, paving with a squeegee surface on a concrete base, moving and resetting of curbs, storm sewer system, and other improvements in place complete, is the total sum of thirty-one thousand, two hundred sixty-two dollars ($31,262.00); that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against street intersection areas and contribution, is the sum of eleven thousand, seven hundred sixty-four and 25/100 dollars ($11,764.25); that the balance of nineteen thousand, four hundred ninety-seven and 75/100 dollars ($19,497.75), is hereby charged, assessed and levied against, and shall be collected from, the properties within said improvement district privately owned and not specifically exempted by this ordinance, and the owners thereof respectively, according to the total amounts heretofore listed, advertised and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Public Lands Not Specifically Assessed.* Lots Nos. 1, 4, 10 and 19 and highway intersections being public lands and lands exempt by law, as shown on said corrected map and assessment roll, dated August 10 and September 14, 1918, respectively and incorporated in the engineer's report of September 13, 1918, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 5. *Appropriations by the City and County.* All appropriations heretofore made and expenditures thereunder for the purpose of engineering, incidentals and inspection for said improvement district shall continue and remain a charge against the revenues of the City and County. And for the purpose of meeting the proportion of cost against public and exempt lands and the general contribution, the total sum of eleven thousand, seven hundred sixty-four and 25/100 dollars ($11,764.25), be, and the same is hereby appropriated out of all moneys in the treasury of the City and County to the credit of the Permanent Improvement Fund, Sewer Works, Water Works and Permanent Road

Allotments, being from the general revenues of said City and County, and said amount shall be transferred as soon as available to the credit of the "Special Fund for Improvement District Number Five;" and out of all moneys now or hereafter to become available in the "Special Fund for Improvement District Number Five," the sum of eleven thousand, seven hundred sixty-four and 25/100 dollars ($11,764.25), is hereby appropriated into an account to be known as "Cost of Improvements—Improvement District Number Five."

SECTION 6. *Assessment Rate For General Improvements.* All properties within said improvement district (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $0.0162698 per square foot toward the cost of general improvements within said improvement district, all as set forth in detail in said assessment roll and corrected map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing.

SECTION 7. *Additional Assessment, New Curbing.* All properties within said improvement district, privately owned and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said engineer's report of September 13, 1918), at the uniform rate of $0.482689 per front foot for the curb so required in front of said property.

SECTION 8. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in instalments, the assessments herein made shall be due and must be paid to said treasurer in ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 9. This Ordinance shall take effect upon its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: November 12th, 1918.

Approved this 17th day of December, A. D. 1918.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 149.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON LILIHA STREET—JUDD TO WYLLIE STREET, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Liliha Street, between Judd Street and Wyllie Street, are hereby established as shown on the plans set forth on sheet 1, of Grade Map No. 28, dated January 20, 1919, and authenticated by the signature of the City and County engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Liliha Street, between Judd Street and Wyllie Street are hereby established as shown on the plan and profile set forth on sheet 1, of Grade Map No. 28, dated January 20, 1919, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

Introduced by

LESTER PETRIE,
Supervisor.

Date of Introduction: Honolulu, Hawaii, January 21, 1919.

Approved this 11th day of February, A. D. 1919.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 150.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN "FRONTAGE IMPROVEMENT NUMBER 12, SECTION 'A'—KING STREET, PUNAHOU TO McCULLY."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings

heretofore had and taken under the improvement statutes with respect to the development, creation and establishment of Frontage Improvement Number Twelve, Section "A"—King Street, Punahou to McCully, and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 559, 584, 611, 612 and 643 (1918), and 685 (1919), and the minutes of meetings of said Board as heretofore adopted, the consent of property owners heretofore acted upon, the report of the City and County engineer, dated, October 8, 1918, and the assessment report of said engineer, dated December 28, 1918, accompanying which were the corrected map of said frontage improvement, the list of owners, lessees and occupants, (so far as known), a preliminary assessment roll and a summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said improvement statutes the ordinance creating and approving general provisions for local assessment ordinances, being Ordinance No. 128, and the grade Ordinance No. 134 heretofore enacted together with any correction thereafter made with the approval of said engineer as to clerical errors, if any, therein and omissions supplied thereon from reference to the field notes upon which said grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said frontage improvement, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* No protests having been made or filed at the final assessment hearing, held for this frontage improvement, and full and fair hearings having been held in respect thereto and after careful consideration of the facts relating thereto and the method of apportionment heretofore advertised, it is hereby specially found and established that each and every parcel of land rated in or made subject to the assessment and abutting upon said frontage improvement is or will be specially benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor and said several assessments are hereby declared just and equitable both as to the respective total amounts and as to the apportionment as so listed and advertised; variations in shapes or depths of lots, if any, being immaterial so far as approximate benefits of this improvement are concerned; and that the said several proposed assessments heretofore listed and advertised in accordance with said improvement statutes are hereby confirmed and adopted as and for the assessments against properties abutting upon said frontage improvement and against the owners thereof respectively, and that each and every parcel of land required and necessary for the street improvements has been acquired so far as is necessary as provided in said improvement statutes.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said frontage improvement, based upon the bid of Hawaiian Contracting Company, Limited, the lowest responsible bidder, including the cost of curbing, grading, paving with concrete with a "bitulithic" surfacing, moving and resetting of curbs, storm sewer system and other improvements in place complete, is the total sum of thirty-five thousand eight hundred dollars ($35,800.00), that the total proportion of this cost which is to be borne by the City and County, including assessments proportioned against street frontages, other public or exempt lands and contribution, is the sum of thirteen thousand one hundred twenty-eight and 92/100 dollars ($13,128.92); that the balance of twenty-two thousand six hundred seventy-one and 8/100 dollars ($22,671.08) is hereby charged, assessed and levied against, and shall be collected from, the properties abutting upon said frontage improvement privately owned and not specifically exempted by this ordinance, and the owners thereof respectively, according to the total amounts heretofore listed and advertised and corrected as aforesaid and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Public Lands Not Specifically Assessed.* The front of lot No. 30, and frontages of abutting highways, parks and other public or exempt lands, as shown on said corrected map and assessment roll, dated December 28, 1918, and incorporated in the engineer's report of December 28, 1918, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against such public or exempt land set forth in the proceedings heretofore confirmed which would be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 5. *Appropriations by the City and County.* All appropriations heretofore made and expenditures thereunder for the purpose of engineering, incidentals and inspection for said frontage improvement shall continue and remain a charge against the revenues of the City and County. And for the purpose of meeting the proportion of cost against public and exempt lands and the general contribution, the total sum of thirteen thousand one hundred twenty-eight and 92/100 dollars ($13,128.92), be, and the same is hereby appropriated out of all moneys in the treasury of the City and County to the credit of the Permanent Improvement Fund, Sewer Works, Water Works and Permanent Roads Allotment, being from the general revenues of said City and County, and said amount shall be transferred as soon as available to the credit of the "Special Fund for Frontage Improvement Number Twelve, Section 'A';" and out of all moneys now or hereafter to become available in the "Special Fund for Frontage Improvement Number Twelve, Section 'A'," the sum of thirteen thousand one hundred twenty-eight and 92/100 dollars ($13,128.92) is hereby appro-

priated into an account to be known as "Cost of Improvements—Frontage Improvement Number Twelve, Section 'A'."

SECTION 6. *Assessment Rate for General Improvements.* All properties, abutting on said frontage improvement (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $5.5004 per front foot toward the cost of general improvements within said frontage improvement all as set forth in detail in said assessment roll and corrected map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing, as segregated in the bid of the contractor.

SECTION 7. *Additional Assessment, New Curbing.* All properties abutting upon said frontage improvement, privately owned and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said engineer's report of December 28, 1918), at the uniform rate of $0.50 per front foot for the curb so required in front of said property.

SECTION 8. *Payment of Assessments in Installments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in installments, the assessments herein made shall be due and must be paid to said treasurer in ten (10) equal annual installments of principal, the first of said installments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent installments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 9. This Ordinance shall take effect upon its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: February 4, 1919.

Approved this 25th day of February, A. D. 1919.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 151.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CENTER LINES AND GRADES UPON ALEWA ROAD AND ILIMA DRIVE, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII, AND REPEALING ORDINANCE NO. 145.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Center Lines.* That the center lines of Alewa Road and Ilima Drive, within the limits of "Improvement District Number Six," are hereby established as shown on the plans set forth on Grade Map No. 26, dated September 25, 1918, and authenticated by the signature of the City and County engineer, on file and of record in the office of the City and County engineer, herein specifically incorporated by reference.

SECTION 2. *Center Line Grades.* That the center line grades of Alewa Road and Ilima Drive, within the limits of "Improvement District Number Six," are hereby established as shown on the plan and profile set forth on Grade Map No. 26, dated September 25, 1918, hereinbefore specifically referred to and incorporated.

SECTION 3. Ordinance Number 145 relating to the same matter is hereby repealed.

SECTION 4. The Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: Honolulu, Hawaii, February 11, 1919.

Approved this 4th day of March, A. D. 1919.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 152.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN "IMPROVEMENT DISTRICT NUMBER FOUR—IWILEI."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The board does hereby adopt, approve and confirm all and singular the proceedings

heretofore had and taken under the improvement statutes with respect to the development, creation and establishment of "Improvement District Number Four—Iwilei," and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 187, 305, 368, 369, 446, 458, 558, and 641 (1918), and No. 734 (1919); and the minutes of meetings of said Board as heretofore adopted, the consent of property owners heretofore acted upon, the report of the City and County engineer, dated March 5, 1918, and the assessment report of said engineer, dated February 4, 1919, accompanying which were the corrected map of said improvement district, the list of owners, lessees and occupants (so far as known), a preliminary assessment roll (subsequently corrected as per supplementary report of engineer, dated March 4, 1919), and a summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said improvement statutes, the ordinance creating and approving general provisions for local assessment ordinances, being Ordinance No. 128, and the grade Ordinance No. 135 heretofore enacted together with any corrections thereafter made with the approval of said engineer as to clerical errors therein and omissions supplied thereon from reference to the field notes upon which said grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said improvement district, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* No protests having been made or filed at the final assessment hearing, held for this improvement district, and full and fair hearings having been held in respect thereto and after careful consideration of the facts relating thereto and the method of apportionment heretofore advertised, it is hereby specially found and established that each and every parcel of land rated in or made subject to the assessment and in said improvement district is or will be specially benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor and said several assessments are hereby declared just and equitable both as to the respective total amounts and as to the apportionment as so listed and advertised; where part only of a lot is included, the part so included represents the fair proportion of special benefit accruing to the whole premises of the respective owner at the uniform rate; and that the said several proposed assessments heretofore listed and advertised in accordance with said improvement statutes are hereby confirmed and adopted as and for the assessments against properties in said improvement district and against the owners thereof respectively, and that each and every parcel of land required and necessary for the street improvements has been acquired so far as is necessary as provided in said improvement statutes.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said improvement district based upon the bid of E. J. Lord, the lowest responsible bidder, including the cost of curbing, grading, paving with a "bitulithic" surface on a concrete base, moving and resetting of curbs, storm sewer system, and other improvements in place complete, and the cost of acquiring new land for street widening, is the total sum of two hundred thirty-three thousand five hundred fifty-nine and 33/100 dollars ($233,559.33); that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against street intersection areas, contribution and extra cost of new land, is the sum of ninety-four thousand nine hundred seventy-nine and 99/100 dollars (94,979.99); that the balance of one hundred thirty-eight thousand, five hundred seventy-nine and 34/100 dollars ($138,579.34), is hereby charged, assessed and levied against, and shall be collected from, the properties within said improvement district privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed, advertised and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Public Lands Not Specifically Assessed.* Lots Nos. 9, 20, 21, 24, 25, 26, 50, 53, 58 and 60 and highway areas being public lands and lands exempt by law, as shown on said corrected map, dated January 30, 1919, and assessment roll dated January 30, corrected as of February 13, 1919, and incorporated in the engineer's reports of February 4, and corrected by the report of March 4, 1919, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 5. *Appropriations by the City and County.* All appropriations heretofore made and expenditures thereunder for the purpose of engineering, incidentals and inspection for said improvement district shall continue and remain a charge against the revenues of the City and County. And for the purpose of meeting the proportion of cost against public and exempt lands and the general contribution and otherwise as heretofore shown, the total sum of ninety-four thousand nine hundred seventy-nine and 99/100 dollars ($94,979.99), be, and the same is hereby appropriated out of all moneys in the treasury of the City and County to the credit of the Permanent Improvement Fund, Sewer Works, Water Works and Permanent Road Allotments, being from the general revenues of said City and County, and said amount shall be transferred as soon as available to the credit of the "Special Fund for Improvement District Number Four;" and out of all moneys now or hereafter to become available in the "Special Fund for Improvement District Number Four," the sum of ninety-four thousand

nine hundred seventy-nine and 99/100 dollars ($94,979.99), is hereby appropriated into an account to be known as "Cost of Improvements—Improvement District Number Four;" provided, however, that, against said appropriation heretofore made, the sum of one hundred thousand dollars ($100,000.00) heretofore appropriated by Resolutions Nos. 518 and 583 shall be credited and any balance heretofore over-appropriated by said resolutions, being the sum of five thousand and twenty and 01/100 dollars ($5,020.01), shall be returned to said Permanent Improvement Fund, Sewer Works, Water Works and Permanent Road Allotment.

SECTION 6. *Assessment Rate For General Improvements.* All properties within said improvement district (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $0.039 per square foot toward the cost of general improvements within said improvement district, all as set forth in detail in said assessment roll and corrected map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing.

SECTION 7. *Additional Assessment, New Curbing.* All properties within said improvement district, privately owned and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said engineer's report of February 4, corrected as of March 4, 1919), at the uniform rate of $0.49315 per front foot for the curb so required in front of said property.

SECTION 8. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in instalments, the assessments herein made shall be due and must be paid to said treasurer in ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 9. This Ordinance shall take effect upon its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: March 11, 1919.

Approved this 3rd day of April, A. D. 1919.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 153.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN "FRONTAGE IMPROVEMENT NUMBER FIFTEEN—ALAPAI STREET, KING TO GREEN STREETS."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under the improvement statutes with respect to the development, creation and establishment of "Frontage Improvement Number Fifteen—Alapai Street, King to Green Streets," and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 188, 441, 464, 477, 506, 560 and 642 (1918) and 697 (1919), and the minutes of meetings of said Board as heretofore adopted, the consent of property owners heretofore acted upon, the reports of the City and County engineer, dated June 17, 1918, and August 17, 1918, and the assessment report of said engineer, dated December 30, 1918, accompanying which were the corrected map of said frontage improvement, the list of owners, lessees and occupants (so far as known), a preliminary assessment roll (subsequently corrected as per supplementary reports of the engineer, dated January 11, and March 4, 1919), and a summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said improvement statutes, the ordinance creating and approving general provisions for local assessment ordinances, being Ordinance No. 128, and the grade Ordinance No. 141 heretofore enacted together with the correction thereafter made with the approval of said engineer as to clerical errors therein and omissions supplied thereon from reference to the field notes upon which said grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said frontage improvement, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* No protests in writing having been made or filed at the final assessment hearings, held for this frontage improvement, and an oral objection from one property owner having been adjusted, and full and fair hearings having been held in respect thereto and after careful consideration of the facts relating thereto and the method of apportionment heretofore advertised and the adjustment made and agreed to by the contractor, it is hereby specially found and established that each and every parcel of

land rated in or made subject to the assessment and abutting upon said frontage improvement is or will be specially benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor and said several assessments are hereby declared just and equitable both as to the respective total amounts and as to the apportionment as so listed and advertised; variations in shapes or depths of lots, if any, being immaterial so far as approximate benefits of this improvement are concerned; and that the said several proposed assessments heretofore listed and advertised in accordance with said improvement statutes are hereby confirmed and adopted as and for the assessments against properties abutting upon said frontage improvement and against the owners thereof respectively, and that each and every parcel of land required and necessary for the street improvements has been acquired so far as is necessary as provided in said improvement statutes.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said frontage improvement, based upon the bid of E. J. Lord, the lowest responsible bidder, including the cost of curbing, sidewalk, grading, paving with concrete with squeegee and "bitulithic" surfacings, as shown on plans, moving and resetting of curbs, storm sewer system and other improvements in place complete, and cost of street widening, is the total sum of thirty-seven thousand four hundred fifty-six and 75/100 dollars ($37,456.75), that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against street frontages, other public or exempt lands and contribution, is the sum of seventeen thousand nine hundred forty-one and 59/100 dollars ($17,941.59); that the balance of nineteen thousand five hundred fifteen and 16/100 dollars ($19,515.16) is hereby charged, assessed and levied against, and shall be collected from the properties abutting upon said frontage improvement privately owned and not specifically exempted by this ordinance, and the owners thereof respectively, according to the total amounts heretofore listed and advertised and corrected as aforesaid and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Public Lands Not Specifically Assessed.* The frontage of Lots Nos. 6 and 7 so far as concerns acquiring land under contracts previously existing and the frontages of Lots Nos. 9, 26 and 27, being frontages of abutting parks and other public or exempt lands, and the frontage of abutting highways, as shown on said corrected map and assessment roll, dated December 27, 1918 (and as subsequently corrected as of February 17, 1919, as per engineer's report of March 4, 1919), and incorporated in the engineer's report of December 30, 1918, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would

be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 5. *Appropriations by the City and County.* All appropriations heretofore made and expenditures thereunder for the purpose of engineering, incidentals and inspection for said frontage improvement shall continue and remain a charge against the revenues of the City and County. And towards the share of the City and County as hereinbefore shown the sum of sixteen hundred seventy-five and 80/100 dollars ($1,675.80), heretofore appropriated and advanced by Resolutions Nos. 551 and 552, shall be credited and any balances transferred from such appropriations to the special account hereinafter set up. And for the purpose of meeting the balance of the proportion of cost against public and exempt lands and the general contribution, the total sum of sixteen thousand two hundred sixty-five and 79/100 dollars ($16,265.79), be, and the same is hereby appropriated out of all moneys in the treasury of the City and County to the credit of the Permanent Improvement Fund—Water Works, Sewer Works and Permanent Roads Allotment, being from the general revenues of said City and County, and said amount shall be transferred as soon as available to the credit of the "Special Fund for Frontage Improvement Number Fifteen;" and out of all moneys now or hereafter to become available in the "Special Fund for Frontage Improvement Number Fifteen," the sum of sixteen thousand two hundred sixty-five and 79/100 dollars ($16,265.79) is hereby appropriated into an account to be known as "Cost of Improvements—Frontage Improvement Number Fifteen."

SECTION 6. *Assessment Rate for General Improvements.* All properties, abutting on said frontage improvement (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $6.509041 per front foot toward the cost of general improvements within the "bitulithic" section as shown on said corrected map and $2.9329063 per front foot within the concrete section so shown within said frontage improvement, all as set forth in detail in said assessment roll and corrected map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing, the cost of sidewalks and the cost of acquiring land.

SECTION 7. *Additional Assessment, New Curbing.* All properties abutting upon said frontage improvement, privately owned, and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said engineer's report of December 30, 1918, as amended) at the uniform rate of $0.50 per front foot for the curb so required in front of said property.

SECTION 8. *Additional Assessment—Sidewalks.* All properties abutting upon said frontage improvement, privately owned and not

specifically exempted herein, in front of which new sidewalk is to be laid, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of sidewalk required, shown in detail in said engineer's report of December 30, 1918, as amended), at a uniform rate of $1.00 per front foot for the sidewalk so required in front of such property.

SECTION 9. *Additional Assessment—Acquiring Land.* All properties abutting upon said frontage improvement, privately owned and not specifically exempted herein, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis, shown in detail in said engineer's report of December 30, 1918), at a uniform rate of $0.2847171 per front foot for the widening of Alapai Street.

SECTION 10. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or either interested party or by the operation of law, to pay an assessment in instalments, the assessments herein made shall be due and must be paid to said treasury in ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 11. This Ordinance shall take effect upon its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: March 11, 1919.

Approved this 3rd day of April, A. D. 1919.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 154.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON RICHARDS STREET, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Richards Street, within the limits of "Improvement District Number Seven," are hereby

established as shown on the plans set forth on Grade Map No. 29, dated April 15, 1919, and authenticated by the signature of the City and County engineer, on file and of record in the office of the City and County engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Richards Street, within the limits of "Improvement District Number Seven," are hereby established as shown on the plan and profile set forth on Grade Map No. 29, dated April 15, 1919, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

Introduced by

LESTER PETRIE,
Supervisor.

Date of Introduction: April 26, 1919.

Approved this 10th day of May, A. D. 1919.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 156.

AN ORDINANCE RELATING TO THE WIDENING OF NUUANU AVENUE FROM BERETANIA STREET TO SCHOOL STREET, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII, AND PROVIDING WHEN THERE SHALL BE NO DAMAGES.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Nuuanu Avenue Widening.* That certain street in the District of Honolulu, City and County of Honolulu, on the island of Oahu, now known as Nuuanu Avenue shall be widened between Beretania Street and School Street as in the schedules as hereinafter set forth and at such times as the Board of Supervisors of the City and County of Honolulu shall provide.

SECTION 2. *No Damages For Improvements.* If any person or corporations shall make or construct any building or improvements of any kind within the lines of street widening as in this ordinance provided, such person or corporations and their respective representatives

shall be without remedy at law or in equity for any injury, loss or damage that may be caused by the removal or destruction of such buildings or improvements when such removal or destruction is required by the widening of Nuuanu Avenue as herein provided.

SECTION 3. *Schedule. Nuuanu Avenue. Northwest Line.* Commencing at a point on the northeast line of Beretania Avenue, which is by true azimuth 205° 47′, and distant 52.81 feet from a Government Survey Street Monument, near the west corner of Beretania and Nuuanu Avenues, which on an offset of 12.0 feet from the southwest line of Beretania Avenue, and on an offset of 10.0 feet from the Northwest line of Nuuanu Avenue, and running as follows by true azimuths:

1. On a curve to the left with a radius of 8.0 feet run to a point on the new northwest line of Nuuanu Avenue, the direct bearing and distance being 275° 01′ 30″ = 11.32 feet; Thence along the new northwest line of Nuuanu Avenue, run;
2. 230° 03′ = 174.8 feet; Thence
3. 227° 36′ = 61.1 feet; Thence
4. 221° 25′ = 916.0 feet to a point on the northwest line of Vineyard Street; Thence
5. 221° 15′ = 953.0 feet to a point on the southeast line of the proposed widening of School Street.

Southeast Line. Commencing at a point on the northeast line of Beretania Avenue, which is by true azimuth 280° 56′, and distant 76.42 feet from a Government Survey Street Monument, near the west corner of Beretania and Nuuanu Avenues, which is on an offset of 12.0 feet from the southwest line of Beretania Avenue, and on an offset of 10.0 feet from the northwest line of Nuuanu Avenue, and running as follows by true azimuths:

1. On a curve to the right with a radius of 8.0 feet, run to a point on the new southeast line of Nuuanu Avenue, the direct bearing and distance being 185° 01′ 30″ = 11.32 feet; Thence along the new southeast line of Nuuanu Avenue, run
2. 230° 03′ = 176.27 feet; Thence
3. 227° 36′ = 65.91 feet; Thence
4. 221° 25′ = 930.0 feet to a point on the northwest line of Vineyard Street; Thence
5. 221° 15′ = 930.0 feet to a point on the southeast line of the proposed widening of School Street.

SECTION 4. If any part or section of this ordinance be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof which can be given effect without the part so decided to be unconstitutional or invalid.

SECTION 5. This Ordinance shall take effect from and after the date of its approval.

Introduced by

LESTER PETRIE,
Supervisor.

Date of Introduction: Honolulu, Hawaii, July 15, 1919.

Approved this 4th day of August, A. D. 1919.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 160.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN IMPROVEMENT DISTRICT NUMBER SEVEN—RICHARDS STREET.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under the improvement statutes with respect to the development, creation and establishment of Improvement District Number Seven—Richards Street, and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 648, 678, 714, 818, 858, 881, and Ordinance No. 154 (1918-1919), and the minutes of meetings of said Board as heretofore adopted, the consent of the property owners heretofore acted upon, the report of the City and County engineer, dated December 12, 1918, and the assessment report of said engineer dated June 24, 1919, accompanying which were the corrected map of said improvement district, the list of owners, lessees and occupants (so far as known), a preliminary assessment roll and a summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said improvement statutes, the ordinance creating and approving general provisions for local assessment ordinances, being Ordinance No. 128, and the grade Ordinance No. 154 heretofore enacted together with any corrections thereafter made with the approval of said engineer as to clerical errors therein and omissions supplied thereon from reference to the field notes upon which said

grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said improvement district, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* No protests having been made or filed at the final assessment hearing, held for this improvement district, and full and fair hearings having been held in respect thereto and after careful consideration of the facts relating thereto and the method of apportionment heretofore advertised, it is hereby specially found and established that each and every parcel of land rated in or made subject to the assessment and in said improvement district is or will be specially benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor and said several assessments are hereby declared just and equitable both as to the respective total amounts and as to the apportionment as so listed and advertised; where part only of a lot is included, the part so included represents the fair proportion of special benefit accruing to the whole premises of the respective owner at the uniform rate; and that the said several proposed assessments heretofore listed and advertised in accordance with said improvement statutes are hereby confirmed and adopted as and for the assessment against properties in said improvement district and against the owners thereof respectively, and that no new land is required and necessary for the street improvements contemplated by these proceedings.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said improvement district, based upon the bid of E. J. Lord, the lowest responsible bidder, including the cost of curbing, grading, paving with a bitulithic surface on a concrete base, moving and resetting of curbs, storm sewer system, and other improvements in place complete, is the total sum of twenty-nine thousand six hundred fifty-nine dollars ($29,659.00); that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against street intersection areas and contribution, is the sum of twenty-three thousand sixty-one and 60/100 dollars ($23,061.60); that the balance of six thousand five hundred and ninety-seven and 40/100 dollars ($6,597.40) is hereby charged, assessed and levied against, and shall be collected from, the properties within said improvement district privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed, advertised and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Public Lands Not Specifically Assessed.* Lots Nos. 1, 2, 7, 10, 12 and 13 and highway intersections being public lands and lands exempt by law, as shown on said corrected map and assess-

ment roll dated April 15, 1919, and corrected as of June 18, 1919, respectively, and incorporated in the engineer's report of June 24, 1919, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost, assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be paid by the City and County as hereinafter provided; provided, however, that nothing herein shall be taken to foreclose the City and County from claiming reimbursement for such payment from the Territory of Hawaii under the terms of Section 1793-A, R. L. 1915, as amended.

SECTION 5. *Appropriations by the City and County.* All appropriations heretofore made and expenditures thereunder for the purpose of engineering, incidentals and inspection for said improvement district shall continue and remain a charge against the revenues of the City and County. And for the purpose of paying the proportion of cost against public and exempt lands and the general contribution, the total sum of twenty-three thousand sixty-one and 60/100 dollars ($23,061.60), be, and the same is hereby appropriated out of all moneys in the treasury of the City and County to the credit of the Permanent Improvement Fund, Sewer Works, Water Works and Permanent Road Allotments, being from the general revenues of said City and County, and said amount shall be transferred as soon as available to the credit of the "Special Fund for Improvement District Number Seven;" and out of all moneys now or hereafter to become available in the "Special Fund for Improvement District Number Seven," the sum of twenty-three thousand sixty-one and 60/100 dollars ($23,061.00), is hereby appropriated into an account to be known as "Cost of Improvements—Improvement District Number Seven."

SECTION 6. *Assessment Rate For General Improvements.* All properties within said improvement district (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $0.120845 per square foot toward the cost of general improvements within said improvement district, all as set forth in detail in said assessment roll and corrected map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing and of new sidewalks.

SECTION 7. *Additional Assessment, New Curbing.* All properties within said improvement district, privately owned and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said engineer's report of June 24, 1919, at the uniform rate of $0.50 per front foot for the curb so required in front of said property.

SECTION 8. *Additional Assessment—Sidewalks.* All properties in said improvement district privately owned and not specifically exempted herein, in front of and abutting which new sidewalk is to be laid, and the owners thereof respectively, are hereby further assessed a sum equal to $0.225 per square foot of all new sidewalk laid in front of and abutting said property.

SECTION 9. *Payment of Assessments in Instalments.* In case of an election, either by act of the owners or other interested party or by operation of law, to pay an assessment in instalments, the assessments herein made shall be due and must be paid to said treasurer in five (5) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 10. This Ordinance shall take effect upon its approval.

Introduced by

LESTER PETRIE,
Supervisor.

Approved this 15th day of August, A. D. 1919.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 162.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON BERETANIA STREET, FROM PUNAHOU STREET TO KING STREET EXTENSION, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII, AND REPEALING ORDINANCE NO. 132.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Beretania Street, from Punahou Street to King Street Extension, within the limits of "Frontage Improvement Number Ten—Beretania Street," are hereby

established as shown on the plans set forth on sheets 1, 2, 3 and 4 respectively of Grade Map No. 21, dated September 2, 1919, and authenticated by the signature of the City and County engineer, on file and of record in the office of the City and County engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Beretania Street, from Punahou Street to King Street Extension, within the limits of "Frontage Improvement Number Ten—Beretania Street," are hereby established as shown on the plan and profile set forth on Sheets 1, 2, 3 and 4 respectively of Grade Map No. 21, dated September 2, 1919, hereinbefore specifically referred to and incorporated.

SECTION 3. Ordinance No. 132 and all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. This Ordinance shall take effect from and after the date of its approval.

Introduced by

LESTER PETRIE,
Supervisor.

Date of Introduction: Honolulu, Hawaii, Sept. 2, 1919.

Approved this 16th day of September, A. D. 1919.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 163.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN IMPROVEMENT DISTRICT NUMBER SIX—"ALEWA HEIGHTS."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under the improvement statutes with respect to the development, creation and establishment of Improvement District Number Six—"Alewa Heights," and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 205, 264, 430, 590, 784, 883 and 886 (1918, 1919), and the minutes of meetings of said Board as heretofore adopted, the consent of the property owners heretofore acted upon, the report of the City and

County engineer dated February 5, 1918, supplemented by another report dated April 23, 1918, and the assessment report of said engineer dated June 24, 1919, accompanying which were the corrected map of said improvement district September 25, 1918, and corrected to June 18, 1919, the list of owners, lessees and occupants (so far as known), a preliminary assessment roll dated June 18, 1919, and a summary of detailed descriptions dated June 24, 1919, and further reports of said engineer dated July 16, 1919, and August 19, 1919, and the assessment roll and map dated July 11, 1919, and corrected as of August 19, 1919, accompanying the report of August 19, 1919, in respect of which notice and full public hearings have heretofore been given and held as required by said improvement statutes, the ordinance creating and approving general provisions for local assessment ordinances, being Ordinance No. 128, and the grade Ordinance No. 151 heretofore enacted together with any corrections thereafter made with the approval of said engineer as to clerical errors therein and omissions supplied thereon from reference to the field notes upon which said grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said improvement district, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* Three protests having been made or filed at the final assessment hearing, held for this improvement district, and full and fair hearings having been held in respect thereto and after careful consideration of said protests and of the facts relating thereto and the method of apportionment heretofore advertised, and contained in said proposed assessment roll, it is hereby specially found and established that each and every parcel of land rated in or made subject to the assessment and in said improvement district is or will be specially benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor as set forth in the assessment roll and map adopted by the Board August 28, 1919, which roll and map are dated July 11, 1919, and corrected to August 19, 1919, and said several assessments are hereby declared just and equitable both as to the respective total amounts and as to the apportionment as so listed and advertised or as so listed after changes being made on the hearing of the protests; where part only of a lot is included, the part so included represents the fair proportion of special benefit accruing to the whole premises of the respective owner at the uniform rate; and that the said several proposed assessments heretofore listed and advertised in accordance with said improvement statutes and as set forth and contained in the said proposed assessment roll as corrected as of August 19, 1919, are hereby confirmed and adopted as and for the assessment against properties in said improvement district and against the owners thereof respectively, and that all new land required and neces-

sary for the street improvements contemplated by these proceedings has been obtained.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said improvement district based upon the bid of Hawaiian Contracting Company, Limited, the lowest responsible bidder, including the cost of grading, paving with concrete, storm sewer system, and other improvements in place complete, is the total sum of ninety-seven thousand three hundred ninety-four dollars ($97,394.00); that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against street intersection areas, storm drainage systems and contribution, is the sum of forty-three thousand eight hundred twenty-two and 81/100 dollars ($43,822.81); that the balance of fifty-three thousand five hundred seventy-one and 19/100 dollars ($53,571.19), is hereby charged, assessed and levied against, and shall be collected from the properties within said improvement district privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed, advertised and computed with the changes made at the hearing of the protests filed, according to the rates of assessment hereinafter set forth.

SECTION 4. *Public Lands Not Specifically Assessed.* Lots 20, 36 and 47A, and highway intersections being public lands and lands exempt by law, as shown on said corrected map and assessment roll, dated June 18, 1919, and corrected as of July 11, 1919, and August 19, 1919, respectively, and incorporated in the engineer's reports of June 24, 1919, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost, assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be paid by the City and County as hereinafter provided; provided, however, that nothing herein shall be taken to foreclose the City and County from claiming reimbursement for such payment from the Territory of Hawaii under the terms of Section 1793-A, R. L. 1915, as amended.

SECTION 5. *Appropriations by the City and County.* All appropriations heretofore made and expenditures thereunder for the purpose of engineering, incidentals and inspection for said improvement district shall continue and remain a charge against the revenues of the City and County. And for the purpose of paying the proportion of cost against public and exempt lands and the general contribution, the total sum of forty-three thousand eight hundred twenty-two and 81/100 dollars ($43,822.81), be, and the same is hereby appropriated out of all moneys in the treasury of the City and County to the credit of the Permanent Improvement Fund, Sewer Works, Water Works and Permanent Road Allotments, being from the general revenues of said City and County, and said amount shall be transferred as soon as

available to the credit of the "Special Fund for Improvement District Number Six;" and out of all moneys now or hereafter to become available in the "Special Fund for Improvement District Number Six," the sum of Forty-three Thousand Eight hundred twenty-two and 81/100 dollars ($43,822.81), is hereby appropriated into an account to be known as "Cost of Improvements—Improvement District Number Six."

SECTION 6. *Assessment Rate for General Improvements.* All properties within said improvement district (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $0.0164131 per square foot toward the cost of general improvements within said improvement district, all as set forth in detail in said assessment roll and corrected map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed.

SECTION 7. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in instalments, the assessments herein made shall be due and must be paid to said treasurer in ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 8. This Ordinance shall take effect upon its approval.

Introduced by

LESTER PETRIE,
Supervisor.

Date of Introduction: Honolulu, Hawaii, September 2, A. D. 1919.

Approved this 16th day of September, A. D. 1919.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 167.

AN ORDINANCE RELATING TO THE WIDENING OF BERETANIA STREET FROM NUUANU STREET TO ALAPAI STREET, IN THE DISTRIC OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII, AND PROVIDING THAT ALL NEW BUILDINGS WHICH ARE ERECTED OR ALL OLD BUILDINGS WHICH ARE REMODELED MUST CONFORM TO THE NEW LINE FOR ERECTING BUILDINGS, AND VIOLATION HEREOF, AND ALSO PROVIDING WHEN THE PROPERTY, IN THE STREET AS ESTABLISHED HEREIN SHALL BE ACQUIRED BY THE CITY AND COUNTY OF HONOLULU.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Beretania Street Widening.* That certain street in the District of Honolulu, City and County of Honolulu, Territory of Hawaii, now known as Beretania Street shall be widened between Nuuanu Street and Alapai Street as in the schedules as hereinafter set forth, and at such times as the Board of Supervisors of the City and County of Honolulu shall provide.

SECTION 2. If any person, persons, firms, partnerships or corporations shall make or construct any building or improvements of any kind within the line of street widening as in this Ordinance provided, or if any person, persons, firms, partnerships or corporations shall remodel any building or structure or improvement of any kind now within the lines of street widening as in this Ordinance provided to an extent so that the improvements or remodeling of said building structures or improvements shall cost more than fifty percentum (50%) of the original cost of said building, structures, or improvements, such person, persons, firms, partnerships or corporations and their respective representatives shall be without remedy at law or in equity or at all in the premises for any injury, loss or damage that may be caused by the removal or destruction of such buildings or improvements when such removal or destruction is required by the widening of Beretania Street as herein provided.

SECTION 3. *Duties of Building Inspector.* It shall be the duty of the Building Inspector of the City and County of Honolulu before issuing any permit for a new building structure or improvement or the remodeling or improving of any building structure or improvement within, adjacent or abutting on the lines of street widening as in this ordinance provided, to ascertain if the same extends over the lines of street widening as in this ordinance provided, and if the proposed building structure or improvement to be constructed or remodeled or improved does extend over the lines of street widening as in this

ordinance provided, the said building inspector must forthwith notify the City and County engineer and shall not issue the building permit therefor for a period of ten (10) days thereafter; and no person shall be entitled to such building permit until after the expiration of said ten-day period.

SECTION 4. *Duties of City and County Engineer and Board of Supervisors.* It shall be the duty of the City and County engineer, upon receiving the notification specified in Section 3 hereof to forthwith interview the owners of the said property upon which the said building or structure is to be built or remodeled and secure a price for the said land embraced within the lines of street widening as in this Ordinance provided and to forthwith notify the Board of Supervisors of the City and County of Honolulu of his doings hereunder, and the Board of Supervisors shall forthwith acquire and pay for the said land if the price therefor is reasonable, otherwise said Board of Supervisors may take what proceedings are proper to condemn and take the said land for street purposes.

SECTION 5. *Street Lines Parallel to Offset Line.* The street lines established hereby which are also established as the building lines or property lines on said Beretania Street shall be parallel to the hereinafter described offset line (meaning thereby the monument line), and distant therefrom as hereinafter set forth.

SECTION 6. *Schedules.* The offset line (meaning thereby the monument line) on Beretania Street from Nuuanu Street to Alapai Street is hereby established as follows:

Commencing at a City Survey Street monument, at Beretania Street and Nuuanu Avenue, which is on an offset of 30.0 feet from the new northeast line of Beretania Street and 46.0 feet from the new southwest line of Beretania Street. The co-ordinates of said monument referred to Punchbowl Triangulation Station, being south 10.70 feet and west 3,748.25 feet, and running as follows by true azimuths:

1. 319° 38′ 446.5 feet to a City Survey Monument on Fort Street;
2. 319° 50′ 560.5 feet to a City Survey Monument near the Ewa side of Emma Street;
3. 328° 39′ 516.35 feet to a City Survey Monument opposite the end of Richards Street;
4. 30° 21′ 30″ 330.10 feet to a City Survey Monument near the Ewa side of Miller Street;
5. 329° 43′ 30″ 318.08 feet to the beginning of a curve to the left, the radius of which is 260.0 feet; thence along this curve, the azimuth and distance of the long chord being
6. 315° 13′ 45″ 130.16 feet; Thence
7. 300° 44′ 217.30 feet to a City Survey Monument near the Waikiki side of Punchbowl Street;
8. 300° 04′ 281.20 feet to a City Survey Street Monument;

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9. 303° 55′ 548.55 feet to the beginning of a curve to the left, the radius of which is 1257.0 feet, thence along this curve for 237.30 feet, the azimuth and distance of the long chord being
10. 298° 30′ 30″ 236.97 feet; thence
11. 293° 06′ 186.85 feet to a City Survey Monument near the Waikiki side of Alapai Street.

The mauka street line of Beretania Street between Nuuanu Street and Alapai Street shall be parallel to and thirty feet from the said offset line and the makai street line on Beretania Street as aforesaid shall be parallel to and forty-six feet from said offset line.

SECTION 7. If any part or section of this Ordinance be decided by the court to be unconstitutional or invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof which can be given effect without the part so decided to be unconstitutional or invalid.

SECTION 8. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: Honolulu, Hawaii, September 29, 1919.

Approved this 16th day of October, A. D. 1919.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 172.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN "FRONTAGE IMPROVEMENT NUMBER TEN—BERETANIA STREET," BETWEEN PUNAHOU STREET AND KING STREET EXTENSION.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under the improvement statutes with respect to the development, creation and establishment of Frontage Improve-

ment Number Ten—Beretania Street between Punahou Street and King Street Extension, and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 118, 179 (1917), 263, 339, 363 (1918), 89, 141, 174, 175 (1919), and Ordinance No. 162, and the minutes of meetings of said Board as heretofore adopted, the report of the City and County engineer, dated December 18, 1917, and the assessment report of said engineer, dated October 21, 1919, accompanying which were the corrected map of said frontage improvement, the list of owners, lessees and occupants (so far as known), a preliminary assessment roll and a summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said improvement statutes, the report of the City and County engineer dated November 10, 1919, accompanying which was the final corrected assessment roll dated November 5, 1919, the Ordinance creating and approving general provisions for local assessment Ordinances being Ordinance No. 128 and the grade Ordinance No. 162 heretofore enacted together with the correction thereafter made with the approval of said engineer as to clerical errors therein and omissions supplied thereon from reference to the field notes upon which said grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said frontage improvement, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* No protests having been made or filed at the final assessment hearing, held for this frontage improvement, and full and fair hearings having been held in respect thereto and after careful consideration of the facts relating thereto and the method of apportionment heretofore advertised, it was found that a clerical error had been made in the assessment roll accompanying the engineer's report of October 21, 1919; that the same was ordered corrected and was corrected in corrected assessment roll dated November 5, 1919, accompanying the engineer's report of said date, and it is hereby specially found and established that each and every parcel of land rated in or made subject to the assessment and abutting upon said frontage improvement is or will be specially benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor in the assessment roll dated November 5, 1919, and said several assessments as contained therein are hereby declared just and equitable both as to the respective total amounts and as to the apportionment as so listed and advertised; variations in shapes or depths of lots, if any, being immaterial so far as approximate benefits of this improvement are concerned; and that the said several proposed assessments contained in the assessment roll dated November 5, 1919, accompanying the engineer's report of November 10, 1919, are hereby confirmed and adopted as and for the assessments

against properties abutting upon said frontage improvement and against the owners thereof respectively, and that each and every parcel of land required and necessary for the street improvements has been acquired so far as is necessary as provided in said improvement statutes.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said frontage improvement, based upon the bid of the Hawaiian Contracting Company, Limited, the lowest responsible bidder, including the cost of curbing, grading, paving with bitulithic on a concrete base, moving and resetting of curbs, storm sewer system and other improvements in place complete and the cost of new land acquired for street widening, is the total sum of seventy-seven thousand five hundred and three and 40/100 dollars ($77,503.40), that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against street frontages, other public or exempt lands and contribution, is the sum of twenty-eight thousand one hundred and fifty-five and 26/100 dollars ($28,155.26); that the balance of forty-nine thousand three hundred and forty-eight and 14/100 dollars ($49.348.14) is hereby charged, assessed and levied against, and shall be collected from, the properties abutting upon said frontage improvement privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed and advertised and corrected as aforesaid and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Public Lands Not Specifically Assessed.* The frontage of Lots Nos. 13, 18, 26, 27, 33, 45, 49, 54, 61 and 64, being frontages of abutting highways, parks and other public or exempt lands, as shown on said corrected map and assessment roll, dated November 5, 1919, and incorporated in the engineer's report of November 10, 1919, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 5. *Appropriations by the City and County.* All appropriations heretofore made and expenditures thereunder for the purpose of engineering, incidentals and inspection for said frontage improvement shall continue and remain a charge against the revenues of the City and County. And for the purpose of meeting the proportion of cost against public and exempt lands the sum of twenty-eight thousand one hundred and fifty-five and 26/100 dollars ($28,155.26), be, and the same is hereby appropriated out of all moneys in the treasury of the City and County to the credit of the Permanent Improvement Fund—Sewer Works, Water Works and Permanent Roads Allotment, being from the general revenues of the City and County, and said amount shall be transferred as soon as available to the credit of the

"Special Fund for Frontage Improvement Number Ten;" and out of all moneys now or hereafter to become available in the "Special Fund for Frontage Improvement Number Ten," the sum of twenty-eight thousand one hundred and fifty-five and 26/100 dollars ($28,155.26), is hereby appropriated into an account to be known as "Cost of Improvements—Frontage Improvement Number Ten."

SECTION 6. *Assessment Rate for General Improvements.* All properties, abutting on said frontage improvement (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $4.832802 per front foot toward the cost of general improvements within said frontage improvement all as set forth in detail in said corrected assessment roll and map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing as segregated in the bid of the contractor.

SECTION 7. *Additional Assessment, New Curbing.* All properties abutting upon said frontage improvement, privately owned, and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said engineer's report of November 10, 1919,) at the uniform rate of $0.50 per front foot for the curb so required in front of said property.

SECTION 8. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in instalments, the assessments herein made shall be due and must be paid to said treasurer in ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 9. This Ordinance shall take effect upon its approval.

Introduced by

LESTER PETRIE,
Supervisor.

Date of Introduction: December 2nd, 1919.

Approved this 19th day of December, A. D. 1919.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 174.

AN ORDINANCE RELATING TO THE WIDENING OF SCHOOL STREET FROM EMMA AND LUSITANA STREETS TO NUUANU STREET, IN THE CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII, AND PROVIDING THAT ALL NEW BUILDINGS WHICH ARE ERECTED OR ALL OLD BUILDINGS WHICH ARE REMODELED MUST CONFORM TO THE NEW LINE FOR ERECTING BUILDINGS, AND VIOLATION HEREOF, AND ALSO PROVIDING WHEN THE PROPERTY, IN THE STREET AS ESTABLISHED HEREIN SHALL BE ACQUIRED BY THE CITY AND COUNTY OF HONOLULU.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *School Street Widening.* That certain street in the District of Honolulu, City and County of Honolulu, Territory of Hawaii, now known as School Street shall be widened between the Emma and Lusitana Street junction and Nuuanu Street, as in the schedules as hereinafter set forth, and at such times as the Board of Supervisors of the City and County of Honolulu shall provide.

SECTION 2. If any person, persons, firms, partnerships or corporations shall make or construct any building or improvements of any kind within the line of street widening as in this Ordinance provided, or if any person, persons, firms, partnerships or corporations shall remodel any building or structure or improvement of any kind now within the lines of street widening as in this Ordinance provided to an extent so that the improvements or remodeling of said building, structures or improvements shall cost more than fifty per centum (50%) of the original cost of said building, structures, or improvements, such person, persons, firms, partnerships or corporations and their respective representatives shall be without remedy at law or in equity or at all in the premises for any injury, loss or damage that may be caused by the removal or destruction of such buildings or improvements when such removal or destruction is required by the widening of School Street as herein provided.

SECTION 3. *Duties of Building Inspector.* It shall be the duty of the Building Inspector of the City and County of Honolulu before issuing any permit for a new building structure or improvement or the remodeling or improving of any building structure or improvement within, adjacent or abutting on the lines of street widening as in this Ordinance provided, to ascertain if the same extends over the lines of street widening as in this Ordinance provided, and if the proposed building structure or improvement to be constructed or remodeled or improved does extend over the lines of street widening

as in this Ordinance provided, the said Building Inspector must forthwith notify the City and County Engineer and shall not issue the building permit therefor for a period of ten days thereafter; and no person shall be entitled to such building permit until after the expiration of said ten days period.

SECTION 4. *Duties of City and County Engineer and Board of Supervisors.* It shall be the duty of the City and County Engineer, upon receiving the notification specified in Section 3 hereof to forthwith interview the owners of the said property upon which the said building or structure is to be built or remodeled and secure a price for the said land embraced within the lines of street widening as in this Ordinance provided and to forthwith notify the Board of Supervisors of the City and County of his doings hereunder, and the Board of Supervisors shall forthwith acquire and pay for the said land if the price therefor is reasonable, otherwise said Board of Supervisors may take what proceedings are proper to condemn and take the said land for street purposes.

SECTION 5. *Street Lines Parallel to Offset Line.* The street lines established hereby which are also established as the building lines or property lines on said School Street shall be parallel to the hereinafter described offset line (meaning thereby the monument line), and distant therefrom as hereinafter set forth.

SECTION 6. *Schedules.* The offset line (meaning thereby the monument line) which is also the center line on School Street from Emma and Lusitana Streets, to Nuuanu Street, is hereby established as follows:

Commencing at a City Survey Street Monument at Lusitana and Emma Streets, which is on the center line of School Street, the coordinates of said monument referred to 'Punchbowl" Triangulation Station being north 292.6 feet, and west 1256.1 feet and running by true azimuths as follows:

1. 141° 03'—724.04 feet to the intersection of the center lines of School and Fort Streets;
2. 141° 03'—884.90 feet to the present south line of Nuuanu Avenue.

The mauka street line of School Street between the Emma and Lusitana Street junction and Nuuanu Street shall be parallel to and twenty-five feet from the said offset or center line and the makai street line of School Street as aforesaid shall be parallel to and twenty-five feet from said offset or center line.

SECTION 7. If any part or section of this Ordinance be decided by the court to be unconstitutional or invalid, the same shall not affect the validity of the Ordinance as a whole or in any part thereof which can be given effect without the part so decided to be unconstitutional or invalid.

SECTION 8. This Ordinance shall take effect from and after the date of its approval.

Introduced by

(S) LESTER PETRIE,
Supervisor.

Introduced December 2nd, 1919.

Approved this 24th day of December, A. D. 1919.

JOSEPH J. FERN,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 179.

AN ORDINANCE AMENDING ORDINANCE NO. 112 WHICH ORDINANCE PROVIDED FOR COST OF IMPROVEMENT IN "SEA VIEW FRONTAGE IMPROVEMENT NO. 3" AND CORRECTING A MISTAKE IN ASSESSMENTS OF E. C. ROWE AND W. E. WALL.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. That Whereas a mistake was made in Ordinance No. 112 in including within the "Seaview Frontage Improvement" certain frontage hereinafter set forth belonging to E. C. Rowe and W. E. Wall that Ordinance No. 112 and all proceedings, resolutions and Engineers' reports therein referred to and incorporated and the assessment roll therein referred to and incorporated be amended and corrected so as to provide that the following described frontage belonging to E. C. Rowe and W. E. Wall respectively, be eliminated therefrom and from paying the assessment levied by said ordinance, to wit:

E. C. Rowe. 45.11 feet on makai side of Vancouver Highway running Waikiki from boundary of said district as shown on map.

W. E. Wall., 45.11 feet Ewa and 45.11 feet Waikiki from boundary of said district as shown on map and on mauka side of Vancouver Highway.

SECTION 2. That this correction take effect as of the date Ordinance No. 112 became effective.

Introduced by

(S) CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: March 26, A. D. 1920.

Approved this 10th day of May, A. D. 1920.

(S) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 188.

AN ORDINANCE CALLING AN ELECTION UPON THE QUESTION OF ISSUING MUNICIPAL BONDS OF THE CITY AND COUNTY OF HONOLULU FOR SEWER EXTENSIONS AND IMPROVEMENTS, ADOPTING A PROCLAMATION RELATING THERETO AND PROVIDING FOR THE HOLDING OF SAID ELECTION.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Calling Election.* That a special election be, and the same is hereby called to be held on Tuesday, the 2nd day of November, A. D. 1920, between the hours of 8 a. m. and 5 p. m. of said day throughout the City and County of Honolulu, Territory of Hawaii, upon the question of the issuance of municipal bonds of the said City and County of Honolulu to the amount of six hundred thousand dollars ($600,000), the proceeds to be used for the following purpose, to wit:

For the installation of sewer and laterals, manholes, reservoirs, pump equipment, accessories and buildings as a part of the sewer system of the City and County of Honolulu, and repairing the present outfall of the said sewer system—$600,000.

The above amount to be spent for the above purpose in the following districts and amounts:

Waikiki and repair of present outfall, $500,000.
Kalihi—$100,000.

SECTION 2. *Fixing Interest and Term of Bonds.* That the proposed municipal bonds shall bear interest at the rate of 5% per annum, and shall be payable 10 years from the date of the issue thereof, and redeemable by lot at any time after five years from date of issue.

SECTION 3. *Adopting Precincts.* That the precincts and polling places established for the City and County elections which are the same as those established for the Territorial General Elections, and which have been established by law or by the Governor pursuant to law shall constitute the precincts and polling places for the election upon this proposed issuance of said municipal bonds.

SECTION 4. *General Election Laws to Apply.* That the general laws relating to elections shall apply to such election wherever applicable.

SECTION 5. *Adopting Form of Proclamation.* That the form of proclamation herein set forth be adopted as the proclamation to issue pursuant to Section 2175 of the Revised Laws of Hawaii of 1915 calling said election, said proclamation being substantially as follows, to wit:

"PROCLAMATION

Calling Municipal Bond Election Upon Question of Issuing Municipal Bonds of the City and County of Honolulu for Sewer Extensions and Improvements to be Held November 2d, A. D. 1920.

To the Voters of the City and County of Honolulu:

In accordance with the Organic Act of the Territory of Hawaii and the provisions of Chapter 123 of the Revised Laws of Hawaii of 1915 as amended, the Board of Supervisors of the City and County of Honolulu, Territory of Hawaii, do hereby proclaim that an election will be held on Tuesday, the 2d day of November, A. D. 1920, between the hours of 8 a. m. and 5 p. m. of said day, throughout the City and County of Honolulu, Territory of Hawaii, upon the question of the issuance of municipal bonds of the said City and County of Honolulu to the amount of six hundred thousand dollars ($600,000), the proceeds to be used for the following specific purposes, to wit:

For the installation of sewer mains and laterals, manholes, reservoirs, pump equipment, accessories and buildings as a part of the sewer system of the City and County of Honolulu, and repairing the present outfall of the said sewer system—$600,000.

The above amount to be spent for the above purpose in the following districts and amounts:

Waikiki and repair of present outfall, $500,000.

Kalihi—$100,000.

The proposed municipal bonds shall bear interest at the rate of 5% per annum; said bonds shall be payable in 10 years from the date of the issue thereof and shall be redeemable by lot at any time after five years from the date thereof.

The precincts and polling places established for City and County elections, which are the same as have been established for the Territorial General Elections shall constitute the precincts and polling places for the said election upon said proposed question of the issuance of said municipal bonds, said precincts and polling places being as follows, to wit:

(N. B.—Here is to be inserted a detailed list of the precincts and polling places as established by law or by the Governor of the Territory of Hawaii pursuant to law or the same shall be here incorporated by reference.)

The general laws relating to elections shall apply to such election wherever applicable.

In Witness Whereof the Mayor and Members of the Board of Supervisors of the City and County of Honolulu have affixed their hands and the seal of said City and County of Honolulu this ..... day of....., A. D. 1920.

.....

Mayor of the City and County of Honolulu.

.....
Supervisor of the City and County of Honolulu.

.....
Supervisor of the City and County of Honolulu.

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Supervisor of the City and County of Honolulu.

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Supervisor of the City and County of Honolulu.

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Supervisor of the City and County of Honolulu.

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Supervisor of the City and County of Honolulu.

.....
Supervisor of the City and County of Honolulu.

Attest:

.....
Clerk of the City and County of Honolulu."

That said proclamation issue as provided by law.

SECTION 6. *Clerk to Cause Election to be Held.* That the Clerk be, and he is hereby instructed, to provide for and cause said election to be held in the manner and form required by law.

SECTION 7. *Inspectors to be the Same as for General Election.* That the inspectors of election when appointed by the Governor of the Territory of Hawaii as provided by law for the General Territorial Election to be held November 2d, 1920, shall act as the inspectors for said bond election.

SECTION 8. *Effective Date.* This Ordinance shall take effect from and after the date of its approval.

Introduced by

BEN HOLLINGER,
Supervisor.

Date of Introduction: August 30th, 1920.

Approved this 2nd day of September, A. D. 1920.

(S) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 189.

AN ORDINANCE RELATING TO THE WIDENING OF QUEEN STREET FROM FORT STREET TO KEAWE STREET, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII, AND PROVIDING THAT ALL NEW BUILDINGS WHICH ARE ERECTED OR ALL OLD BUILDINGS WHICH ARE REMODELED MUST CONFORM TO THE NEW LINE FOR ERECTING BUILDINGS, AND VIOLATION HEREOF, AND ALSO PROVIDING WHEN THE PROPERTY, IN THE STREET AS ESTABLISHED HEREIN SHALL BE ACQUIRED BY THE CITY AND COUNTY OF HONOLULU.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Queen Street Widening.* That certain street in the District of Honolulu, City and County of Honolulu, Territory of Hawaii, now known as Queen Street shall be widened between Fort Street and Keawe Street as in the schedules as hereinafter set forth, and at such times as the Board of Supervisors of the City and County of Honolulu shall provide.

SECTION 2. If any person, persons, firms, partnerships or corporations shall make or construct any building or improvements of any kind within the line of street widening as in this Ordinance provided, or if any person, persons, firms, partnerships or corporations shall remodel any building or structure or improvement of any kind now within the lines of street widening as in this Ordinance provided to an extent so that the improvements or remodeling of said building, structures or improvements shall cost more than fifty percentum (50%) of the original cost of said building, structures, or improvements, such person, persons, firms, partnerships or corporations and their respective representatives shall be without remedy at law or in equity or at all in the premises for any injury, loss or damage that may be caused by the removal or destruction of such buildings or improvements when such removal or destruction is required by the widening of Queen Street as herein provided.

SECTION 3. *Duties of Building Inspector.* It shall be the duty of the Building Inspector of the City and County of Honolulu before issuing any permit for a new building, structure or improvement or the remodeling or improving of any building structure or improvement within, adjacent or abutting on the lines of street widening, as in this Ordinance provided, to ascertain if the same extends over the lines of street widening as in this Ordinance provided, and if the proposed building structure or improvement to be constructed or remodeled or improved does extend over the lines of street widening as in this

Ordinance provided, the said Building Inspector must forthwith notify the City and County Engineer and shall not issue the building permit therefor for a period of ten days thereafter; and no person shall be entitled to such building permit until after the expiration of said ten-day period.

SECTION 4. *Duties of City and County Engineer and Board of Supervisors.* It shall be the duty of the City and County Engineer, upon receiving the notification specified in Section 3 hereof to forthwith interview the owners of the said property upon which the said building or structure is to be built or remodeled and secure a price for the said land embraced within the lines of street widening as in this Ordinance provided and to forthwith notify the Board of Supervisors of the City and County of Honolulu of his doings hereunder, and the Board of Supervisors shall forthwith acquire and pay for the said land if the price therefor is reasonable, otherwise said Board of Supervisors may take what proceedings are proper to condemn and take the said land for street purposes.

SECTION 5. *Street Line Parallel to Offset Line.* The street lines established hereby which are also established as the building lines or property lines on said Queen Street shall be parallel to the hereinafter described offset line (meaning thereby the monument line), which is the center line of the street, and distant therefrom as hereinafter set forth.

SECTION 6. *Schedules.* The offset line (meaning thereby the monument line), which is the center line of the street, on Queen Street from Fort Street to Keawe Street, is hereby established as follows:

Commencing at a City Survey Street Monument at Queen Street and Fort Street which is on the center line of Queen Street, and which is on the offset of 25 feet from the new northeast line of Queer Street, and 25 feet from the new southwest line of Queen Street. The coordinates of said monument referred to "Punchbowl" Triangulation Station being south 1406.10 feet and west 4879.83 feet and running by true azimuths and distances as follows:

1. 319° 29′ 734.23 feet to a City Survey Street Monument near the Waikiki side of Alakea Street;
2. 320° 14′ 663.91 feet to a City Survey Street Monument, 20 feet northwest of the Waikiki side of Mililani Street; from the southeast side of Mililani Street to the southeast side of Keawe Street, the center line of Queen Street, which is the Monument line, is on an offset of 28 feet from the new northeast line of Queen Street and 28 feet from the new northwest line of Queen Street;
3. 321° 14′ 569.92 feet to a City Survey Street Monument near the center line of Punchbowl Street;
4. 321° 32′ 624.08 feet to a City Survey Street Monument at the intersection of the center line of Mission Lane;

5. 321° 32′ 198.45 feet to a City Survey Street Monument near the Waikiki side of South Street;
6. 324° 12′ 30″ 355.08 feet to a City Survey Street Monument at the center line of Keawe Street.

SECTION 7. If any part or section of this Ordinance be decided by the court to be unconstitutional or invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof which can be given effect without the part so decided to be unconstitutional or invalid.

SECTION 8. This Ordinance shall take effect from and after the date of its approval.

Introduced by

CHAS. N. ARNOLD,
Supervisor.

Introduced November 3, 1920.

Approved this 13th day of November, A. D. 1920.

(S) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 190.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON VARIOUS STREETS WITHIN THE KAKAAKO IMPROVEMENT DISTRICT, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII, AND REPEALING ORDINANCE NO. 155 AND A PORTION OF ORDINANCE NO. 134.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of King Street, South Street, Channel Street, Ala Moana, Kakaako Street, Punchbowl Street, Queen Street, Kawaiahao Street, First Street, Second Street, Halekauwila Street, Mililani Street, Foundry Street, Keawe Street, Marmion Street, Mission Lane, Quinn Lane, and Reed Lane, within the limits of "Improvement District Number Nine—Kakaako District," are here established as shown on plans set forth on Sheets 1 to 18, inclusive, of Grade Map No. 31, dated November 3, 1920, and authenticated by the

signature of the City and County Engineer, on file and on record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of King Street, South Street, Channel Street, Ala Moana, Kakaako Street, Punchbowl Street, Queen Street, Kawaiahao Street, First Street, Second Street, Halekauwila Street, Mililani Street, Foundry Street, Keawe Street, Marmion Street, Mission Lane, Quinn Lane and Reed Lane, within the limits of "Improvement District Number Nine—Kakaako District," are hereby established as shown on the plans and profiles set forth in Sheets 1 to 18, inclusive, of Grade Map No. 31, dated November 1, 1920, hereinbefore specifically referred to and incorporated.

SECTION 3. Ordinance No. 155, that section of Ordinance No. 134, relating to King Street between Richards and Alapai Streets; and all Ordinances or parts of Ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. This Ordinance shall take effect from and after the date of its approval.

Introduced by

(S) CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: November 3, 1920.

Approved this 13th day of November, A. D. 1920.

(S) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 191.

AN ORDINANCE RELATING TO THE ESTABLISHMENT AND OPENING OF A NEW STREET IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII, AND PROVIDING THAT ALL NEW BUILDINGS WHICH ARE ERECTED OR OLD BUILDINGS WHICH ARE REMODELED MUST CONFORM TO THE LINES OF SAID STREET, AND PROVIDING WHEN THE PROPERTY WITHIN THE LINES OF THE STREET ESTABLISHED HEREIN SHALL BE ACQUIRED BY THE CITY AND COUNTY OF HONOLULU.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *New Street Established.* That there is hereby established in the District of Honolulu, City and County of Honolulu, Ter-

ritory of Hawaii, a certain street which shall be as described in the schedules made a part hereof, and shall be opened at such time as the Board of Supervisors of the City and County of Honolulu shall provide.

SECTION 2. *Duties of Building Inspector.* It shall be the duty of the Building Inspector of the City and County of Honolulu before issuing any permit for a new building structure or improvement or the remodeling or improving of any building structure or improvement within, adjacent or abutting on the line of the street established by this Ordinance, to ascertain if the same extends over the lines of the street established by this Ordinance, and if the proposed building structure or improvement to be constructed or remodeled or improved does extend over the lines of the street established by this Ordinance, the said Building Inspector must forthwith notify the City and County Engineer and shall not issue the building permit therefor for a period of twenty days thereafter; and no person shall be entitled to such building permit until after the expiration of said twenty-day period.

SECTION 3. *Schedules.* Being all that certain parcel of land in the City and County of Honolulu, Territory of Hawaii, described as follows, to wit:

Beginning at the Northeast corner of proposed street, at the junction with the North side of a 75 foot proposed boulevard on the North side of the proposed Waikiki Canal, the coordinates of said point referred to Government Survey Triangulation Station Punchbowl being 8,488.0 feet South and 5,515.2 feet East and running by true azimuths:—

1. Firstly on a curve to the left having a radius of 654.3 feet along the North side of proposed 75 foot boulevard, the direct azimuth and distance being 110° 03′ 30″ 504.95 feet;
2. 115° 20′ 5,722.8 feet;
3. Thence on a curve to the right having a radius of 2,227.7 feet, the direct azimuth and distance being 128° 36′ 1,019.2 feet;
4. 141° 52′ 1,456.3 feet and passing through the North corner of concrete building at the South corner of Hustace and Dreier Streets at 1,426.6 feet;
5. 146° 53′ 1,000.2 feet and passing through the East corner of concrete building at the West corner of Hustace and Dreier Streets at 10.7 feet;
6. Thence on a curve to the left having a radius of 201.5 feet, the direct azimuth and distance being 135° 12′ 45″ 148.83 feet;
7. 209° 37′ 1.95 feet along the Kaiulani Home Lot to the present southwest side of King Street;
8. 290° 18′ 233.3 feet along the present Southwest side of King Street;

9. 3° 30′ 10.9 feet along King and South Streets;
10. 69° 47′ 11.22 feet along the North side of South Street;
11. 336° 53′ 827.0 feet;
12. Thence on a curve to the left having a radius of 986.33 feet, the direct azimuth and distance being 329° 22′ 30″ 257.77 feet;
13. 321° 52′ 1,313.1 feet;
14. Thence on a curve to the left having a radius of 2,127.7 feet, the direct azimuth and distance being 308° 36′ 973.3 feet;
15. 295° 20′ 5,857.8 feet;
16. Thence on a curve to the right having a radius of 1,168.63 feet, the direct azimuth and distance being 304° 02′ 30″ 353.87 feet to the point of beginning and containing a gross area of 21.5 acres and a net area of 20.5 acres after deducting intersecting streets and avenues.

SECTION 4. This Ordinance shall take effect from and after the date of its approval.

Introduced by

(S) CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: Honolulu, T. H., November 9th, 1920.

Approved this 22nd day of December, A. D. 1920.

(S) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 193.

AN ORDINANCE RELATING TO THE WIDENING OF HART AVENUE FROM PUUHALE ROAD TO THE SHORE LINE OF KALIHI BAY, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII, AND PROVIDING THAT ALL NEW BUILDINGS WHICH ARE ERECTED OR ALL OLD BUILDINGS WHICH ARE REMODELED MUST CONFORM TO THE NEW LINE FOR ERECTING BUILDINGS, AND VIOLATION HEREOF, AND ALSO PROVIDING WHEN THE PROPERTY, IN THE STREET AS ESTABLISHED HEREIN SHALL BE ACQUIRED BY THE CITY AND COUNTY OF HONOLULU.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Hart Avenue Widening.* That certain street in the District of Honolulu, City and County of Honolulu, Territory of Hawaii,

now known as Hart Avenue shall be widened between Puuhale Road and the shore line of Kalihi Bay as in the schedules as hereinafter set forth, and at such times as the Board of Supervisors of the City and County of Honolulu shall provide.

SECTION 2. If any person, persons, firms, partnerships or corporations shall make or construct any building or improvements of any kind within the line of street widening as in this Ordinance provided, or if any person, persons, firms, partnerships or corporations shall remodel any building or structure or improvement of any kind now within the lines of street widening as in this Ordinance provided to an extent so that the improvements or remodeling of said building structures or improvements shall cost more than fifty per centum (50%) of the original cost of said building structures, or improvements, such person, persons, firms, partnerships or corporations and their respective representatives shall be without remedy at law or in equity or at all in the premises for any injury, loss or damage that may be caused by the removal or destruction of such buildings or improvements when such removal or destruction is required by the widening of Hart Avenue as herein provided.

SECTION 3. *Duties of Building Inspector.* It shall be the duty of the Building Inspector of the City and County of Honolulu before issuing any permit for a new building structure or improvement or the remodeling or improving of any building structure or improvement within, adjacent or abutting on the lines of street widening as in this Ordinance provided, to ascertain if the same extends over the lines of street widening as in this Ordinance provided, and if the proposed building structure or improvement to be constructed or remodeled or improved does extend over the lines of street widening as in this Ordinance provided, the said Building Inspector must forthwith notify the City and County Engineer and shall not issue the building permit therefor for a period of twenty days thereafter; and no person shall be entitled to such building permit until after the expiration of said twenty-day period.

SECTION 4. *Duties of City and County Engineer and Board of Supervisors.* It shall be the duty of the City and County Engineer, upon receiving the notification specified in Section 3 hereof to forthwith interview the owners of the said property upon which the said building or structure is to be built or remodeled and secure a price for the said land embraced within the lines of street widening as in this Ordinance provided and to forthwith notify the Board of Supervisors of the City and County of Honolulu of his doings hereunder, and the Board of Supervisors shall forthwith acquire and pay for the said land if the price therefor is reasonable, otherwise said Board of Supervisors may take what proceedings are proper to condemn and take the said land for street purposes.

SECTION 5. *Street Line Parallel to Offset Line.* The street lines established hereby which are also established as the building lines or property lines on said Hart Avenue shall be parallel to the hereinafter described offset line (meaning thereby the monument line), which is the center line of the street, and distant thirty (30.0) feet therefrom as hereinafter set forth.

SECTION 6. *Schedules.* The offset line (meaning thereby the monument line), which is the center line of the street, on Hart Avenue from Puuhale Road to the shore line of Kalihi Bay, is hereby established as follows:

Commencing at a point at the intersection of the center line of Puuhale Road and the proposed new center line of Hart Avenue, the coordinates of which referred to the Government Triangulation Survey Station "Punchbowl" △ are 5732.6 feet North and 12036.5 feet West and running by true azimuths,

1. 317° 28′ 3478.1 feet to a point on the shoreline of Kalihi Bay, said point being by coordinates, referred to the Government Triangulation Survey Station "Punchbowl" △ 3169.6 feet North and 9685.6 feet West.

SECTION 7. If any part or section of this Ordinance be decided by the court to be unconstitutional or invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof which can be given effect without the part so decided to be unconstitutional or invalid.

SECTION 8. This Ordinance shall take effect from and after the date of its approval.

Introduced by

(S) CHAS. N. ARNOLD,
Supervisor.

Introduced November 16th, 1920.

Approved this 12th day of January, A. D. 1921.

(S) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 195.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON VARIOUS STREETS WITHIN THE PUUNUI IMPROVEMENT DISTRICT, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRTTORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Wyllie Street, Maui Street, Kauai Street, Hawaii Street, Waolani Avenue, Rooke Avenue, Puunui Avenue, Alewa Avenue, Lanai Street, Liliha Street, Liliha Street Extension, Namauu Street, Stream Drive, 15 foot lane, Park Road and Pahili Road within the limits of "Improvement District Number Eight, Puunui District," are hereby established as shown on plans set forth on Sheets 1 to 10 inclusive, of Grade Map No. 32, dated February 25, 1921, and authenticated by the signature of the City and County Engineer, on file and on record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Wyllie Street, Maui Street, Kauai Street, Hawaii Street, Waolani Avenue, Rooke Avenue, Puunui Avenue, Alewa Avenue, Lanai Street, Liliha Street, Liliha Street Extension, Namauu Street, Stream Drive, 15 foot Lane, Park Road, and Pahili Road within the limits of "Improvement District Number Eight, Puunui District," are hereby established as shown on the plans and profiles set forth in Sheets 1 to 10 inclusive, of Grade Map No. 32, dated February 25, 1921, hereinbefore specifically referred to and incorporated.

SECTION 3. All ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. This Ordinance shall take effect from and after the date of its approval.

Introduced by

(S) CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: March 2, 1921.

Approved this 14th day of March, A. D. 1921.

(S) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 200.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN "IMPROVEMENT DISTRICT NUMBER NINE—KAKAAKO DISTRICT."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under the improvement statutes with respect to the development, creation and establishment of "Improvement District Number Nine—Kakaako District," and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 253 (1919), 368, 453, 641, 673 (1920), 702, 716, 733, 803, 815, and 872 (1921) and Ordinance No. 190, and the minutes of meetings of said Board as heretofore adopted, the reports of the City and County Engineer, dated February 13, 1920, and November 19, 1920, and the assessment report of said Engineer, dated June 2, 1921, accompanying which were the corrected map of said Improvement District, the list of owners, lessees and occupants (so far as known), a preliminary assessment roll and a summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said Improvement Statutes, the Ordinance creating and approving general provisions for local assessment ordinances being Ordinance No. 128 and the Grade Ordinance No. 190 heretofore enacted together with the correction thereafter made with the approval of said Engineer as to clerical errors therein and omissions supplied thereon from reference to the field notes upon which said grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said Improvement District, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* No protests having been made or filed at the final assessment hearing, held for this Improvement District, and full and fair hearings having been held in respect thereto and after careful consideration of the facts relating thereto and the method of apportionment heretofore advertised, it was found, and it is hereby specially found and established that each and every parcel of land rated in or made subject to the assessment and said Improvement District is or will be specially benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor in the assessment roll dated May 26, 1921, and said several assessments as contained therein are hereby declared just and equitable both as to the respective total amounts and as to the appor-

tionment as so listed and advertised; variations in shape or depths of lots, if any, being immaterial so far as approximate benefits of this improvement are concerned; and that the said several proposed assessments contained in the assessment roll dated May 26, 1921, accompanying the Engineer's report of June 2, 1921, are hereby confirmed and adopted as and for the assessments against properties in said Improvement District and against the owners thereof respectively, and that each and every parcel of land required and necessary for the street improvements has been acquired so far as is necessary as provided in said Improvement Statutes.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said Improvement District, based upon the bid of the Hawaiian Contracting Company, Limited, the lowest responsible bidder, including the cost of curbing, grading, paving with asphaltic concrete on a concrete base and reinforced concrete with a squegee surface, moving and resetting of curbs, storm sewer system, sidewalks, and other improvements in place complete and the cost of new land acquired for street widening, is the total sum of seven hundred fifty-five thousand three hundred ninety-six dollars and thirty cents, that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against public or exempt lands and contribution, and the cost of grading, paving, gutters, curbing and sidewalks at street intersections as required by law, is the sum of four hundred fifty-one thousand four hundred forty-five dollars and twenty-eight cents; that the balance of three hundred and three thousand nine hundred and fifty-one dollars and two cents is hereby charged, assessed and levied against, and shall be collected from, the properties within said Improvement District and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed and advertised and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Public Lands Not Specifically Assessed.* Lots Nos. 1, 5, 6, 7, 8, 15, 16, 17, 20, 21, 28, 32, 33, 44, 54, 71, 85, 102, 103, 109, 114, 152, 157, 163, 164, 166, 168, 169, 170, 171, 172, 173 and 178, public lands or lands exempted by law, as shown on said Map and Assessment Roll, dated May 26, 1921, and incorporated in the Engineer's Report of June 2, 1921, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinafter provided; provided, however, that nothing herein shall be taken to foreclose the City and County from claiming reimbursement for such payment from the Territory of Hawaii under the provisions of the Improvement Statutes.

SECTION 5. *Special Fund.* There is hereby created a special fund to be known as "Special Fund for Improvement District Number Nine

—Kakaako District," and all moneys collected for the treasurer of the City and County of Honolulu for assessments levied by this Ordinance not required for the payment of interest and sinking fund for bonds sold and the proceeds of all bond sales sold to cover the cost of improvements in said Improvement District shall be placed in said Special Fund.

SECTION 6. *Assessment Rate for General Improvements.* All properties within said Improvement District (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $0.084350375 per square foot toward the cost of general improvements within said Improvement District all as set forth in detail in said assessment roll and map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing and sidewalks as segregated in the bid of the contractor.

SECTION 7. *Additional Assessment, New Curbing.* All properties within said Improvement District, privately owned, and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said Engineer's Report of June 2, 1921), at the uniform rate of $0.65 per front foot for the curb so required in front of said property.

SECTION 8. *Additional Assessment, Sidewalks.* All properties within said Improvement District, privately owned and not specifically exempted herein, in front of which new sidewalk is to be laid, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of sidewalk required, shown in detail in said Engineer's Report of June 2d, 1921), the following rates per front foot for the sidewalk so required; (the width of sidewalk required, as shown in detail in said Engineer's Report of June 2d, 1921, to fix the rate under the following schedules):

4.50 feet wide	$1.25	per front foot.
5.50 feet wide	1.375	per front foot.
6.50 feet wide	1.625	per front foot.
7.50 feet wide	1.875	per front foot.
9.50 feet wide	2.375	per front foot.
10.25 feet wide	2.5625	per front foot.
11.50 feet wide	2.875	per front foot.
14.50 feet wide	3.625	per front foot.

SECTION 9. *Payment of Assessments in Instalments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in instalments, the assessments herein made shall be due and must be paid to said treasurer in ten (10) equal annual instalments of principal, the first of said instalments of principal to be due and payable and must be paid within

thirty (30) days after the date of the last publication of this Ordinance; and all subsequent instalments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 10. This Ordinance shall take effect upon its approval.

Introduced by

(S) CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: June 28, 1921.

Approved this 14th day of July, A. D. 1921.

(S) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 203.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON LILIHA STREET, BETWEEN JUDD STREET AND WYLLIE STREET IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII, AND REPEALING ORDINANCE NO. 149.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Liliha Street between Judd Street and Wyllie Street and within the limits of Frontage Improvement Number Seventeen, are hereby established as shown on plans set forth on Sheets 1 and 2 of Grade Map No. 28A, dated October 3, 1921, and authenticated by the signature of the City and County Engineer, on file and on record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Liliha Street between Judd Street and Wyllie Street and within the limits of Frontage Improvement Number Seventeen, are hereby established as shown on the plans and profiles set forth in Sheets 1 and 2 of Grade Map No. 28A, dated October 3, 1921, hereinbefore specifically referred to and incorporated.

SECTION 3. Ordinance No. 149 and all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. This Ordinance shall take effect from and after the date of its approval.

Introduced by

(S) CHAS. N. ARNOLD,
Supervisor.

Date of Introduction: October 4, 1921.

Approved this 11th day of October, A. D. 1921.

(S) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 205.

AN ORDINANCE PROVIDING FOR THE COST OF IMPROVEMENTS IN "FRONTAGE IMPROVEMENT NUMBER SEVENTEEN—LILIHA STREET, JUDD STREET TO WYLLIE STREET."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under the Improvement Statutes with respect to the development, creation and establishment of "Frontage Improvement Number Seventeen, Liliha Street, Judd Street to Wyllie Street," and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 899, 929, 1029, 1060, 1082 and 1103 and Ordinance No. 203 and the reports of the City and County Engineer dated June 28, 1921, October 18, 1921, the assessment report of said Engineer dated November 29, 1921, and the final assessment report of said Engineer dated December 20, 1921, accompanying which are the final corrected map of said Frontage Improvement, the list of owners, lessees and occupants (so far as known), corrected assessment roll and corrected summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said Improvement Statutes and corrected, the Ordinance creating and approving general provisions for local assessment ordinances, being Ordinance No. 128, and the Grade Ordinance No. 203 heretofore enacted, together with the correction thereafter made with the approval of said Engineer as to clerical errors therein and omissions supplied thereon from reference to the filed notes upon which said grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said Frontage Improvement, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, all of which is, by this reference, incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* One verbal protest having been made at the final assessment hearing, held for this Frontage Improvement, and full and fair hearings having been held in respect thereto, and after careful consideration of the facts relating thereto and the method of apportionment heretofore advertised, and it having been found that two small errors had been made in the apportionment of the assessments on the assessment roll accompanying the Engineer's report of November 29, 1921; and the same having been corrected in corrected assessment roll dated December 20, 1921, accompanying the Engineer's report of said date, and it being hereby specially found and established that each and every parcel of land rated in or made subject to assessments and abutting upon said Frontage Improvement will be specially benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor in the assessment roll dated December 20, 1921, and that variations in the shapes or depths of lots, if any, are immaterial so far as approximate benefits of this improvement are concerned, and that each and every parcel of land required and necessary for the street improvements has been acquired so far as is necessary as provided in said Improvement Statutes; therefore said several assessments as contained therein are hereby declared just and equitable both as to the respective total amounts and as to the apportionment as so listed and advertised; and the said several proposed assessments contained in the corrected assessment roll dated December 20, 1921, accompanying the Engineer's report of December 20, 1921, are hereby confirmed and adopted as and for the assessments against properties abutting upon said Frontage Improvement and against the owners thereof respectively.

SECTION 3. *Cost of Authorized Improvements.* It is hereby found and declared that the total cost of the authorized improvements in said Frontage Improvement, based upon the bid of E. J. Lord, the lowest responsible bidder, including the cost of curbing, grading, paving with reinforced concrete, moving and resetting of curbs, storm sewer system, and other improvements in place complete is the total sum of thirty-four thousand six hundred twenty-nine and 58/100 dollars ($34,629.58); that the total proportion of this cost which is to be borne by the City and County, including assessments proportioned against public or exempt lands and contribution, and including the cost of curbing at street intersections as required by law, is the sum of eleven thousand eight hundred nine and 78/100 dollars ($11,809.78); that the balance of twenty-two thousand eight hundred nineteen and 80/100 dollars ($22,819.80), is hereby charged, assessed and levied against, and shall be collected from, the properties within said Frontage Improvement not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed and advertised and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Special Fund.* There is hereby created a special fund to be known as "Special Fund for Frontage Improvement Number Seventeen, Liliha Street, Judd Street to Wyllie Street," and all moneys collected by the treasurer of the City and County of Honolulu for assessments levied by this Ordinance, not required for the payment of interest and sinking fund for bonds sold, and the proceeds of all sales of bonds sold to cover the cost of improvements in said Frontage Improvement, shall be placed in said Special Fund.

SECTION 5. *Assessment Rate for General Improvements.* All properties within said Frontage Improvement (created as aforesaid) privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $5.0173155 per front foot toward the cost of general improvements within said Frontage Improvement, all as set forth in said corrected assessment roll and corrected map heretofore incorporated herein, including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing as segregated in the bid of the contractor.

SECTION 6. *Additional Assessment, for New Curbing.* All properties within said Frontage Improvement, privately owned, and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said Engineer's report of December 20, 1921), at the uniform rate of $0.70 per front foot for the curb so required in front of said property.

SECTION 7. *Payment of Assessments in Installments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in installments, the assessment herein made shall be due and must be paid to said treasurer in ten (10) equal annual installments of principal, and the first of said installments of principal shall be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent installments of principal, together with interest on the whole of the unpaid balance of principal at the rate of six per cent (6%) per annum shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 8. This Ordinance shall take effect upon its approval.

Introduced by

(Signed) JONAH KUMALAE,
Supervisor.

Date of Introduction: December 30, 1921.

Approved this 11th day of January, A. D. 1922.

(Sgd.) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 208.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES ON KING STREET, ALAPAI STREET, TO PUNAHOU STREET, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of King Street, within the limits of "Frontage Improvement Number Eighteen—King Street, Alapai Street to Punahou Street," are hereby established as shown on plans set forth in Sheets 1 to 5 inclusive of Grade Map No. 34, dated March 27, 1922, and authenticated by the signature of the City and County Engineer, on file and on record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of King Street, within the limits of "Frontage Improvement Number Eighteen—King Street to Punahou Street," are hereby established as shown on the plans and profiles set forth in Sheets 1 to 5 inclusive of Grade Map No. 34, dated March 27, 1922, hereinbefore specifically referred to and incorporated.

SECTION 3. That section of Ordinance 134, relating to King Street between Alapai Street and Punahou Street, and all other ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. This Ordinance shall take effect from and after the date of its approval.

Introduced by

JONAH KUMALAE,
Supervisor.

Approved this 21st day of June, A. D. 1922.

(Sgd.) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 209.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN "FRONTAGE IMPROVEMENT NUMBER TWENTY—HOTEL STREET, BETWEEN FORT STREET AND UNION STREET."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under the Improvement Statutes with respect to the development, creation and establishment of "Frontage Improvement Number Twenty—Hotel Street, Between Fort Street and Union Street," and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 1257, 1278, 1320 and 1330 (1922), and the minutes of meetings of said Board as heretofore adopted, the consent of property owners heretofore acted upon, the preliminary report of the City and County Engineer dated April 11, 1922, and the assessment report of said Engineer dated May 16, 1922, accompanying which were the corrected map of said Frontage Improvement, the list of owners, lessees and occupants (so far as known), a preliminary assessment roll and summary of detailed description, in respect of which notice and full public hearings have heretofore been given and held as required by said Improvement Statutes, the Ordinance creating and approving general provisions of local assessment ordinances, being Ordinance No. 128, heretofore enacted, to all of which reference is hereby made for a more particular and detailed description of said Frontage Improvement, the extent thereof, the location of the respective parcels of land rated in the assessments and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* No protests having been made or filed at the final assessment hearing, held for this Frontage Improvement, and full and fair hearings having been held in respect thereto and after careful consideration of the facts relating thereto and the methods of apportionment heretofore advertised, it is hereby specifically found and established that each and every parcel of land rated in or made subject to the assessment and abutting upon said Frontage Improvement is or will be specifically benefitted by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor and said several assessments are hereby declared just and equitable both as to the respective total amounts and as to the apportionment as so listed and advertised; variations in shapes or depths of lots, if any, being immaterial so far as approximate are concerned; and that the said several proposed

assessments heretofore listed and advertised in accordance with said Improvement Statutes are hereby confirmed and adopted as and for the assessments against properties abutting upon said Frontage Improvement and against the owners thereof respectively, and that each and every parcel of land required and necessary for the street improvements has been acquired so far as is necessary as provided in said Improvement Statutes.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said Frontage Improvement, being solely the cost to property owners for the acquisition of land, moving and reconstructing buildings as damages for the widening of Hotel Street between Fort Street and Union Street, is the total sum of forty-eight thousand seven hundred seven and 50/100 dollars ($48,707.50), that the total proportion of this cost, which is to be borne by the City and County, including assessment against street frontages, and general contribution, is the sum of twenty-four thousand five hundred fifty-eight and 37/100 dollars ($24,558.37); that the balance of twenty-four thousand one hundred forty-nine and 13/100 dollars ($24,149.13) is hereby charged, as assessed and levied against, and shall be collected from, the properties abutting upon said Frontage Improvement privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively according to the total amounts heretofore listed and advertised and corrected as aforesaid and computed according to the total amounts heretofore listed and advertised and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Public Land Not Specifically Assessed.* No public or exempt lands are located within the limits of this Frontage Improvement.

SECTION 5. *Special Fund and Cost of Improvements Created.* There is hereby created a special fund to be known as "Special Fund for Frontage Improvement Number Twenty," and all moneys collected by the treasurer of the City and County of Honolulu for assessments levied by this Ordinance not required for the payment of interest and sinking fund for bonds sold and the proceeds of all bond sales sold to cover the cost of improvements in said Frontage Improvement shall be placed in said Special Fund. Any moneys in said Special Fund, however, shall be subject to be appropriated into an account which is hereby created and known as "Cost of Improvements—Frontage Improvement Number Twenty, Hotel Street, Between Fort Street and Union Street," when it becomes necessary to provide the additional amount to pay for the entire cost of this Frontage Improvement, or be also subject to transfer to any fund in the treasury of the City and County of Honolulu to reimburse that fund from which there may be hereafter appropriated and advanced the additional amount necessary to pay for the entire cost of this Frontage Improvement, over and above

the total proportion of cost of this improvement so to be borne by the said City and County.

SECTION 6. *Appropriation by the City and County.* All appropriations heretofore made and expenditures thereunder for the purpose of engineering, incidentals and inspection for said Frontage Improvement shall continue and remain a charge against the revenues of the City and County. In addition to the foregoing, the transfer and appropriation made by Resolution No. 1308 to cover the full proportion of cost of this improvement fixed to be borne by the City and County, are hereby confirmed.

SECTION 7. *Assessment Rate in Zone I.* All properties, privately owned and abutting upon said Frontage Improvement in Zone I (created as aforesaid), and the owners thereof respectively, are hereby assessed on a uniformly graduated basis per front foot toward the cost of this improvement, commencing with a maximum rate of $56.8243 per front foot at the southeasterly boundary of this zone and diminishing at a uniform rate to $0.00 at the northwesterly boundary of Zone I, all as set forth in detail in said assessment roll and corrected map, heretofore incorporated. The boundaries of Zone I are approximately both sides of Hotel Street between the Waikiki property line of Fort Street and a right angle line across Hotel Street 177.04 feet Ewa or northwesterly therefrom.

SECTION 8. *Assessment Rate in Zone II.* All properties, privately owned and abutting upon said Frontage Improvement in Zone II (created as aforesaid), and the owners thereof respectively, are hereby assessed at a uniform maximum rate of $56.8243 per front foot toward the cost of this improvement, all as set forth in detail, in said assessment roll and corrected map heretofore incorporated. Zone II extends approximately both sides of Hotel Street between the Waikiki or southeasterly property line of Fort Street and a line at right angle across Hotel Street 108.68 feet Waikiki or southeasterly therefrom.

SECTION 9. *Assessment Rate in Zone III.* All properties, privately owned and abutting upon said Frontage Improvement in Zone III (created as aforesaid), and the owners thereof respectively, are hereby assessed on a uniformly graduated basis per front foot toward the cost of this improvement, commencing with a maximum rate of $56.8243 per front foot at the Ewa or northwesterly boundary of Zone III, which is also the Waikiki or southeasterly boundary of Zone II, and diminishing at a uniform rate to $0.00 at the Waikiki or southeasterly boundary of Zone III, all as set forth in detail in said assessment roll and corrected map, heretofore incorporated. The boundaries of Zone III, are approximately both sides of Hotel Street between the Waikiki or southeasterly boundary of Zone II, and a line 177.04 southeast of same to a line at right angle across Hotel Street which is about 1.72 feet beyond the Ewa or northwesterly property line of Bishop Street.

SECTION 10. *Payment of Assessments in Installments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in installments, the assessments herein made shall be due and must be paid to the treasurer of the City and County of Honolulu in ten (10) equal annual installments of principal, the first to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance: and all subsequent installments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 11. This Ordinance shall take effect upon its approval.

Introduced by

(S) JONAH KUMALAE,
Supervisor.

Introduced June 14, 1922.

Approved this 21st day of June, A. D. 1922.

(Sgd.) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 210.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN "IMPROVEMENT DISTRICT NUMBER EIGHT—PUUNUI."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under the Improvement Statutes with respect to the development, creation and establishment of "Improvement District Number Eight—Puunui," and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 1092 (1921), 1150, 1203, 1243, 1328 and 1353 (1922), and Ordinance No. 195, and the minutes of meetings of said Board as heretofore adopted, the reports of the City and County Engineer, dated December 20, 1921, and March 14, 1922, and the assessment report of said Engineer, dated June 6, 1922, accompanying which were the corrected map of said Improvement District, the list of owners, lessees and occupants

(so far as known), a preliminary assessment roll and a summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said Improvement Statutes, the ordinance creating and approving general provisions for local assessment ordinances being Ordinance No. 128 and the grade Ordinance No. 195 heretofore enacted together with the correction thereafter made with the approval of said engineer as to clerical errors therein and omissions supplied thereon from reference to the field notes upon which said grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said Improvement District, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* No protests having been made or filed at the final assessment hearing, held for this improvement district, and full and fair hearings having been held in respect thereto, and after careful consideration of the facts relating thereto and the method of apportionment heretofore advertised, it was found, and it is hereby specially found and established, that each and every parcel of land rated in or made subject to the assessment and said Improvement District is or will be specially benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor in the assessment roll dated June 6, 1922, and said several assessments as contained therein are hereby declared just and equitable both as to the respective total amounts and as to the apportionment as so listed and advertised; variations in shapes or depths of lots, if any, being immaterial so far as approximate benefits of this improvement are concerned; and that the said several proposed assessments contained in the assessment roll dated June 6, 1922, accompanying the Engineer's report of June 6, 1922, are hereby confirmed and adopted as and for the assessments against properties in said Improvement District and against the owners thereof respectively.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements in said Improvement District, based upon the bid of the Hawaiian Contracting Company, Limited, the lowest responsible bidder, including the cost of curbing, grading, paving with asphalt macadam on a rock sub-base, moving and resetting of curbs, storm sewer system, subdrains, sidewalks and other improvements in place complete, is the total sum of four hundred five thousand four hundred fifty-two dollars ($405,452.00), that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against public or exempt lands and contribution, and the cost of grading, paving, gutters, curbing at street intersections as required by law, sidewalk in front of a City and County park and cost of storm drainage system, is the sum of two hundred and two thousand three hundred

ninety-seven dollars and ninety-seven cents ($202,397.97); that the balance of two hundred and three thousand fifty-four dollars and three cents ($203,054.03) is hereby charged, assessed and levied against, and shall be collected from, the properties within said Improvement District and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed and advertised and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Public Lands Not Specifically Assessed.* Lot No. 105, a City and County Park, as shown on said map and assessment roll, dated June 6, 1922, and incorporated in the Engineer's report of June 6, 1922, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against said park set forth in the proceedings heretofore confirmed and which would be assessable against said land if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 5. *Special Fund.* There is hereby created a special fund to be known as "Special Fund for Improvement District Number Eight —Puunui" and all moneys collected by the treasurer of the City and County of Honolulu for assessments levied by this Ordinance not required for the payment of interest and sinking fund for bonds sold and the proceeds of all bond sales sold to cover the cost of improvements in said Improvement District shall be placed in said Special Fund.

SECTION 6. *Assessment Rate for General Improvements.* All properties within said Improvement District (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $0.067955536 per square foot toward the cost of general improvements within said Improvement District all as set forth in detail in said assessment roll and map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing as segregated in the bid of the contractor.

SECTION 7. *Additional Assessment, New Curbing.* All properties within said Improvement District, privately owned, and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said Engineer's report of June 6, 1922), at the uniform rate of $0.75 per front foot for the curb so required in front of said property.

SECTION 8. *Payment of Assessments in Installments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in installments, the assessments herein made shall be due and must be paid to said treasurer in ten (10) equal annual installments of principal, the first of said

installments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent installments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 9. This Ordinance shall take effect upon its approval.

Introduced by

(S) JONAH KUMALAE,
Supervisor.

Date of Introduction: July 11, 1922.

Approved this 19th day of July, 1922.

(Sgd.) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 211.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON VARIOUS STREETS WITHIN THE KEWALO DISTRICT, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Ala Moana, Queen Street, Kawaiahao Street, First Street, Second Street, Halekauwila Street, Hustace Street, Curtis Street, Marmion Street, Cooke Street, Emily Street, Laniwai Street, Waimanu Street, Coral Street, Dreier Street and Koula Street, within the limits of that section of the Kewalo District, bounded by South and Keawe Street, Ward Street, King Street, and the Waterfront, are here established as shown on plans set forth on Sheets 1 to 10, inclusive, of Grade Map No. 35, dated June 1, 1922, and authenticated by the signature of the City and County Engineer, on file and on record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Ala Moana, Queen Street, Kawaiahao Street, First Street, Second Street, Halekauwila Street, Hustace Street, Curtis Street, Marmion Street, Cooke

Street, Emily Street, Laniwai Street, Waimanu Street, Coral Street, Dreier Street and Koula Street, within the limits of that section of the Kewalo District, bounded by South and Keawe Street, Ward Street, King Street and the Waterfront, are hereby established as shown on the plans and profiles set forth in Sheets 1 to 10, inclusive, of Grade Map No. 35, dated June 1, 1922, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

Introduced by

(S) JONAH KUMALAE
Supervisor.

Date of Introduction: July 18, 1922.

Approved this 10th day of August, A. D. 1922.

(Sgd.) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 212.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON VARIOUS STREETS WITHIN THE BINGHAM PARK TRACT, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Bingham Street, Coyne Avenue, Whitney Street, McCully Street, Wilder Avenue and Dole Street, within the limits of Improvement District Number Eleven —Bingham Park Tract," and Metcalf Street, between Bingham Street and Wilder Avenue, are here established as shown on plans set forth on Sheets 1 to 6 inclusive of Grade Map No. 32, dated March 14, 1922, and authenticated by the signature of the City and County Engineer, on file and on record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Bingham Street, Coyne Avenue, Whitney Street, McCully Street, Wilder Avenue and Dole Street, within the limits of "Improvement District Number

Eleven—Bingham Park Tract," and Metcalf Street between Bingham Street and Wilder Avenue, are hereby established as shown on the plans and profiles set forth in Sheets 1 to 6, inclusive, of Grade Map No. 32, dated March 14, 1922, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

Introduced by

(S) LESTER PETRIE,
Supervisor.

Date of Introduction: March 14, 1922.

I hereby certify that the above Ordinance passed Third Reading at a meeting of the Board of Supervisors held on the 27th day of June, 1922, and was submitted to the Mayor for his approval on the 28th day of June; I further certify that said Ordinance was not returned by the Mayor with his disapproval within 10 days after its receipt by him and that the same therefore became effective on the 9th day of July, 1922.

(S) D. KALAUOKALANI,
City and County Clerk.

ORDINANCE NO. 216.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES ON PUNCHBOWL STREET, BERETANIA STREET TO KING STREET, AND MILLER STREET, BERETANIA STREET TO LUSITANA STREET, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Punchbowl Street, Beretania Street to King Street and Miller Street, Beretania Street to Lusitana Street, within the limits of "Improvement District Number Twelve—Punchbowl Street and Miller Street," are hereby established as shown on plans set forth in Sheets 1 to 2 inclusive of Grade Map No. 36, dated July 28, 1922, and authenticated by the signature of the

City and County Engineer, on file and on record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Punchbowl Street, Beretania Street to King Street and Miller Street, Beretania Street to Lusitana Street, within the limits of "Improvement District Number Twelve—Punchbowl Street and Miller Street," are hereby established as shown on the plans and profiles set forth in Sheets 1 to 2 inclusive of Grade Map No. 36, dated July 28, 1922, hereinbefore specifically referred to and incorporated.

SECTION 3. That all other ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. This Ordinance shall take effect from and after the date of its approval.

Introduced by

(S) JONAH KUMALAE,
Supervisor.

Date of Introduction: Honolulu, Hawaii, August 3, 1922.

Approved this 14th day of September, A. D. 1922.

(S) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 218.

AN ORDINANCE RELATING TO THE WIDENING OF KING STREET FROM THE JUNCTION OF NORTH KING STREET AND BERETANIA AVENUE TO THE MOANALUA-KAHAUIKI BOUNDARY AT FORT SHAFTER, IN THE DISTRICT OF HONOLULU, TERRITORY OF HAWAII, AND PROVIDING THAT ALL NEW BUILDINGS WHICH ARE ERECTED OR ALL OLD BUILDINGS WHICH ARE REMODELED MUST CONFORM TO THE NEW LINE FOR ERECTING BUILDINGS, AND VIOLATION HEREOF, AND ALSO PROVIDING WHEN THE PROPERTY IN THE STREET AS ESTABLISHED HEREIN SHALL BE ACQUIRED BY THE CITY AND COUNTY OF HONOLULU.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *King Street Widening.* That certain street in the District of Honolulu, City and County of Honolulu, Territory of Hawaii, now known as King Street, shall be widened between the junction of

North King Street and Beretania Avenue and the Moanalua-Kahauiki boundary at Fort Shafter as in the schedules as hereinafter set forth, and at such times as the Board of Supervisors of the City and County of Honolulu shall provide.

SECTION 2. If any person, persons, firms, partnerships or corporations shall make or construct any building or improvements of any kind within the line of street widening as in this Ordinance provided, or if any person, persons, firms, partnerships or corporations shall remodel any buildings or structures or improvement of any kind now within the lines of street widening as in this Ordinance provided to an extent so that the improvements or remodeling of said buildings, structures or improvements shall cost more than fifty percentum (50%) of the original cost of said building, structures or improvements, such person, persons, firms, partnerships or corporations and their respective representatives shall be without remedy at law or in equity or at all in the premises for any injury, loss or damage that may be caused by the removal or destruction of such buildings or improvements when such removal or destruction is required by the widening of King Street as herein provided.

SECTION 3. *Duties of Building Inspector.* It shall be the duty of the Building Inspector of the City and County of Honolulu before issuing any permit for a new building, structure or improvement or the remodeling or improving of any building, structure or improvement within, adjacent or abutting on the lines of street widening as in this Ordinance provided, to ascertain if the same extends over the lines of street widening as in this Ordinance provided, and if the proposed building, structure or improvement to be constructed or remodeled or improved does extend over the lines of street widening as in this Ordinance provided, the said Building Inspector must forthwith notify the City and County Engineer and shall not issue the building permit therefor for a period of ten days thereafter; and no person shall be entitled to such building permit until after the expiration of said ten-day period.

SECTION 4. *Duties of City and County Engineer and Board of Supervisors.* It shall be the duty of the City and County Engineer, upon receiving the notification specified in Section 3 hereof to forthwith interview the owners of the said property upon which the said building or structure is to be built or remodeled and secure a price for the said land embraced within the lines of street widening as in this Ordinance provided and to forthwith notify the Board of Supervisors of the City and County of Honolulu of his doings hereunder, and the Board of Supervisors shall forthwith acquire and pay for the said land if the price therefor is reasonable, otherwise said Board of Supervisors may take what proceedings are proper to condemn and take the said land for street purposes.

SECTION 5. *Schedules.*

(a) The new Northeast line of King Street from the junction of North King Street and Beretania Avenue to Desha Lane, which is also the building or property line, is established as follows:

Beginning at an iron bolt in the new Northeast line of King Street, the true azimuth and distance from a City Survey Street Monument (said street monument being on an offset of 20 feet from the Northeast line of Beretania Avenue) being 312° 16′ 148.56 feet and the coordinates of said street monument referred to Government Survey Triangulation Station "Punchbowl" being 1642.77 feet North and 5137.51 feet West, and running by true azimuth from the above described initial point:

1. Firstly on a curve to the right having a radius of 425.30 feet, the direct azimuth and distance of the long chord being 152° 15′ 45″ 180.66 feet;
2. 164° 31′ 30″ 428.64 feet;
3. Thence on a curve to the left, having a radius of 1005.0 feet, the direct azimuth and distance of the long chord being 161° 29′ 15″ 106.51 feet;
4. 158° 27′ 173.33 feet;
5. Thence on a curve to the left, having a radius of 476.77 feet, the direct azimuth and distance of the long chord being 149° 33′ 147.52 feet—The true azimuth and distance to a spike, marking the initial point of the new centerline of King Street (86 feet wide) from this point to Fort Shafter is 96° 45′ 30″ 62.02 feet.

(b) The new Southwest line of King Street from a point south of the junction of North King Street and Beretania Avenue to a point opposite Desha Lane, which is also the building or property line, is hereby established as follows:

Beginning at an iron bolt on the new Southwest line of King Street, the true azimuth and distance from a City Survey Street Monument at the junction of North King Street and Beretania Avenue (said street monument being on an offset of 20 feet from the Northeast line of Beretania Avenue) being 8° 15′ 280.21 feet and the coordinates of said street monument referred to Government Survey Triangulation Station "Punchbowl" being 1642.77 feet North and 5137.51 feet West, and running by true azimuths from the above described initial point:

1. Firstly on a curve to the left, having a radius of 1576.35 feet, the direct azimuth and distance being 172° 01′ 30″ 411.51 feet;
2. 164° 31′ 30″ 328.07 feet;
3. Thence on a curve to the left, having a radius of 905.0 feet, the direct azimuth and distance of the long chord being 161° 29′ 15″ 95.91 feet;
4. 158° 27′ 173.33 feet;

5. Thence on a curve to the left, having a radius of 669.24 feet, the direct azimuth and distance of the long chord being 149° 33′ 207.08 feet. The true azimuth and distance to a spike, marking the initial point of the new center-line of King Street (86 feet wide) from this point to Fort Shafter is 276° 45′ 30″ 62.02 feet.

(c) The street lines hereby established, which are also established as the building and property lines of said King Street (86 feet wide) from a point opposite Desha Lane to the Moanalua-Kahauiki boundary at Fort Shafter, are parallel to the center line which is established as follows:

Beginning at an iron bolt on the new center line of King Street, said center line being on an offset of 43 feet, from the new Northeast line of King Street and 43 feet from the new Southwest line of King Street: the coordinates of said iron bolt referred to a City Survey Street Monument at the junction of North King Street and Beretania Avenue (said monument being on an offset of 20 feet to the Northeast line of Beretania Avenue) being 869.78 feet North and 322.32 feet West, and the coordinates of said street monument referred to Government Survey Triangulation Station "Punchbowl" being 1642.77 feet North and 5137.51 feet West, and running by true azimuths from the above described initial point:

1. 140° 39′ 00″ 227.97 feet;
2. Thence on a curve to the right, having a radius of 1432.5 feet, the direct azimuth and distance of the long chord being 144° 26′ 30″ 189.46 feet;
3. 148° 14′ 00″ 176.95 feet;
4. Thence on a curve to the left, having a radius of 2865.0 feet, the direct azimuth and distance of the long chord being 146° 57′ 45″ 127.09 feet;
5. 145° 41′ 30″ 631.29 feet;
6. Thence on a curve to the right, having a radius of 1910.0 feet, the direct azimuth and distance of the long chord being 150° 55′ 45″ 348.71 feet;
7. 156° 10′ 52.58 feet;
8. Thence on a curve to the right, having a radius of 573.0 feet, the direct azimuth and distance of the long chord being 163° 54′ 154.21 feet;
9. 171° 38′ 156.58 feet;
10. Thence on a curve to the left having a radius of 477.5 feet, the direct azimuth and distance being 163° 13′ 15″ 139.71 feet;
11. 154° 48′ 30″ 399.83 feet;
12. Thence on a curve to the left, having a radius of 358.1 feet, the direct azimuth and distance of the long chord being 140° 34′ 30″ 176.09 feet;

13. 126° 20′ 30″ 100.41 feet;
14. Thence on a curve to the right having a radius of 477.5 feet, the direct azimuth and distance being 136° 00′ 15″ 160.15 feet;
15. 145° 40′ 799.21 feet;
16. Thence on a curve to the left, having a radius of 573.0 feet, the direct azimuth and distance of the long chord being 136° 37′ 180.26 feet;
17. 127° 34′ 907.43 feet;
18. Thence on a curve to the left, having a radius of 1910.0 feet the direct azimuth and distance of the long chord being 121° 11′ 30″ 424.16 feet;
19. 114° 49′ 266.62 feet;
20. Thence on a curve to the right having a radius of 5730.0 feet, the direct azimuth and distance of the long chord being 115° 17′ 93.34 feet;
21. 115° 45′ 989.05 feet;
22. Thence on a curve to the right having a radius of 382.0 feet, the direct azimuth and distance of the long chord being 132° 42′ 45″ 222.90 feet;
23. 149° 40′ 30″ 392.0 feet;
24. Thence on a curve to the left, having a radius of 636.6 feet, the direct azimuth and distance of the long chord being 140° 09′ 15″ 210.60 feet;
25. 130° 38′ 1359.30 feet;
26. Thence on a curve to the right having a radius of 1432.5 feet, the direct azimuth and distance being 134° 59′ 30″ 217.74 feet;
27. 139° 20′ 30″ 1085.16 feet;
28. Thence on a curve to the right, having a radius of 477.45 feet, the direct azimuth and distance being 155° 36′ 30″ 267.48 feet;
29. 171° 52′ 30″ 69.54 feet;
30. Thence on a curve to the left having a radius of 1432.4 feet, the direct azimuth and distance being 138° 54′ 30″ 1558.88 feet, to an iron bolt;
31. 105° 56′ 30″ 237.32 feet to a spike;
32. Thence on a curve to the left, having a radius of 318.31 feet, the direct azimuth and distance being 95° 15′ 30″ 118.02 feet;
33. 84° 34′ 30″ 4.53 feet to an iron bolt on the boundary between Moanalua and Kahauiki; the true azimuth and distance from United States Military Reservation Monument No. 3 to this iron bolt being 11° 05′ 53.14 feet.

SECTION 6. If any part or section of this Ordinance be decided by the court to be unconstitutional or invalid, the same shall not affect the

validity of the Ordinance as a whole, or any part thereof which can be given effect without the part so decided to be unconstitutional or invalid.

SECTION 7. This Ordinance shall take effect from and after the date of its approval.

Introduced by

(S) JONAH KUMALAE,
Supervisor.

Introduced September 5, 1922.

I hereby certify that the foregoing bill passed Second Reading and was ordered to print by the Board of Supervisors at its meeting held Tuesday, October 5, 1922, on the following vote of said board:

Ayes: Arnold, Hollinger, Kumalae, Low, McClellan, Pacheco, Petrie. Total, 7.

Noes: None.

(S) L. K. STERLING,
Deputy City and County Clerk.

ORDINANCE NO. 226.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON KEEAUMOKU STREET, FROM KING STREET TO WILDER AVENUE, IN THE DISTRICT OF HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Curb Lines.* That the curb lines of Keeaumoku Street, from King Street to Wilder Avenue, are hereby established as shown on plans set forth on Sheets 1 to 2, inclusive, of Grade Map No. 38, dated November 8, 1922, and authenticated by the signature of the City and County Engineer, on file and on record in the office of the City and County Engineer, herein specifically incorporated by reference.

SECTION 2. *Curb Grades.* That the curb grades of Keeaumoku Street, from King Street to Wilder Avenue, are hereby established as shown on the plans and profiles set forth in Sheets 1 to 2, inclusive, of Grade Map No. 38, dated November 8, 1922, hereinbefore specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

Introduced by

(S) JONAH KUMALAE,
Supervisor.

Date of Introduction: November 8, 1922.

Approved this 16th day of November, A. D. 1922.

(S) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 227.

AN ORDINANCE RELATING TO SHADE TREES, HEDGES AND SHRUBS PLANTED ON OR GROWING OVER THE PUBLIC STREETS OF THE DISTRICT OF HONOLULU.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. A Commission to be known as the Shade Tree Commission of Honolulu is hereby created to consist of five persons to be appointed by the Mayor of the City and County of Honolulu with the approval of the Board of Supervisors of the City and County of Honolulu, and preferably the following: the president of the Outdoor Circle of Honolulu, the City and County Engineer of the City and County of Honolulu, the Superintendent of Parks and Playgrounds of the City and County of Honolulu, the Superintendent of Forestry of the Territory of Hawaii and one other from persons nominated by a majority of the public utility corporations maintaining wires over the public streets within the District of Honolulu. Such persons shall serve without pay.

SECTION 2. It shall be the duty of the said Commission to select and appoint a trained shade tree expert who shall be known as the City Tree Warden, and who shall be the executive officer of the said Commission. Such City Tree Warden shall receive such compensation as shall be appropriated from time to time by the Board of Supervisors and he may receive and accept such further remuneration from such other sources as may be approved by the Board of Supervisors.

The duties of such City Tree Warden shall be as defined by said Commission, and he may be removed or discharged by said Commission and another appointed by said Commission in his place.

SECTION 3. The said Commission shall have full and complete authority over the trimming and removing of all shade trees, hedges and shrubs growing on the public streets of the District of Honolulu and the planting of the same upon such streets, and, concurrently with the respective property owners, shall have full and complete authority over the trimming and removing of all shade trees, hedges and shrubs growing over the public streets of said District.

SECTION 4. The City Tree Warden, subject to the control of the said Commission, shall have direct charge and supervision over the actual work of trimming, removing and planting of the trees, hedges and shrubs under the exclusive jurisdiction of the Commission, and concurrently with the respective property owners over the trimming and removing of the trees, shrubs and hedges growing over the public streets of said District.

SECTION 5. The City Tree Warden may, in his discretion, issue permits to private individuals to trim or remove any of the trees, hedges or shrubs herein mentioned either in cases of emergency or where such work will conform to such general plan as may be adopted by the said Commission.

SECTION 6. It shall be the duty of the owner or owners of public utility wires or those in control thereof to keep at all times such owned or controlled wires free from dangerous interference with tree growth.

SECTION 7. It shall be unlawful for any person to trim, prune, cut, deface, destroy or remove any shade or ornamental trees, hedges or shrubs which are under the exclusive jurisdiction of the said Commission as herein provided, except as authorized by Section 5.

SECTION 8. It shall be unlawful for any person to paint, place, attach to or put upon any of the trees, hedges, or shrubs herein mentioned any sign, notice, advertisement or advertising device.

SECTION 9. It shall be unlawful for any person to spray, with any chemical or insecticide, any trees, hedges or shrubs within the exclusive jurisdiction of the Commission without a written permit from the City Tree Warden.

SECTION 10. It shall be unlawful for any person to attach any electric wire insulator or any device for the holding of electric wires to any of the trees, hedges or shrubs herein mentioned without a written permit from the City Tree Warden. When such a permit is issued, the attachment of any such wire, insulator or device shall be done in a manner approved by the City Tree Warden.

SECTION 11. In the erection or repair of any building or structure, the owner thereof or person in control of such erection or repair shall place such guards around any and all nearby trees, hedges or shrubs herein mentioned as shall prevent injury to them.

SECTION 12. It shall be unlawful for any person to injure, misuse or remove any device placed to protect any of the trees, hedges or shrubs mentioned in the preceding section.

SECTION 13. It shall be unlawful for any person to fasten any horse or other animal to any of the trees, hedges or shrubs herein mentioned, or to cause a horse or other animal to stand so that said horse or other animal can injure such trees, hedges or shrubs.

SECTION 14. It shall be unlawful for any person to plant on any public street any trees, hedges or shrubs without a written permit from the City Tree Warden. When such permit is issued, the planting shall conform to such general planting scheme as may be adopted for the particular locality.

SECTION 15. Any person who shall violate any of the provisions of Sections 6 to 14 inclusive of this Ordinance shall be guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred dollars ($100.00), or be sentenced to imprisonment for a period not exceeding thirty (30) days, or by both such fine and imprisonment in the discretion of the court.

SECTION 16. This Ordinance shall take effect ten (10) days from and after its approval.

Introduced by

LESTER PETRIE,
Supervisor.

Date of Introduction: Honolulu, Hawaii, October 30, 1922.

Approved this 23rd day of November, A. D. 1922.

(S) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 228.

AN ORDINANCE PROVIDING FOR THE COST OF IMPROVEMENTS IN "FRONTAGE IMPROVEMENT NUMBER EIGHTEEN, KING STREET, ALAPAI STREET TO PUNAHOU STREET."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings

heretofore had and taken under the Improvement Statutes with respect to the development, creation and establishment of "Frontage Improvement Number Eighteen, King Street, Alapai to Punahou Street," and the making of the proposed improvement as set forth and referred to in Resolutions of said Board Nos. 1152, 1202, 1242, 1393, 1451 and 1480, and Ordinance No. 208, and the reports of the City and County Engineer dated January 30, 1922, July 18, 1922, and the Assessment Report of said Engineer dated October 17, 1922, accompanying which are the corrected map of said Frontage Improvement, the list of owners, lessees and occupants (so far as known), Assessment Roll and summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said Improvement Statutes, the ordinance creating and approving general provisions for local assessment ordinances, being Ordinance No. 128, and the Grade Ordinance No. 208, heretofore enacted, together with the corrections thereafter made with the approval of said Engineer as to clerical errors therein and omissions supplied thereon from reference to the field notes upon which said grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said Frontage Improvement, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, all of which is, by this reference, incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* No protests having been made at the Assessment Hearing, held for this Frontage Improvement, and full and fair hearings having been held in respect thereto, and after careful consideration of the facts relating thereto and the method of apportionment heretofore advertised, and it having been found and established that each and every parcel of land rated in or made subject to assessments and abutting upon said Frontage Improvement will be specially benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor in the Assessment Roll dated October 17, 1922, and that variations in the shapes or depths of lots, if any, are immaterial so far as approximate benefits of this improvement are concerned, and that each and every parcel of land required and necessary for the street improvements has been acquired so far as is necessary as provided in said Improvement Statutes; therefore said several assessments as contained therein are hereby declared just and equitable both as to the respective total amounts and as to the apportionment as so listed and advertised; and the said several proposed assessments contained in the Assessment Roll dated October 17, 1922, accompanying the Engineer's report of October 17, 1922, are hereby confirmed and adopted as and for the assessments against properties abutting upon said Frontage Improvement and against the owners thereof respectively.

SECTION 3. *Cost of Authorized Improvements.* It is hereby found and declared that the total cost of the authorized improvements in

said Frontage Improvement, based upon the bid of the Hawaiian Contracting Company, the only bidder, including the cost of curbing, sidewalk, grading, paving, moving and resetting of curbs, storm sewer system (including storm drains on Piikoi, Keeaumoku and Sheridan Streets), and other improvements in place complete, and excluding engineering, incidentals and inspection, is one hundred ninety-nine thousand two hundred and 90/100 dollars ($199,200.90); that the total proportion of this cost which is to be borne by the City and County, including assessments proportioned against public or exempt lands and contribution, including the cost of curbing at street intersections as required by law, including portion of cost of Piikoi, Keeaumoku and Sheridan Street storm drains and excluding the cost of engineering, incidentals and inspection is the sum of one hundred thirty thousand nine hundred seventeen and 40/100 dollars ($130,917.40); that the balance of sixty-eight thousand two hundred eighty-three and 50/100 dollars ($68,283.50) is hereby charged, assessed and levied against, and shall be collected from the properties within said Frontage Improvement not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed and advertised and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Special Fund.* There is hereby created a special fund to be known as "Special Fund for Frontage Improvement Number Eighteen, King Street, Alapai Street to Punahou Street," and all moneys collected by the Treasurer of the City and County of Honolulu for assessments levied by this Ordinance, not required for the payment of interest and sinking fund for bonds sold, and the proceeds of all sales of bonds sold to cover the cost of improvements in said Frontage Improvement, shall be placed in said Special Fund.

SECTION 5. *Assessment Rate for General Improvements.* All properties within said Frontage Improvement (created as aforesaid) privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of $6.9135 per front foot toward the cost of general improvements within said Frontage Improvement, all as set forth in said Assessment Roll and corrected map heretofore incorporated herein, including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing, new sidewalk as segregated in the bid of the contractor, and a portion of the Piikoi, Keeaumoku and Sheridan Street storm drains.

SECTION 6. *Additional Assessment, for New Curbing.* All properties within said Frontage Improvement, privately owned, and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required and shown in detail in said Engineer's report of October 17,

1922), at the uniform rate of $0.70 per front foot for the curb so required in front of said property.

SECTION 7. *Additional Assessment for New Sidewalk.* All properties within said Frontage Improvement, privately owned, and not specifically exempted herein, in front of which new sidewalk is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new sidewalk required, and shown in detail in said Engineer's report of October 17, 1922), at the uniform rate of $1.04 per linear foot for the sidewalk so required in front of said property.

SECTION 8. *Payment of Assessments in Installments.* In case of an election, either by act of the owner or by other interested party or by operation of law, to pay an assessment in installments, the assessment herein made shall be due and must be paid to said Treasurer in ten (10) equal annual installments of principal, and the first of said installments of principal shall be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent installments of principal, together with interest on the whole of the unpaid balance of principal at the rate of six per cent (6%) per annum shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 9. This Ordinance shall take effect upon its approval.

Introduced by

(S) JONAH KUMALAE,
Supervisor.

Date of Introduction: November 8, 1922.

Approved this 22nd day of November, A. D. 1922.

(S) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 229.

A 311

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN "IMPROVEMENT DISTRICT NUMBER ELEVEN—BINGHAM PARK TRACT."

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. *Preliminary Proceedings Confirmed.* The Board does hereby adopt, approve and confirm all and singular the proceedings

heretofore had and taken under the Improvement Statutes with respect to the development, creation and establishment of "Improvement District Number Eleven—Bingham Park Tract," and the making of the proposed improvement at set forth and referred to in Petition No. 147, dated December 6, 1921. Resolutions of said Board Nos. 1140, 1151, 1171, 1305 (1922), Committee Report No. 747, dated August 14, 1922, and Ordinance No. 212, and the minutes of meetings of said Board as heretofore adopted, the report of the City and County Engineer, dated March 21, 1922, and the assessment report of said Engineer, dated August 18, 1922, accompanying which were the corrected map of said Improvement District, the list of owners, lessees and occupants (so far as known), a preliminary assessment roll and a summary of detailed descriptions, in respect of which notice and full public hearings have heretofore been given and held as required by said Improvement Statutes, the Ordinance creating and approving general provisions for local assessment ordinances being Ordinance No. 128 and the grade Ordinance No. 212, heretofore enacted, together with the correction thereafter made with the approval of the said Engineer as to clerical errors therein and omissions supplied thereon from reference to the field notes upon which said grade maps are based, to all of which reference is hereby made for a more particular and detailed description of said Improvement District, the extent thereof, the location of the respective parcels of land rated in the assessment and the special benefits accruing or to accrue therefrom, by this reference incorporated herein and made a part hereof.

SECTION 2. *Confirmation of Assessments.* No protests having been made or filed at the final assessment hearing, held for this Improvement District, and full and fair hearings having been held in respect thereto, and after careful consideration of the facts relating thereto and the method of apportionment heretofore advertised, it was found, and it is hereby specifically found and established that each and every parcel of land rated in or made subject to the assesment in said Improvement District is or will be specifically benefited by said improvements to the amount of and in fair proportion to the respective assessments proposed therefor in the assessment roll, dated August 18, 1922, and said several assessments as contained therein are hereby declared just and equitable both as to the respective total amounts and as to the apportionment as so listed and advertised; variations in shapes or depths of lots, if any, being immaterial insofar as approximate benefits of this improvement are concerned; and that the said several proposed assessments contained in the assessment roll, dated August 18, 1922, accompanying the Engineer's report of August 18, 1922, are hereby confirmed and adopted as and for the assessments against properties in said Improvement District and against the owners thereof respectively.

SECTION 3. *Cost of Authorized Improvements.* That it is hereby found and declared that the total cost of the authorized improvements

in said Improvement District, based upon the bid of the Hawaiian Contracting Company, Limited, the lowest responsible bidder, including the cost of curbing, grading, paving, with reinforced concrete, storm sewer system, sidewalks and other improvements in place complete, is the total sum of ninety-nine thousand and twenty-six dollars ($99,026.00), and this total cost is hereby charged, assessed and levied against, and shall be collected from all the properties within said Improvement District and the owners thereof respectively, according to the total amounts heretofore listed and advertised and computed according to the rates of assessment hereinafter set forth.

SECTION 4. *Special Fund.* There is hereby created a special fund to be known as "Special Fund for Improvement District Number Eleven —Bingham Park Tract," and all moneys collected by the Treasurer of the City and County of Honolulu for assessments levied by this Ordinance, not required for the payment of interest and sinking fund for bonds sold, and the proceeds of all bond sales sold to cover the cost of improvements in said Improvement District shall be placed in said Special Fund.

SECTION 5. *Assessment Rate for General Improvements.* All properties within said Improvement District (created as aforesaid), privately owned, and the owners thereof respectively are hereby assessed at a uniform rate of $.0792325 per square foot toward the cost of general improvements within said Improvement District, all as set forth in detail in said Assessment Roll and Map heretofore incorporated and including all improvements set forth in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing and sidewalk as segregated in the bid of the contractor.

SECTION 6. *Additional Assessment, New Curbing.* All properties within said Improvement District, privately owned, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said Engineer's Report of August 18, 1922), at the uniform rate of $1.0521 per front foot for the curb so required in front of said property.

SECTION 7. *Additional Assessment, New Sidewalk.* All properties within said Improvement District, privately owned, and not specifically exempted herein, in front of which new sidewalks are required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new sidewalk required, shown in detail in said Engineer's Report, dated August 18, 1922), at the uniform rate of $1.038954 per front foot for sidewalk so required in front of said property.

SECTION 8. *Payment of Assessments in Installments.* In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in installments, the assessments herein made shall be due and must be paid to said treasurer in

ten (10) equal annual installments of principal, the first of said installments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent installments of principal together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 9. This Ordinance shall take effect upon its approval.

Introduced by

(S) JONAH KUMALAE,
Supervisor.

Date of Introduction: October 3, 1922.

I hereby certify that the foregoing Bill No. 96 after reconsideration on the veto of the Mayor, was, upon votes taken by ayes and noes, approved by six votes of the members of the Board of Supervisors at a meeting of said Board held on the 28th day of November, 1922.

(S) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

ORDINANCE NO. 230.

AN ORDINANCE TO AMEND ORDINANCE NO. 12 OF THE CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII, BEING ENTITLED "AN ORDINANCE REGULATING THE CARRYING OF PASSENGERS FOR HIRE IN LICENSED VEHICLES, PROVIDING THE RATES OF FARE FOR THE CARRYING OF PASSENGERS IN SUCH VEHICLES, AND PROVIDING FOR PUNISHMENT FOR VIOLATIONS OF THE PROVISIONS OF THE ORDINANCE," AS AMENDED BY FURTHER AMENDING SECTION 9 THEREOF.

Be it Ordained by the People of the City and County of Honolulu:

SECTION 1. Section 9 of Ordinance No. 12 of the City and County of Honolulu, as amended, is hereby further amended by adding subsection 9 to the end thereof to read as follows:

"(9) Ewa side of Maunakea Street between King and Hotel Streets for six (6) motor vehicles."

SECTION 2. This Ordinance shall take effect from and after the date of its approval.

Introduced by

(S) LESTER PETRIE,
Supervisor.

Honolulu, Hawaii, January 9, 1923.

Approved this 18th day of January, A. D. 1923.

(S) JOHN H. WILSON,
Mayor, City and County of Honolulu, Territory of Hawaii.

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CITY AND COUNTY OF HONOLULU