O R D I N A N C E S

CITY AND COUNTY OF HONOLULU

Nos. 117-176

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City and County of Honolulu

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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 I - 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 II - 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 1

of Grade Map Number 19, dated January 30, 1917, hereinbefore specifically referred to and incorporated.

SECTION III.

This Ordinance shall take effect from and after the date of its approval.

INTRODUCED

By Charles H. Arnold
Supervisor.

Date of Introduction:
Honolulu, Hawaii,
January 30, 1917.

Approved this 13th day Feby 191
John C. Lane
Mayor of Honolu

BILL NO. 159.

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 Sections 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 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. 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

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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 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-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 & 60/100 Dollars ($775.60), being for expenditures made since July 18, 1916; 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 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 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 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 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 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 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. U. Arnold
Supervisor.

Date of Introduction,
February 13th., 1917.

1st March 17
John C. Lang
[illegible] CITY AND COUNTY OF HONOLULU, T. H.

Bill No. _____

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 I - CURB LINES.

That the curb lines of Laimi, Park and Puiwa Roads, in Nuuanu Valley, within the limits of "FRONTAGE IMPROVEMENT NUMBER SEVEN", are hereby established as shown on 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 II - 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.

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SECTION III.

Ordinance No. 58 and all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION IV.

This ordinance shall take effect from and after the date of its approval.

INTRODUCED

By Chas. U. Arnold
Supervisor.

Date of Introduction:
Honolulu, Hawaii,
March 27, 1917.

APPROVED 13th April 1917
John C. Lane
[illegible] AND [illegible] OF
HONOLULU, T. H.

550. [illegible]

BILL NO. 164.

ORDINANCE NO. 120

AN ORDINANCE AMENDING ORDINANCE NO. 56, KNOWN AS THE "TRAFFIC ORDINANCE," AMENDING SECTIONS 33 and 34 THEREOF AS AMENDED BY ORDINANCES NOS. 64 and 93 and ADDING A NEW SECTION KNOWN AS SECTION 5A.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF HONOLULU:

SECTION 1. A new section is hereby added to Ordinance No. 56 to be known as Section 5A and to read as follows:

"SECTION 5A. RULE FOR PASSING VEHICLE OTHER THAN STREET CARS IN THE CONGESTED TRAFFIC DISTRICT.

No vehicle shall pass another vehicle moving in the same direction within the Congested Traffic District unless there shall be a clear space of at least 150 feet ahead of the vehicle to be passed. At all street intersections in said district vehicles shall proceed in single file. And no vehicle shall pass another vehicle at a street intersection in said Congested Traffic District while the same is slowed down or stopped on account of traffic or by order of a traffic officer or until the preceding vehicle has moved on beyond the street intersection."

SECTION 2. Section 33 of Ordinance No. 56, known as the "Traffic Ordinance" is hereby amended to read as follows:

"SECTION 33. There shall be a special congested traffic district to be known as the "Special Traffic District" which shall be as follows:

"King street, between River and Alakea Streets, and Hotel street, between River street and Fort street; Merchant Street, between Bethel and Richards Streets, Fort Street, between Beretania and Queen Streets, and Bethel Street, between Hotel and Merchant Streets."

SECTION 3. Section 34 of Ordinance No. 56, known as the "Traffic Ordinance" as amended by Ordinance No. 64 and Ordinance No. 93 is hereby amended to read as follows:

"SECTION 34. No owner, driver, or person in control of any motor vehicle, motorcycle, horse-drawn vehicle or of any other vehicle, shall allow such vehicle to remain standing in any street or remain in the same block of any street in the

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'Special Traffic District' contrary to the following rules:

"(a). On either side of King Street no vehicle shall be allowed to stand or remain longer than 30 minutes between the hours of 8 A. M. and 5:30 P. M.

"(b). On either side of Hotel Street, between Nuuanu Street and Fort Street, no vehicle shall be allowed to stand or remain longer than 30 minutes between the hours of 8 A. M. and 10 P. M., and between River street and Nuuanu street no vehicle shall be allowed to remain or stand longer than 30 minutes between the hours of 8 A. M. and 5:30 P. M.

"(c). On the westerly or Ewa side of Fort Street and of Bethel Street, no vehicle shall be allowed to stand or remain more than thirty (30) minutes between the hours of 8 A. M. and 5:30 P. M.

"(d). On the easterly or Waikiki side of Fort Street and of Bethel Street no vehicle, except one belonging to or on business for the United States Post Office Department, shall stand or remain for a longer time than absolutely necessary to take on or to discharge passengers or freight between the hours of 8 A. M. and 5:30 P. M.

"(e). On the southerly or makai side of Merchant Street, no vehicle shall stand or remain for a longer time than absolutely necessary to take on or to discharge passengers or freight between 8 A. M. and 5:30 P. M.

"(f). On the northerly side of Merchant Street, no vehicle, except one belonging to or on business for the United States Post Office Department, shall stand or remain for longer than 30 minutes between the hours of 8 A. M. and 5:30 P. M."

SECTION 4. This Ordinance shall take effect thirty days after approval.

INTRODUCED

By W. Rosen

Supervisor.

Date of Introduction,

June 12, A. D. 1917.

APPROVED THIS 26th DAY OF June A. D. 1917

John C. Lane

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

BILL NO. _____.

ORDINANCE NO. 121

AN ORDINANCE ESTABLISHING THE OFFICE OF SUPERINTENDENT OF PUBLIC GROUNDS AND PUBLIC BUILDINGS, PROVIDING FOR THE APPOINTMENT OF A PERSON TO FILL SUCH OFFICE AND GRANTING HIM POWER AND SUPERVISION OVER ALL PARKS, PLAYGROUNDS, SCHOOLGROUNDS, SCHOOL BUILDINGS AND OTHER PUBLIC BUILDINGS.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF HONOLULU:

SECTION 1. The office of Superintendent of Public Grounds and Public Buildings 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."

SECTION 2. The Superintendent of Public Grounds and Public Buildings 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.

SECTION 3. Said Superintendent, subject always to the approval of said Board, shall have power and supervision over all Public Parks, Playgrounds, Schoolgrounds, School Buildings and other Public Buildings in the City and County of Honolulu. He shall appoint and remove all assistants, janitors, 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,

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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 said Superintendent.

SECTION 4. The Superintendent of Public Grounds and Public Buildings 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.

SECTION 5. This Ordinance shall take effect from and after the date of its approval.

INTRODUCED

By _____

Supervisors.

Date of Introduction,

June 12, 1917.

APPROVED THIS 23rd DAY OF June A.D. 1917.

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING THE OFFICE OF SUPERINTENDENT OF KAPIOLANI PARK AND THE PUBLIC BATHS, PROVIDING FOR THE APPOINTMENT OF SUCH OFFICER, AND DEFINING HIS POWERS AND DUTIES.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF HONOLULU:

SECTION 1. The office of Superintendent of Kapiolani Park and the Public Baths 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 this office, who shall be removable by the same authority. ~~Subject to removal for cause by the same authority, he shall hold office for a term coincident with the term of office of said Board and until his successor is duly appointed and qualifies.~~

SECTION 2. The Superintendent of Kapiolani Park and the Public Baths shall receive such salary as shall from time to time be fixed 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.

SECTION 3. Said Superintendent shall have power and supervision over Kapiolani Park and the Public Baths in the City and County of Honolulu subject always to the direction and control of the Board of Supervisors. He shall appoint and remove all employees except prisoners engaged in the maintenance, upkeep and care of the same.

SECTION 4. Said 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 preceeding month.

SECTION 5. This Ordinance shall take effect upon its approval.

INTRODUCED

By _____

Supervisor.

Date of Introduction,

June 12, 1917.

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1.

Amend the title of Bill No. 166 to read as follows:

"An Ordinance Establishing the Office of Superintendent of Public Grounds and Public Buildings, Providing for the Appointment of a Person to Fill Such Office and Granting him Power and Supervision over all Parks, Playgrounds, Schoolgrounds, School Buildings and Other Public Buildings."

2.

Amend Section 1 by inserting after the words "Public Grounds" the words "and Public Buildings," so that the same shall read

"Section 1. The office of Superintendent of Public Grounds and Public Buildings 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."

3.

Amend Section 2 by inserting after the words "Public Grounds" the words "and Public Buildings," so that the same shall rea

"Section 2. The Superintendent of Public Grounds and Public Buildings 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."

4.

Amend Section 3 to read as follows:

"Section 3. Said Superintendent, subject always to the approval of said Board, shall have power and supervision over all public parks, playgrounds, schoolgrounds, school buildings and other public Buildings in the City and County of Honolulu. He shall appoint and remove all assistants, janitors, 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, 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 said Superintenden

5.

Amend Section 4 by inserting after the words "Public Grounds" the words "and Public Buildings" so that the same shall read:

"Section 4. The Superintendent of Public Grounds and Public Buildings 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."

6/12/17

BILL NO. _____.

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 Beretani 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,

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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 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 Improvements 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 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 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 I. 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 instalmants and interest, and covered by any bond issue respecting the authorized improvements in said Frontage Improgement 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. H. Arnold

Supervisor.

Date of Introduction,

June 12, 1917.

APPROVED THIS 23rd June 17

John C. Lane

A-
6-N1516
263728

Bill No. 167.

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

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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. H. Arnold

Supervisor.

Date of Introduction:

Honolulu, Hawaii,

July 03, 1917.

APPROVED THIS 14th DAY OF July 1917

Joseph Fern

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

BILL NO. 168.

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 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 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 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-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 II. 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 I. 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 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 (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 unconstitional 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

Date of Introduction,
July 17, 1917.

By Chas. U. Ames
Supervisor.

Approved this 3rd day of August A. D. 1917.

Joseph J. Fern
Mayor of the City and County of Honolulu.

BILL NO. 170.

ORDINANCE NO. _____.

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 9th, 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 9th, 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 Lord-Young Engineering Company, Limited, the lowest responsible bidder, including the cost of curbing, grading, paving with concrete and bitulithic, moving 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 the 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, 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 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 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 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 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. 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 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 instalments, 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.

Date of Introduction,
October 9th, 1917.

INTRODUCED
By Chas. H. Arnold
Supervisor.

Approved this _____ day of October, A. D. 1917.

Mayor of the City and County of Honolulu.

BILL NO. 170 .

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

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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 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 Lord-Young Engineering Company, Limited, the lowest responsible bidder, including the cost of curbing, grading, paving with concrete and bitulithic, moving 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 Fifty-six and 51/100 Dollars ($61,056.51); that the balance of Fifty-six Thousand Four Hundred Forty-three and 49/100 Dollars ($56,443.49) 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, 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 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 Fifty-six and 51/100 Dollars ($9,056.51) 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 the 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, 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 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 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 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 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. 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 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 instalments, 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.

Date of Introduction,
October 9th, 1917.

INTRODUCED

By Chas. V. Arnold
Supervisor.

Approved this 18th day of October, A. D. 1917.

Joseph J. Fern.
Mayor of the City and County of
Honolulu. T.H.

BILL NO. ~~[illegible]~~

ORDINANCE NO. 126.

.....

AN ORDINANCE RELATING TO PUBLIC SCHOOL BUILDINGS AND PUBLIC SCHOOL GROUNDS IN THE CITY AND COUNTY OF HONOLULU AND PROHIBITING ANY PERSON OR PERSONS FROM GOING UPON OR REMAINING UPON OR LOITERING AROUND IN OR UPON OR PLAYING OR ENGAGING IN GAMES OR SPORTS IN OR UPON SAID BUILDINGS OR GROUNDS WITHOUT LAWFUL BUSINESS OR EXCUSE FOR SO DOING AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF HONOLULU:

Section 1. 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 building, or public school grounds, in the City and County of Honolulu, without lawful business or excuse for so doing.

Section 2. A prima facie case of a violation of this Ordinance shall be established upon the showing that any person or persons charged with the violation of this Ordinance 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.

Section 3. The provisions of this Ordinance shall not apply to bona fide visitors whether residents of the Territory of Hawaii or tourists who may go upon public school buillings 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

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or working upon any public school building or public school ground actually engaged in his employment or work, nor to pupils of any school in said Honolulu, in or upon the public school buildings or 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.

Section 4. Any person or persons violating any of the provisions of this Ordinance shall be punished by a fine of not less than Five Dollars nor more than One Hundred Dollars.

Section 5. In any complaint or charge for the violation of this Ordinance it shall be unnecessary to negative the exceptions contained in Section 3 of the same.

Section 6. This Ordinance shall take effect from and after the date of its approval.

INTRODUCED

By _____
Supervisor.

Date of Introduction,
November 28 1917.

APPROVED THIS 18th DAY OF December A. D. 1917

_____
MAYOR, CITY AND COUNTY OF
HONOLULU, T. H.

BILL NO. 171.

ORDINANCE NO. 127.

AN ORDINANCE TO AMEND ORDINANCE NO. 12, BEING 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, AND ADDING A NEW SECTION TO BE KNOWN AS SECTION 14-a.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF HONOLULU:

SECTION 1. That Ordinance No. 12 be and the same is hereby amended by adding a new section to be known as Section 14-a, which shall read as follows:

"SECTION 14-a. The owners, drivers, or chauffeurs of any licensed vehicle or their agents shall obey the orders of the Sheriff, his Deputy or any Police Officers as to the place where such persons may be, remain, stand or go, at any station, steamer landing, mail steamer dock, other landing, or at any public place, and upon failure so to do shall be guilty of a misdemeanor and shall be subject to the penalties in said ordinance provided."

SECTION 2. This Ordinance shall take effect on approval.

INTRODUCED

By [signature]
Supervisor.

Date of Introduction:

November 28, 1917.

APPROVED this 19th day of December, A. D. 1917.

Joseph D. Fern
Mayor, City and County of Honolulu, T. H.

A.
14-13 N.-774879

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BILL NO. 179.

ORDINANCE NO. 128.

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 assessment 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, 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, 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 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 installments 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 installments 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 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 of any bond issue for such improvement, shall be entered in the Special Improvement 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 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. U. Amweg

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.

A
2/14, 15, 16.
3/5, 6, 7.

BILL NO. 180.

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 reports 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

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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, the 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 assessments 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. H. Cooke

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.

BILL NO. 178

ORDINANCE NO. 130

AN ORDINANCE PROHIBITING THE SELLING, GIVING, DELIVERING OF INTOXICATING LIQUORS, INCLUDING BEER, ALE, WINE, MALT, OR SPIRITUOUS LIQUORS OF ANY KIND WHATSOEVER, TO, OR THE BUYING, PROCURING, OBTAINING OF SUCH BY OFFICERS AND MEN OF THE NAVAL AND MILITARY FORCES OF THE UNITED STATES OF AMERICA AND OF THE TERRITORY OF HAWAII UNDER CERTAIN CONDITIONS, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

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BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF HONOLULU:

SECTION: 1: No person or persons shall sell to, give to, procure, for, or deliver to or for or abet, procure, counsel, incite, command, hire, aid, countenance, or encourage another or others to give to, sell to, or procure for or deliver to or for any officer or other member, officers or other members, of the Naval and Military Forces of the United States of America or of the Territory of Hawaii, while in uniform, in the City and County of Honolulu, any intoxicating liquor or liquors, including beer, ale or wine or any malt or spirituous liquors of any nature whatsoever.

SECTION: 2: No person or persons, knowing any officer or other member, officers or other members of the Naval or Military Forces of the United States of America, to be such, although not in uniform, while in the City and County of

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Honolulu, shall give to, sell to, procure for or deliver to or for or abet, procure, counsel, incite, command, hire, aid, countenance or encourage another or others to give to, sell to, or procure for or deliver to or for any such officer or other member, officers or other members of the said Naval or Military Forces of the United States of America, any intoxicating liquor or liquors, including beer, ale or wine or any malt or spirituous liquors of any nature whatsoever.

SECTION: 3: No officer or other member, officers or other members of the Naval or Military Forces of the United States of America, while in the City and County of Honolulu, whether in uniform or otherwise, or of the Territory of Hawaii when in uniform, shall buy from, procure from, or accept from any person or persons, by sale, gift or otherwise or for personal use or for the use of another, any intoxicating liquors or liquor, including beer, ale or wine.

SECTION: 4: A prima facie case of the violation of this Ordinance, as against any officer or other member, officers or other members of the Naval or Military Forces of the United States of America or of the Territory of Hawaii shall be established upon the showing that any such officer or other member, officers or other members in the City and County of Honolulu, was or were arrested or found in the possession, actual or constructive, of any said intoxicating liquors or liquor.

SECTION: 5: Any person or persons violating any of the provisions of Sections 1 or 2 or both of this Ordinance shall be punished by a fine of not less than TEN DOLLARS ($10.00),

nor more than THREE HUNDRED DOLLARS ($300.) or by imprisonment for a term of not less than Ten (10) days, nor more than Six (6) months, or by both such fine and imprisonment, in the discretion of the Court; and any said officer or other member of said forces who is convicted of violating section 3 or 4 hereof shall be punished within the discretion of the Court in no case by fine exceeding TWO HUNDRED DOLLARS ($200.00) or by imprisonment more than Six (6) months.

SECTION: 7 6: This Ordinance shall take effect from and after the date of its approval.

INTRODUCED BY

C. H. Bellina

Supervisors

Date of Introduction:

Honolulu, T.H., February 12, A.D. 1918

2nd R. & P. as amended 7/19/18.
A
7/26, 27, 28.
8/14, 15, 16.

BILL NO. 178.

ORDINANCE NO. 130.

AN ORDINANCE PROHIBITING THE SELLING, GIVING, DELIVERING OF INTOXICATING LIQUORS, INCLUDING BEER, ALE, WINE, MALT, OR SPIRITUOUS LIQUORS OF ANY KIND WHATSOEVER, TO, OR THE BUYING, PROCURING, OBTAINING OF SUCH BY OFFICERS AND MEN OF THE NAVAL AND MILITARY FORCES OF THE UNITED STATES OF AMERICA AND OF THE TERRITORY OF HAWAII UNDER CERTAIN CONDITIONS, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF HONOLULU:

SECTION: 1: No person or persons shall sell to, give to, procure, for or deliver to or for or abet, procure, counsel, incite, command, hire, aid, countenance, or encourage another or others to give to, sell to, or procure for or deliver to or for any officer or other member, officers or other members, of the Naval and Military Forces of the United States of America or of the Territory of Hawaii, while in uniform, in the City and County of Honolulu, any intoxicating liquor or liquors, including beer, ale or wine or any malt or spirituous liquors of any nature whatsoever.

SECTION: 2: No person or persons, knowing any officer or other member, officers or other members of the Naval or Military Forces of the United States of America, to be such, although not in uniform, while in the City and County of Honolulu, shall give to, sell to, procure for or deliver to or for or abet, procure, counsel, incite, command, hire, aid,

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countenance or encourage another or others to give to, sell to, or procure for or deliver to or for any such officer or other member, officers or other members of the said Naval or Military Forces of the United States of America, any intoxicating liquor or liquors, including beer, ale or wine or any malt or spirituous liquors of any nature whatsoever.

SECTION: 3: No officer or other member, officers or other members of the Naval or Military Forces of the United States of America, while in the City and County of Honolulu, whether in uniform or otherwise, or of the Territory of Hawaii when in uniform, shall buy from, procure from, or accept from any person or persons, by sale, gift or otherwise or for personal use or for the use of another, any intoxicating liquor or liquors, including beer, ale or wine.

SECTION: 4: A prima facie case of the viblation of this Ordinance, as against any officer or other member, officers or other members of the Naval or Military Forces of the United States of America or of the Territory of Hawaii shall be established upon the showing that any such officer or other member, officers or other members in the City and County of Honolulu, was or were arrested or found in the possession, actual or constructive, of any said intoxicating liquor or liquors.

SECTION: 5: That the violation of the provisions of this Ordinance may be justified by any person on trial for the same if the magistrate or jury trying the facts, be convinced that such intoxicating liquors were bought, received, procured or obtained solely for bona fide medicinal purposes.

SECTION: 6: Wherever the district magistrate or the jury trying the facts be not convinced that a bona fide justification exists under section 5 of this ordinance, any person or persons violating any of the provisions of Sections 1 or 2 or both of this Ordinance shall be punished by a fine of not less than TEN DOLLARS ($10.00), nor more than THREE HUNDRED DOLLARS ($300.00) or by imprisonment for a term of not less than Ten (10) days, nor more than Six (6) months, or by both such fine and imprisonment, in the discretion of the Court; and any said officer or other member of said forces who is convicted of violating section 3 or 4 hereof shall be punished within the discretion of the Court in no case by fine exceeding TWO HUNDRED DOLLARS ($200.00) or by imprisonment more than Six (6) months.

SECTION: 7: This Ordinance shall take effect from and after the date of its approval.

INTRODUCED BY

A. B. Bell

Supervisor.

Date of Introduction:

Honolulu, T.H., February 12, A. D. 1918.

A
2/26, 27, 28.
3/14, 15, 16

APPROVED THIS 12 DAY OF March A. D. 1918

Joseph J. Fern

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

BILL NO. 181.

ORDINANCE NO. 131

An Ordinance to amend Ordinance No. 101, being "An Ordinance establishing an Emergency Hospital and Providing for an Emergency Hospital Physician," by adding a new section known as Section 4A.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF HONOLULU.

Section 1. That Ordinance No. 101 be and it is hereby amended by adding a new section thereto to read as follows:

"Section 4A. The Emergency Hospital Physician shall have control of the use of the City and County Ambulance, and shall cause the same to be used primarily for the transportation of any and all public patients. He may refuse the use thereof for private cases where such use would or does interfer with the maintenance of an emergency ambulance, and he MAY refuse the use thereof for the transportation of any patient afflicted with any communicable or infectious disease."

Section 2. This Ordinance shall take effect upon its approval.

INTRODUCED

BY Chas. H. Arnold
Supervisor.

Date of Introduction:
March 19, 1918.

APPROVED THIS 9th DAY OF April A. D. 1918

Joseph J. Fern,
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

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3/21, 22, 23,
11/10, 11, 12.

ORDINANCE NO. 132.

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.

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 March 1, 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 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 March 1, 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. U. Arnold

Supervisor.

Date of Introduction:

Honolulu, Hawaii,

April 2, 1918.

APPROVED THIS 20th DAY OF April A. D. 1918

Joseph J. Fern.

MAYOR CITY AND COUNTY OF HONOLULU, T. H.

Advertisement and Print.
April 2, 1918
Advertis-P- April 4, 5, 6
April - 12, 1918
April - 16, 1918
April 17, 1918

A-4/22, 23, 24.

Bill No. _____.

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 April 8th, 1913, 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, ~~3, 4~~ and 2 respectively of Grade Map No. 22, dated

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April 8th, 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. H. 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, T. H.

280 26/20

Reading and Print April - 1918 -
Advertiser - Apr - 12, 13, 15
April 16, 1918
May 3, 1918
May 7, 1918
May 7, 1918
Advertiser - May - 8, 9, 10

Bill No. ~~184~~

ORDINANCE NO. 1341

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON KING STREET FROM RICHARD 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 Richard 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 Richard 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.

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SECTION 3. This Ordinance shall take effect from and after the date of its appfoval.

INTRODUCED

by Chas. U. Amoed

Supervisor.

Date of Introduction:

Honolulu, Hawaii,

April ~~16~~ 23, 1918.

APPROVED THIS 14th DAY OF May A.D. 1918

Joseph O. Fern

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

Apr. 23, 1918
Adv. Apr. 25, 26, 27

May 7, 1918
May 9, 1918
May 14, 1918

Bill No. 135

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

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specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

INTRODUCED

by Chas U. Arnold
Supervisor.

Date of Introduction:

Honolulu, Hawaii,

April 23, 1918.

APPROVED THIS 14th DAY OF May 1918.

Joseph J. Fern.
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

May 7, 1918
May 9, 1918
May 14, 1918

Bill No. _____

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

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specifically referred to and incorporated.

SECTION 3. This Ordinance shall take effect from and after the date of its approval.

INTRODUCED
by Chas. H. Atwood
Supervisor.

Date of Introduction:
Honolulu, Hawaii,
May 7, 1918.

APPROVED THIS 7th DAY OF May, 1918.
Frank F. Fern
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

May 7, 1918
Star-Bulletin, May 8, 9, 10.
May 14, 1918
May 18, 1918
May 21, 1918
May 24, 1918.
Advertiser-Star-Bulletin: May 25, 27, 28.

Bill No. 187.

ORDINANCE
No. 137

AN ORDINANCE AMENDING ORDINANCE No. 56, KNOWN AS THE "TRAFFIC ORDINANCE", AS AMENDED BY ORDINANCE NOS. 64, 93 and 120, by AMENDING SECTION 33 and SUBSECTIONS "C" and "D" OF SECTION 34 THEREOF.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII:

SECTION 1. Section 33 of Ordinance No. 56, known as the "Traffic Ordinance," as amended by Ordinances Nos. 64, 93 and 120, is hereby amended to read as follows:

"Section 33. There shall be a special congested traffic district to be known as the "Special Traffic District," which shall be as follows:

"King Street, between River and Alakea Streets, and Hotel Street, between River and Fort Streets; Merchant Street, betweem Bethel and Richards Streets; Fort Street, between Beretania and Queen Streets; Bethel Street, between Hotel and Merchant Streets and Kaahumanu Street, between Merchant and Queen Streets."

SECTION 2. Section 34 of Ordinance No. 56, known as the "Traffic Ordinance," as amended by Ordinance Nos. 64, 93 and 120, is hereby amended by amending subsections "C" and "D" thereof to read as follows:

"(C) On the Westerly or ewa side of Fort Street, Bethel and Kaahumanu Streets, no vehicle shall be allowed to stand or remain more than thirty minutes (30) between the hours of 8 a.m. and 5:30 p.m."

" (D) On the easterly of Waikiki side of Fort Street, Bethel and Kaahumanu Streets no vehicle, except one belonging to or on business for the United States Post Office Department, shall stand or remain for a longer time than absolutely necessary to take on or to discharge passengers or freight between 8 a.m. and 5:30 p.m."

SECTION 3. This Ordinance shall take effect thirty days after approval.

INTRODUCED

By C. H. Bellina

Supervisor.

Dated at Honolulu,
June 12, 1918.

APPROVED THIS 3rd DAY OF July A.D. 1918

Joseph J. Fern

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

Reading and Print June 12, 1918.
Advertiser: June 19, 20, 21.
June 22, 1918.
June 26, 1918.
July 1, 1918.
July 3, 1918.
in Advertiser: July 5, 6, 8.

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 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 ($34,592.72); 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 ($34,592.72) 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.

Pass 1st Reading and Pub. June 18, 1918.
Pub. in Advertiser: June 20, 21, 22
Pass 2nd Reading June 26, 1918
Pass 3rd Rdg. July 2, 1918
To Mayor July 3, 1918
Returned July 3, 1918
Pub. in Advertiser: July 5, 6, 8.

Date of Introduction,
June 18, 1918.

INTRODUCED

By Chas. H. Arnold

Supervisor.

Approved this 3rd day of July, A. D. 1918.

Joseph J. Fern.

Mayor, City and County of Honolulu, Territory of Hawaii

BILL NO.

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 corrections thereafter made with the approval of said engineer as to clerical

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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 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 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 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 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 C. H. Bell

Supervisor.

Date of Introduction,

June 22, 1918.

Approved this 11 day of July, A. D. 1918.

Joseph J. Fern.

Mayor, City and County of Honolulu,
Territory of Hawaii.

Cit Reading and Print
June 22, 1918.
Star Bulletin: June 25, 26, 27.
2nd Reading July 2, 1918.
July 8, 1918.
July 10, 1918.
July 11, 1918.
Star Bulletin: July 12, 13, 15.

BILL NO. _____.

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

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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, 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 of Lots Nos. 1, 2, 3, 13, and 14, being frontages 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 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 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 tranfer 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. U. Ansted

Supervisor.

Date of Introduction,

July 2, 1918.

Approved this 19 day of July, A. D. 1918.

Joseph J. Fern

Mayor, City and County of Honolulu, Territory of Hawaii.

July 2, 1918.
Advertised: July 5, 6, 8.
July 11, 1918.
July 16, 1918.
July 17, 1918.
July 19, 1918.
In Advertised: July 20, 22, 23.

Post
July 16, 1918.
Advertiser: July 18, 19, 20.
July 23, 1918.
" 26, 1918.
July 30, 1918.
" 30, 1918.
Advertiser: July 31, Aug 1, 2.

Bill No. 191

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 I. 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 No. 432 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 No. 432 44 dated July 10, 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. U. Amoli
Supervisor.

Date of Introduction

Honolulu, Hawaii July 2. 1918.

APPROVED THIS 30 DAY OF July A. D. 1918
[signature]
MAYOR, CITY AND COUNTY OF

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Bill No. 192

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. U. Arnold
Supervisor.

Date of Introduction
Honolulu, Hawaii,
July 16 1918.

APPROVED THIS 30 DAY OF July A. D. 1918

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

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Pass for Binding and Print.....
July 16, 1918.
Star Bulletin: July 17, 18, 19.
July 23, 1918.
" 26, 1918.
July 30, 1918.
" 30, 1918.
Pacific Star Bulletin: July 31, Aug. 1, 2.

Bill No. 194 as a Substitute for Bill - 1932 [illegible]

9/17/18

10/15/18

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 I. 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. U. Amold
Supervisor.

Date of Introduction:

Honolulu, Hawaii,
August 30, 1918.

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Pass 1st Reading and to Print August 30/18

Pub. in "Star-Bulletin" Sep 3.5.7.9. /18.

Pass 2nd Reading Sep 17 and

Pass 3rd Reading Oct 15. 1918

To Mayor Oct. 16, 1918

Returned Oct 22, 1918

~~Pub. in Advertiser Oct 30, 31 Nov. 1.~~

Pub. in Bulletin: Oct 30, 31 – Nov. 1.

Approved this 22nd day of Oct, A.D. 1918

Joseph J. Fern.

Mayor.

Bill 195 - 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

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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 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 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 - 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 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 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. U. Amold
Supervisor.

Date of Introduction,
September 24, 1918.

Bill No. 1960

ORDINANCE NO. 145

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CENTER LINES AND GRADES UPON ALEWA AND YODER 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 I. CENTER LINES. That the center lines of Alewa and Yoder Roads, 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 and Yoder Roads, 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. This Ordinance shall take effect from and after the date of its approval.

INTRODUCED
by Chas. H. Arnold
Supervisor.

Date of Introduction:

Honolulu, Hawaii,
October 1, 1918.

145

I hereby certify that the foregoing ~~Mission~~ Bill, for an Ordinance, passed first Reading and was ordered to print at a meeting of the Board of Supervisors on October 1st 1918 on the following vote of said Board:

Ayes Alva. Arnold. Bellina. Hollinger. McClellan. Mott-Smith. Petrie.

Total 7

Noes none

Harry J. Mills
1st Deputy City and County Clerk.

Publish Oct 4. 5. 7th. 8. 9th 1918 ("Star-Bulletin")
(5 times)

Pass 1st Reading and to Print Oct 1/18
"Star Bulletin"
Pub. in ~~Advertiser~~ Oct 4. 5. 7. 8. 9th 1918
Pass 2nd Reading Oct 8/18 ~~and~~
Pass 3rd Reading Oct. 15, 1918
To Mayor Oct. 16, 1918
Returned Oct. 22, 1918
Pub. in Bulletin. Oct. 30, 31 & Nov. 1.

APPROVED THIS 22 DAY OF Oct A. D. 1918

Joseph P. Fern.
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

BILL NO. 198 as Ord. # 146

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 ntoes 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 effdct upon its approval.

APPROVED THIS 14th DAY OF Dec A. D. 19 18

Joseph J. Fern
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

INTRODUCED

By Chas. U. Arnold
Supervisor.

Date of Introduction
November 12th, 1918.

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

APPROVED THIS ____ DAY OF ____ A. D. 19__

BILL NO. 199

ORDINANCE NO. 147.

AN ORDINANCE AMENDING ORDINANCE NO. 56, KNOWN AS THE "TRAFFIC ORDINANCE" BY AMENDING SECTION 25 THEREOF.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF HONOLULU:

SECTION 1. Section 25 of Ordinance No. 56 is hereby amended to read as follows:

"SECTION 25. Traveling in wake of vehicle; passing at curves and intersections prohibited.

All persons driving, steering or otherwise in control of any bicycle, motorcycle, automobile, truck, wagon, horse or any other vehicle or means of transportation are hereby prohibited, under penalties provided, from traveling so closely in the wake of any vehicle in such a manner as to imperil life or limb of any person, or to travel so closely and at such a speed in the wake of another vehicle or means of transportation as to be unable to stop or to turn out in case the preceding vehicle or means of transportation comes to a sudden stop;

And all persons, as aforesaid, are prohibited, under penalties provided, from passing a preceding vehicle or means of transportation which is moving in the same direction at any street or road 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 means of transportation of at least seventy five yards."

SECTION 2. This ordinance shall take effect on approval.

INTRODUCED,

By Chas. U. Amold

Supervisor.

Date of Introduction,

December 17, 1918.

I hereby certify that the foregoing ~~Resolution~~ Bill (Ordinance) passed first Reading and was ordered to print at a meeting of the Board of Supervisors on December 17th 1918 on the following vote of said Board:

Ayes Alna Arnold Hollinger McClellan Petrie

Total 5

Noes None Absent & not voting Harry Gluiles Bellina Mott-Smith

Total 2

1st Deputy City and County Clerk.

Publish Dec 19.20.21. 1918 (Advertiser)

I hereby certify that the foregoing Resolution passed Third Reading ~~and was ordered to print~~ at a meeting of the Board of Supervisors on December 30th 1918 on the following vote of said Board:

Ayes Alna Arnold Bellina Hollinger McClellan Mott Smith Petrie

Total 7

Noes None

Harry Gluiles

1st Deputy City and County Clerk.

Publish Jan. 18, 20, 21 1919 ("Advertiser")

APPROVED THIS 2 DAY January 1919

Joseph J. Fern

MAYOR CITY AND COUNTY OF HONOLULU, T. H.

BILL NO. 195

ORDINANCE NO. 148.

AN ORDINANCE TO AMEND ORDINANCE NO. 9 ENTITLED "AN ORDINANCE PROVIDING FOR THE CARE OF THE INDIGENT AND OTHER SICK OF THE CITY AND COUNTY OF HONOLULU, PROVIDING FOR THE APPOINTMENT OF A CITY AND COUNTY PHYSICIAN AND PRESCRIBING HIS DUTIES, AND PROVIDING PENALTIES FOR ANY VIOLATION OF THE ORDINANCE", BY ADDING A NEW SECTION THERETO KNOWN AS SECTION 3A AND REPEALING ORDINANCES 101 and 131 OF THE CITY AND COUNTY OF HONOLULU.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF HONOLULU:

SECTION 1. Ordinance No. 9 of the City and County of Honolulu is hereby amended by adding a new section to be known as Section 3A and to read as follows:

"Section 3A. 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 striken 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."

SECTION 2. Ordinance No. 101 entitled "An Ordinance Establishing an Emergency Hospital and Providing for an Emergency Hospital Physician" and Ordinance No. 131 entitled "An Ordinance to amend Ordinance No. 101, being 'An Ordinance establishing an Emergency Hospital and Providing for an Emergency Hospital Physician,' by adding a new section known as Section 4A", both Ordinances of the City and County of Honolulu are hereby repealed.

SECTION 3. This Ordinance shall take effect upon its approval.

INTRODUCED,

By Chas. G. Ammed
Supervisor.

Date of Introduction,
November 6th, 1918.

Rd. Nov 6
" Nov 12 - tie vote, (to come up at next meeting.)

Pass 1st Reading ~~and to Print~~ November 6th 1918.

Pub. in

Pass 2nd Reading Nov 26 1918.

Pass 3rd Reading Dec 3 6. 1918

To Mayor ~~January 4th 1919.~~

Returned

Pub in Adaertiser: Feb. 6, 7, 8 & 10/19.

APPROVED THIS 4th DAY OF July A. D. 1919

Joseph J. Fern.
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

Bill No. _____

ORDINANCE NO. 149.

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON LILIHA STREET - JUDD TO WYLLIE 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 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,

Jan. 24 1919.

149

Passed Second Reading

Date Jan. 28 1919

Ayes: Alia, Arnold, Hollinger, McClellan, Mott-Smith, Petrie
Total 6.

Noes: None

Absent: Bellina Total 1.

Passed Third Reading

Date Feby 4 1919.

Ayes: Arnold. Bellina. Hollinger. McClellan. Mott-Smith. Petrie

Noes: none

Absent: Alia.

APPROVED THIS 11 DAY OF Feb. A. D. 1919

Joseph J. Fern.
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

BILL NO. _____

ORDINANCE NO. 150.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN "FRONTAGE IMPROVEMENT NUMBER TWELVE 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 Frontage 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 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 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 appropriated 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 $ .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 Chas. U. Arnold

Supervisor.

Date of Introduction,

February 4th, 1919.

Approved this 25th day of February A.D. 1919. Joseph J. Fern Mayor.

I hereby certify that the foregoing Resolution ...ed first Reading and was ordered not print at a ...ing of the Board of Supervisors on February 4th 1919 on the following vote of said ...d:

Arnold. Billoria. Hallinger. McClellan. Mott Smith. Petrie

Total 6

none

Harry Gleeves

1st Deputy City and County Clerk.

...ish ... 19 ... (...)

Bill No. 203

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.

151

SECTION 4. This Ordinance shall take effect from and after the date of its approval.

Introduced
by Chas. H. Arnold
Supervisor.

Date of Introduction:
Honolulu, Hawaii,
February 11, 1919.

I hereby certify that the foregoing Resolution passed first Reading and was ordered to print at a meeting of the Board of Supervisors on February 11th 1919 on the following vote of said Board:
Ayes Arnold, Holliniger, McClellan, Mott-Smith, Petrie.
Total 5
Noes None. Absent Not voting. Alva, Bellina
Harry K. Mills
1st Deputy City and County Clerk.
Publish Feb 13, 14, 15 1919 (Advertiser)

APPROVED this 4th day of March A.D. 1919
Joseph J. Fern
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

I hereby certify that the foregoing Resolution passed third Reading ~~and was ordered to print~~ at a meeting of the Board of Supervisors on February 18th 1919 on the following vote of said Board:
Ayes Arnold, Holliniger, Bellina, McClellan.
Total 4
Noes None. Absent Not voting. Alva. Mott-Smith, Petrie.
Harry K. Mills
1st Deputy City and County Clerk.
~~Publish 19 ( )~~
Published in P.C. Advertiser: July 23, 24 & 25, 1919.

4/9/19

BILL NO. 204.

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. 754 (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, 1910, 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. U. Arnold

Supervisor.

Date of Introduction:

March 11th 1919.

Average 18 Id.

I certify that the foregoing Bill (Ordinance) passed ..... Reading and was ordered to print at a meeting of the Board of Supervisors on March 11th 1919 on the following vote of said Board:

Ayes Alua. Arnold. Bellina. Hollinger. McClellan. Mott. Smith. Petrie.

Total 7

Noes None

Harry J. Mills

1st Deputy City and County Clerk.

Publish March 13.14.15.17 1919 (Advertiser) 6 (4 times)

APPROVED THIS 3 DAY OF April A. D. 1919

Joseph J. Fern

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

BILL NO. 205

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 11th, 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. 189, 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 toward the share of the City and County as hereinbefore shown the sum of Sixteen Hundred Seventy-Five and 80/100 Dollars ($1675.80), heretofore appropriated and advanced by Resolutions Nos. 551 and 552, shall be credited and any balances transfered 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 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 11. This Ordinance shall take effect upon its approval.

INTRODUCED

By Chas. U. Ames.

Date of Introduction - March 11 - 1919.

Bill No. _____

ORDINANCE NO. 154

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON RICHARD 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:

Honolulu, Hawaii,
April 26, 1919.

Approved this 10 day of May A.D. 1919. for J. Fern Mayor.

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Bill No. _____

ORDINANCE NO. 155

AN ORDINANCE RELATING TO THE LOCATION AND ESTABLISHMENT OF CURB LINES AND GRADES UPON ALA MOANA - RICHARDS TO KEAWE 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 I. CURB LINES. That the curb lines of Ala Moana, within the limits of "FRONTAGE IMPROVEMENT NUMBER SIXTEEN - ALA MOANA, RICHARDS TO KEAWE STREETS, are hereby established as shown on the plans set forth on Grade Map No. 30, dated April 25, 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 ALA MOANA, within the limits of "FRONTAGE IMPROVEMENT NUMBER SIXTEEN - ALA MOANA, RICHARDS TO KEAWE STREETS" are hereby established as shown on the plan and profile set forth on Grade Map No. 30, dated April 25, 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,
April 26, 1919.

Approved this 10th day of May A.D. 1919
Joseph J. Fern
Mayor.

BILL NO. 1

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 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 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 effect 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

Rester Petrie
Supervisor.

Date of Introduction:
Honolulu, Hawaii, July 15, 1919.

APPROVED THIS 4 DAY OF Aug A. D. 1919

Joseph C. Fern
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

2nd Reading as amended and ordered to permit

July 15, 1919.
Advertiser: July 24, 25, 26.
as amended & Print: July 22, 1919.
July 29, 1919.
July 30, 1919.
from Mayor with his approval - Aug. 4, 1919.
Pub. in the Advertiser: Aug. 6, 7, 8.

P. 1001

BLUEPRINT OF PROPOSED WIDENING

OF NUUANU AVENUE

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

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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 a 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 effect the validity of the ordinance as a whole, or any part thereof which can be given effect without part so decided to be unconstitutional or invalid.

Introduced by

Lester Petrie.

Supervisor

Date of Introduction:

Honolulu, Hawaii July 15-1919

July 15, 1919.

amend section 6 of Ordinance No 2 to read as follows:

Section 6. This ordinance shall take effect from and after the date of its approval.

W. Pacheco
Supervisor.

Honolulu July 25th 1919

BILL NO. 2 1004

Original Copy.

ORDINANCE NO.

AN ORDINANCE ESTABLISHING THE OFFICE OF SUPERINTENDENT OF PARKS AND PUBLIC GROUNDS, PROVIDING FOR THE APPOINTMENT OF A PERSON TO FILL SUCH OFFICE AND GRANTING HIM POWER AND SUPERVISION OVER ALL PARKS AND PLAYGROUNDS AND REPEALING ORDINANCE NO. 121.

Be it ordained by the people of the City and County of Honolulu:

SECTION 1. 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.

SECTION 2. 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.

SECTION 3. 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.

SECTION 4. 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.

SECTION 5. Ordinance No. 121, establishing the office of Superintendent of Public Grounds and Public Buildings, providing for the appointment of a person to fill such office and granting him power and supervision over all parks, playgrounds, school grounds, school buildings and other buildings is hereby repealed.

SECTION 6. This ordinance shall take effect from and after the ~~1st day of August, 1919.~~

Introduced by

M. C. Pacheco
Supervisor.

Date of Introduction:
July 22, 1919.

APPROVED THIS 4 DAY OF Aug A. D. 1919
Joseph J. Fern
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

1st Reading only.

out of insert (X)

July 22, 1919
Star Bulletin: July 25, 26, 28.
as amended and Print - July 25, 1919.

BILL NO. 2

ORDINANCE NO. 157.

AN ORDINANCE ESTABLISHING THE OFFICE OF SUPERINTENDENT OF PARKS AND PUBLIC GROUNDS, PROVIDING FOR THE APPOINTMENT OF A PERSON TO FILL SUCH OFFICE AND GRANTING HIM POWER AND SUPERVISION OVER ALL PARKS AND PLAYGROUNDS AND REPEALING ORDINANCE NO. 121.

Be it ordained by the people of the City and County of Honolulu:

SECTION 1. 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.

SECTION 2. 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.

SECTION 3. 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

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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.

SECTION 4. 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.

SECTION 5. Ordinance No. 121, establishing the office of Superintendent of Public Grounds and Public Buildings, providing for the appointment of a person to fill such office and granting him power and supervision over all parks, playgrounds, school grounds, school buildings and other buildings is hereby repealed.

SECTION 6. This ordinance shall take effect from and after the date of its approval.

Introduced by

M. C. Lachica

Supervisor

Date of Introduction:

July 22nd 1919.

APPROVED THIS 11 DAY OF Aug 1919

Joseph J. Fern

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

~~warm~~ July 15, 1919

Star Bulletin: July 25, 26, 28.

as amended & Print July 25, 1919.

July 29, 1919.

July 30, 1919.

with Mayor's approval Aug. 11, 1919.

with Star-Bulletin: Aug. 6, 7, 8.

1607

Bill No. 3

ORDINANCE NO. 158.

AN ORDINANCE PRESCRIBING ADDITIONAL POWERS AND DUTIES FOR THE BUILDING INSPECTOR OF THE CITY AND COUNTY OF HONOLULU.

Be it ordained by the people of the City and County of Honolulu:

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.

SECTION 2. The Assistant Building Inspector shall have such powers and duties as are prescribed for the Building Inspector.

SECTION 3. 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.

SECTION 4. This ordinance shall take effect from and after the date of its approval.

Introduced by

M. C. Pacheco
Supervisor

Date of Introduction:

July 22, 1919.

APPROVED THIS 4 DAY OF Aug A. D. 1919

Joseph J. Fern
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

July 22, 1919.
Star Bulletin: July 25, 26, 28.
Advertiser: July 25, 1919.
July 29, 1919.
July 30, 1919.
with Mayor's approval Aug. 4, 1919.
Pub. in the Star-Bulletin: Aug. 6, 7, 8.

158

An Ordinance to amend section 2 of Ordinance No. 38, relative to Iced Fish.

~~Section 1.~~

Be it Ordained by the People of the City and County of Honolulu:

Section 1. Section 2, of Ordinance 38 is hereby amended so as to read as follows:-

Section 2. 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" are exposed or kept for sale, a sign board, at least 12 inches in length and 6 inches in width attached to a stand at least 3 inches in height, having on each side of said sign board inscribed the words "Iced Fish" plainly marked on a white background in black letters at least 2 inches in height.

Section 2. This Ordinance shall take effect upon approval.

Jonah Kumalae
Supervisor

July 29, 1899.

1008

BILL NO. 4

ORDINANCE NO. 159.

- - -

AN ORDINANCE TO AMEND SECTION 2 OF ORDINANCE NO. 38, RELATIVE TO ICED FISH.

Be it Ordained by the People of the City and County of Honolulu.

SECTION 1. Section 2, of Ordinance 38 is hereby amended so as to read as follows:

Section 2. 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" are exposed or kept for sale, a sign board, at least 12 inches in length and 6 inches in width attached to a stand at least 3 inches in height, having on each side of said sign board inscribed the words "Iced Fish" plainly marked on a white background in black letters at least 2 inches in height.

SECTION 2. This Ordinance shall take effect upon its approval.

Introduced by

Jonah Kumalae

Supervisor.

Date of Introduction:
Honolulu, Hawaii,
July 29, 1919.

APPROVED THIS 15 DAY OF August A. D. 1919

Joseph J. Fern

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

159

Bill No. 5

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 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 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 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 Assessment Roll, dated April 15, 1919, and corrected as of June 18th, 1919 respectively and incorporated in the Engineer's Report of June 24th, 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 ($23,061.60), 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 24th, 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 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 10. This Ordinance shall take effect upon its approval.

Introduced by

Lester Petrie.

Supervisor.

Date of Introduction:

July 29, 1919.

1st R by title & not print

APPROVED THIS 15 DAY OF August A. D. 1919

Joseph J. Fern.

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

P/Rec. 6

[illegible] by title
July 29, 1919.
Advertise: Aug. 7, 8, 9
[illegible] & print - Aug. 5, 1919.
[illegible] Aug. 14, 1919.
[illegible] Aug. 15, 1919 ← 8/15
[illegible] Aug. 15, 1919
[illegible] Advertise: Aug. 18, 19, 20.

Bill No.6.

ORDINANCE NO.161.

AN ORDINANCE TO AMEND SECTION 13 OF ORDINANCE 26 OF THE CITY AND COUNTY OF HONOLULU, APPROVED JUNE 23, 1919, RELATING TO THE ERECTION, CONSTRUCTION, ALTERATION, REPAIR AND REMOVAL OF BUILDINGS AND OTHER STRUCTURES IN THE CITY AND COUNTY OF HONOLULU.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF HONOLULU:

SECTION 1. Section 13 of Ordinance 26 is hereby amended so as to read as follows:

Section 13. 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 this Ordinance; provided however, that when any part of an existing building within the fire limits 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 originally constructed. It shall be unlawful to make repairs or alterations, excepting painting, papering or plastering, upon any frame or corrugated iron building within the fire limits to an extent in all (including repairs therefore made) greater than fifty per cent of its assessed value.

SECTION 2. This Ordinance shall take effect upon its approval.

INTRODUCED BY

Jonah K. Kumalae
Supervisor.

Date of Introduction:
Honolulu, Hawaii,
August 5, 1919.

Bill No. 1

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 Egnineer, 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.

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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,

September 2, 1919.

APPROVED THIS 16th DAY OF Sept. A. D. 1919

Joseph J. Fern
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

Ads.
Sept 4 5 6.

Pass 1st Reading and to Print Aug. 28, 1919

Pub. in Advertiser Sept. 5, 6, 8.

Pass 2nd Reading Sept. 9, 1919 and

Pass 3rd Reading Sept. 12, 1919.

[illegible] Sept. 12, 1919.

[illegible] with Mayor's approval Sept 16, 19

BILL NO. 7

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 (~~1916-1917~~ 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 dated 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 (~~and corrected as of August 19, 1919~~), accompanying the report of August 19th, 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

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 28th, 1919, which roll and map are dated July 11, 1919 and corrected to August 19th, 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 19th, 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 necessary for the street improvements contemplated by these proceedings have 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 ($97,394.) DOLLARS; 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 ($43,822.81) DOLLARS; that the balance of FIFTY-THREE THOUSAND FIVE HUNDRED SEVENTY-ONE AND 19/100 ($53,571.19) DOLLARS 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 Nos. 20, 36, and 47-A 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 ($43,822.81) DOLLARS, 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 ($43,822.81) DOLLARS, 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 Sept. A. D. 19

Joseph J. Fern

MAYOR, CITY AND COUNTY OF HONOLULU, T. H

Pass 1st Reading and to Print Aug. 28, 1919

Advertiser: Sept. 5, 6, 8

Pass 2nd Reading Sept. 9, 1919 and

Pass 3rd Reading Sept. 12, 1919.

Sept 12, 1919

with Mayor's approval - Sept. 16, 1919.

Petrie's Advertiser: Sept. 17, 18, 19.

BILL NO. 7

ORDINANCE NO. 164

An Ordinance regulating the canning or otherwise preserving of meat and fish in the City and County of Honolulu, providing for the inspection of such articles, defining the duties of inspectors in connection therewith, and amending ordinance No. 7 of the City and County of Honolulu.

Be it ordained by the people of the City and County of Honolulu:

SECTION 1. Ordinance No. 7 of the City and County of Honolulu is hereby amended by adding a new section to be known as Section 1A and to read as follows:

"Section 1A. No tainted or decayed meat or fish or 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."

SECTION 2. Ordinance No. 7 of the City and County of Honolulu is hereby further amended by adding three new sections to be known as Sections 2A, 2B and 2C, and to read as follows:

"Section 2A. 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.

"Section 2B. 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 a cleanly and wholesome condition free from all accumulations of filth of any kind whatsoever.

"Section 2C. 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."

SECTION 3. Ordinance No. 7 of the City and County of Honolulu is hereby further amended by adding two new sections to be known as Section 8A and 8B and to read as follows:

"Section 8A. 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 any 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.

"Section 8B. That in the performance of his duties as prescribed by this ordinance, 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."

SECTION 4. Section 16 of Ordinance No. 7 is hereby re-enacted especially with reference to the foregoing provisions of this ordinance.

SECTION 5. Ordinance No. 7 of the City and County of Honolulu is hereby further amended by adding a new section to be known as Section 18 and to read as follows:

"Section 18. If any part or section of this ordinance be decided by the courts to be unconstitutional or invalid, the same shall not effect the validity of the ordinance as a whole nor any part thereof which can be given effect without the part so decided to be unconstitutional or invalid."

SECTION 6. This ordinance shall take effect from and after the date of its approval.

Introduced by,

Oscar P. Lau

Supervisor.

Date of Introduction:

Honolulu, Hawaii
September 2nd, A.D.1919.

APPROVED THIS 23rd DAY OF Sept. A. D. 1919

Joseph J. Fern

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

Pass 1st Reading and to Print Aug. 28, 1919

Pub. in Star Bulletin: Sept. 4, 5, 6.

Pass 2nd Reading Sept. 9, 1919

Pass 3rd Reading Sept. 16 1919.

To Mayor Sept. 17, 1919.

Returned with Mayor's approval - Sept. 23, 1919.

Pub. in Star Bulletin: Sept. 23, 24, 25.

BILL NO. 10

ORDINANCE NO.

AN ORDINANCE TO ESTABLISH QUIET ZONES NEAR HOSPITALS.

Be it Ordained by the People of the City and County of Honolulu:

Section 1. 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 two hundred and fifty (250) yards from any hospital building situated within the City and County of Honolulu.

Section 2. It shall be unlawful to maintain or carry on within two hundred and fifty (250) yards from any hospital building situated within the City and County of Honolulu, any tin shop, blacksmith shop, automobile repair shop, public garage, carpenter shop, rice mill, machine shop of any nature, or other business or industry which involves making loud and disturbing noises.

Section 3. Any person who shall violate any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than One Hundred ($100.00) Dollars.

This Ordinance shall take effect upon the date of its approval.

Introduced by

Jonah Kumalae

Supervisor.

Date of Introduction:
September 9th 1919.

BILL NO. 10

ORDINANCE NO. 165

AN ORDINANCE TO ESTABLISH QUIET ZONES NEAR HOSPITALS

Be it ordained by the people of the City and County of Honolulu:

SECTION 1. 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.

SECTION 2. It shall be unlawful to conduct, operate, maintain or carry on within 500 feet from any such main hospital building any noisy or noisesome work shop, factory, trade, manufacture, industry or business.

SECTION 3. This ordinance 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 extensions to any existing hospital building of such character and capacity.

SECTION 4. It shall be unlawful for any person, in passing any hospital building of the character and capacity above described, to drive or operate any vehicle in such manner as to make or create any unnecessary noise.

SECTION 5. This ordinance shall take effect 3 days after the date of its approval.

Introduced by

Jonah K. Kumulae
Supervisor.

Date of Introduction:
September 9th 1919.

APPROVED THIS 7th DAY OF October A.D. 1919

Joseph C. Heen
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

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Bill No. 13

ORDINANCE NO. 166

AN ORDINANCE REQUIRING ALL PERSONS IN THE BUSINESS OF SELLING FISH OR MEAT TO SELL THE SAME BY WEIGHT ONLY AND FURTHER PROVIDING THAT THE PRICES CHARGED FOR FISH OR MEAT PER POUND SHALL BE PLAINLY EXPOSED AND PROVIDING A PENALTY FOR THE VIOLATION HEREOF.

Be it ordained by the people of the City and County of Honolulu.

Section 1. That 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.

Section 2. 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 16 ounces make a pound.

Section 3. 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.

Section 4. 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.

Section 5. The term meat when used herein shall mean only the flesh of animals when dressed for consumption.

Section 6. Any person or persons, firm, partnership or corporation violating the provisions of this ordinance or aiding, assisting or causing the violation of any of the provisions of this ordinance shall be liable upon conviction thereof to a fine of not less than $10.00 nor more than $500.00 or by imprisonment not to exceed one year or by both such fine and imprisonment for each and every offense; and provided that each and every time the said offender fails to comply with the provisions of section 3, after a conviction for violating the terms of said provision shall be considered a separate offense.

Section 7. 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 8. This ordinance shall take effect fifteen days from and after the date of its approval.

Introduced by

Supervisor

Date of Introduction:

Honolulu, Hawaii,
September 23, A. D. 1919.

APPROVED THIS 8 DAY OF Oct A. D. 192

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

Bill No. 15

ORDINANCE NO. 167

AN ORDINANCE RELATING TO THE WIDENING OF BERETANIA STREET FROM NUUANU STREET TO ALAPAI 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. 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

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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 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. 330° 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;

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 Street 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. U. Amold
Supervisor.

Date of Introduction:

Honolulu, Hawaii,

September 29, 1919.

APPROVED THIS 16 DAY OF Oct A. D. 1919

Joseph O. Fern
MAYOR, CITY AND COUNTY
HONOLULU, T. H.

Pass 1st Reading and not to Print Sept. 29, 1919

Pub. in Advertiser: Oct. 4, 6, 7.

Pass 2nd Reading & ordered to print: Oct. 2, 1919.

Pass 3rd Reading Oct. 14, 1919.

To Mayor for approval - Oct. 15, 1919.

Returned with Mayor's approval - Oct. 16, 1919.

Pub. in Advertiser: Oct. 18, 20, 21.

BILL NO. 17.

ORDINANCE NO. 168.

MAKING IT UNLAWFUL FOR ANY PERSON TO BE UPON OR ABOUT OR INTERFERE WATER-SHED, WATER RESERVOIR, WATER-HEAD, WATER DITCH, - INTAKE OR WATER SPRINGS USED FOR PUBLIC WATER SYSTEM, PROVIDING THAT EMPLOYES OF THE HONOLULU WATER WORKS DEPARTMENT MAY ENFORCE THE PROVISIONS THEREOF, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

Be it enacted by the People of the City and County of Honolulu:

SECTION 1. 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 water-shed for collecting waters for public consumption or upon or about any water-head, 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, water-head, 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 ordinance shall not apply to any public highway running through any of said water-sheds.

SECTION II. It shall be unlawful for any person whomsoever to injure, destroy or interfere, in any manner whatsoever, with the public water reservoirs, pipelines 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.

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SECTION III. Any officer or employe of the City and County of Honolulu working for the Honolulu Water Works may enforce the provisions of this ordinance by arresting or causing to be arrested, offenders hereunder.

SECTION IV. Any person violating the provisions of this ordinance 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 ($10.00) DOLLARS or more than SIX HUNDRED ($600.) DOLLARS, or to both such fine and imprisonment.

SECTION V. This ordinance shall take effect from and after the date of its approval.

Introduced by

Jonah Kumalae

Supervisor.

DATE OF INTRODUCTION

OCTOBER 7th. A. D. 1919.

APPROVED THIS 10 DAY OF Nov A. D. 1919

Joseph O. Fern

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

Passed 1st Reading and not to Print Oct. 7, 1919.

Advertised: Oct. 24, 25, 27

2nd Reading: Ordered to print Oct. 21, 1919

3rd Reading: Oct. 30, 1919.

for approval. Nov. 3, 1919.

with Mayor's approval - Nov. 10, 1919.

Pub. in Advertiser Nov. 13, 14 & 15, 1919

Note: Passed 2nd Reading and ordered to print 2 Nov. 1919

Bill No. 18.

ORDINANCE NO. 169

AN ORDINANCE PROHIBITING THE USE OF THE WATERS OF HONOLULU HARBOR FOR WASHING OR CLEANING FISH OR ANY CRUSTACEA OR SHELL FISH OR FOR WASHING FISH NETS OR SEINES OR THE FISH TANKS OF FISHING BOATS.

Be it ordained by the people of the City and County of Honolulu:

SECTION 1. That it shall be unlawful for anyone to use the waters of Honolulu Harbor for washing or cleaning fish or shell fish or any 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.

SECTION 2. That any person violating the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not less than $10.00 nor more than $500.00 or by imprisonment for a term of not less than 10 days nor more than 100 days or by both such fine and imprisonment.

SECTION 3. This ordinance shall take effect from and after the date of its approval.

Introduced by

Supervisor.

Date of Introduction:

Honolulu, T. H.

October 21st. A.D. 1919.

APPROVED THIS 14 DAY OF Nov A. D. 1919

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

Pass 1st Reading and to Print Oct. 21, 1919

Pub. in Advertiser: Oct. 24, 25, 27

Pass 2nd Reading Oct. 30, 1919

Pass 3rd Reading Nov. 4, 1919

To Mayor for approval Nov. 5, 1919

Returned with Mayor's approval Nov. 14, 1919

Pub. in Advertiser: Nov. 18, 19 & 20, 1919

BILL NO. 18

ORDINANCE NO.

AN ORDINANCE PROHIBITING THE USE OF THE WATERS OF HONOLULU HARBOR FOR WASHING OR CLEANING FISH OR ANY CRUSTACEA OR SHELL FISH OR FOR WASHING FISH NETS OR SEINES OR THE FISH TANKS OF FISHING BOATS.

Be it ordained by the people of the City and County of Honolulu:

SECTION 1. That it shall be unlawful for anyone to use the waters of Honolulu Harbor for washing or cleaning fish or shell fish or any 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.

SECTION 2. That any person violating the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not less than $10.00 nor more than $500.00 or by imprisonment for a term of not less than 10 days nor more than 100 days or by both such fine and imprisonment.

SECTION 3. This ordinance shall take effect from and after the date of its approval.

Introduced by

Edward Lord

Supervisor.

Date of Introduction:

Honolulu, T. H.

October 21st, A.D.1919.

Pass 1st Reading and to Print Oct. 21, 1919.

Pass 1st Reading: Oct. 24, 25, 27.

Pass 2nd Reading Oct. 30, 1919

Pass 3rd Reading Nov. 4, 1919

To Mayor for approval. Nov. 5, 1919.

Returned

Note:- The amendments changes on this resolution were made before it was introduced.

Amend Bill No 16 by striking out all of the second paragraph of Section 1 and inserting in lieu thereof the following:

"Section 2. 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.

Introduced by
M. C. Pacheco
Supervisor.

Honolulu, T.H., Nov. 26, 1919

Bill No. 20

ORDINANCE NO. 170.

AN ORDINANCE TO MAKE IT UNLAWFUL TO SWIM OR BATHE IN CERTAIN PORTIONS OF THE WATERS OF HONOLULU HARBOR.

Be It Ordained by the People of the City and County of Honolulu:

Section 1. 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 1000 feet from the center point of Nuuanu Stream at the place where the same empties into Honolulu Harbor.

Section 2. Anyone violating the provisions of this ordinance shall pay on conviction thereof a fine of not less than ten nor more than five hundred dollars or be imprisoned for a term of not less than ten nor more than one hundred days.

Section 3. This ordinance shall take effect from and after the date of its approval.

APPROVED THIS 29th DAY OF Nov A. D. 1919

Joseph C. Heen
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

INTRODUCED by

Supervisor.

Date of Introduction:

Honolulu, Hawaii,

October 21st 1919.

Referred to Health Committee Oct. 21, 1919
Pass 1st Reading ~~only to Print~~ Nov. 4, 1919.

Pub. in Advertiser: Nov. 12, 14, 15
Pass 2nd Reading as ordered to print - Nov. 10, 1919
Pass 3rd Reading Nov. 18, 1919.
To Mayor for approval - Nov. 19, 1919.
Returned with Mayor's approval - Nov. 29, 1919.
Pub. in Advertiser Dec. 1, 2, 3 & 4, 1919.

100 slips

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Bill No. 16.

ORDINANCE NO. 171

AN ORDINANCE TO AMEND SECTION 2 OF ORDINANCE 43 RELATING TO PLUMBING IN THE CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

BE IT ORDAINED by the people of the City and County of Honolulu,

SECTION 1. Section 2, of Ordinance 43 is hereby amended to read as follows:

"Section 2. 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 ($1.00) 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.

SECTION 2. This ordinance shall take effect from and after the date of its approval.

INTRODUCED BY

Jonah Kumalae

Supervisor.

Date of Introduction:

Honolulu, Hawaii,

October 2, 1919.

APPROVED THIS 11 DAY OF Dec A.D. 1919

Frank F. Fern

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

not Oct. 2, 1919.

Advertised: Nov. 29, Dec. 1, 2, 1919.
as amended and ordered to print. Nov. 26, 1919.
Dec. 2, 1919.
for approval - Dec. 4, 1919.
with Mayor's approval - Dec. 11, 1919.
Pub. in Advertiser: Dec. 15, 16 & 17/19.
no slip.

BILL NO._____

ORDINANCE NO._____

AN ORDINANCE TO AMEND SECTION 2 OF ORDINANCE 43 RELATING TO PLUMBING IN THE CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

BE IT ORDAINED by the people of the City and County of Honolulu,

SECTION 1. Section 2, of Ordinance 43 is hereby amended to read as follows:

Section 2. The MAYOR, with the approval of the Board of Supervisors, shall appoint 5 suitable Plumbers, who shall act as examining board and to be known as the Board of Plumbing Examiners, 3 members of said board shall constitute a quorum for transaction of any business. The Plumbing Inspector shall act as secretary of the board, but shall not be a member thereof.

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 ($1.00) 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.

SECTION 2. This ordinance shall take effect from and after the date of its approval.

INTRODUCED BY

Supervisor.

Date of Introduction:
Honolulu, Hawaii,
October 2, 1919.

Pass 1st Reading and ~~to Print~~ not Oct. 2, 1919.

Pass in Abstract: Nov. 29, Dec. 1, 2, 1919.

Pass 2nd Reading as amended and print - Nov. 26, 1919. Amended - Oct. 7, 1919. Indefinitely - Oct. 10, 1919

Pass 3rd Reading

To Mayor

Returned

2nd R - Print as Amended - Nov. 26, 1919

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ORDINANCE NO. ____

AN ORDINANCE TO AMEND SECTION 2 OF ORDINANCE 43 RELATING TO PLUMBING IN THE CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII.

BE IT ORDAINED by the people of the City and County of Honolulu,

Section 1. Section 2, of Ordinance 43 is hereby amended to read as follows:

Section 2- The MAYOR, with the approval of the Board of Supervisors, shall appoint 5 suitable Plumbers, who shall act as examing board and to be known as the Board of Plumbing Examiners. 3 members of said board shall constitute a quorum for the transaction of any business. The Plumbing Inspector shall act as secretary of the board, but shall not be a member thereof.

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 ajourned to date not more than oneweek 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($1.00) 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

Oct. 2/19

Introduced by
Jonah Kumalae
Supervisor

Amended by adding thereto Section 2 Oct. 14, 1919.

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 Improvement 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 21st, 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 5th, 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 21st, 1919; that the same was ordered corrected and was corrected in Corrected Assessment Roll dated November 5th, 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 5th, 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 5th, 1919, accompanying the Engineer's report of November 10th, 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 & 40/100 ($77,503.40) DOLLARS, 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 & 26/100 ($28, 155.26) DOLLARS; that the balance of FORTY-NINE THOUSAND THREE HUNDRED AND FORTY-EIGHT & 14/100 ($49,348.14) DOLLARS 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 5th, 1919, and incorporated in the Engineer's Report of November 10th, 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 pupose of meeting the proportion of cost against public and exempt lands and the general contribution, the total sum of TWENTY-EIGHT THOUSAND, ONE HUNDRED AND FIFTY-FIVE & 26/100 ($28,155.26) DOLLARS, 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 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 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 & 26/100 ($28,155.26) DOLLARS 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 Rester Schiller

Supervisor.

DATE OF INTRODUCTION:
~~November~~ December 1st 1919.

APPROVED THIS 17 DAY OF Dec A. D. 1919
Joseph J. Fern
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

[illegible] 5-6-8-
[illegible] Reading and to Print Dec. 2, 1919
[illegible] Advertiser Dec. 5, 6, 8, 1919
[illegible] Reading Dec. 11, 1919
[illegible] Dec. 16, 1919
for approval - Dec. 17, 1919
with Mayor's approval - Dec. 7, 1919
Public Advertiser: Dec. 18, 19, 20, 1919
[illegible]

O.K.
R. [illegible]

BILL NO. 23 r3

ORDINANCE NO. 173.

AN ORDINANCE RELATING TO THE COLLECTION AND DISPOSITION OF RUBBISH OR GARBAGE AND THE CLEANING OF STREETS AND SUPERVISION OF STORM SEWERS IN THE CITY AND COUNTY OF HONOLULU.

Be it ordained by the people of the City and County of Honolulu:

SECTION 1. 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 ~~of~~ 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~~ent~~ 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.

p. 1053

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SECTION 2. 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.

SECTION 3. 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.

SECTION 4. Ordinance No. 25 of the City and County of Honolulu is hereby repealed.

SECTION 5. This ordinance shall take effect from and after the date of its approval.

Introduced by

[signature]

Supervisor.

Date of Introduction

The 18th day of Nov A.D.1919.

Passed 1st Reading not to print

- copies -

APPROVED THIS 22 DAY OF Dec A. D. 1919

[signature]

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

1st Reading and not to Print Nov. 18, 1919.

Advertiser: Dec. 5, 6, 8, 1919.

and ordered to print: Dec. 2, 1919

Dec. 11, 1919.

for approval - Dec. 12, 1919

with Mayor's approval - Dec. 22, 1919.

Advertiser: Dec. 24, 27, 29/1919.

100 Slips

Bill No. 26

ORDINANCE NO. 174

AN ORDINANCE RELATING TO THE WIDENING OF SCHOOL STREET FROM EMMA AND LUSITANA STREETS TO NUUANU STREET, IN THE TERRITORY OF HAWAII, 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

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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 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 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 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 Street;

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 Lester Petrie
Supervisor.

Introduced December 1, 1919.

Pass 1st Reading and to Pub. Dec. 2, 1919.

Pub. Sh. Bulletin Dec. 4, 5, 6, 1919.

Pass 2nd Reading Dec. 11, 1919

Pass 3rd Reading Dec. 16, 1919

To Mayor for approval Dec. 17, 1919.

Returned December 24, 1919.

December 24-26-27.

APPROVED THIS 24 DAY OF Dec 19

Joseph H. Fern
MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

15 Slips

BILL NO. 27

ORDINANCE NO. 175

AN ORDINANCE PROHIBITING THE ERECTION AND USE OF CERTAIN BUILDINGS WITHIN THE CITY OF HONOLULU WITHOUT THE WRITTEN CONSENT OF SIXTY (60%) PER CENT. OF THE PROPERTY OWNERS WITHIN A RADIUS OF FIVE HUNDRED (500) FEET FROM SAID BUILDINGS.

Be it Ordained by the People of the City and County of Honolulu:

CITY LIMITS.

SECTION 1. For the purpose of this ordinance, the City of Honolulu proper shall be used to designate all that portion of the City 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 at Fort Shafter, thence along this boundary to the waterfront, thence along the waterfront to the point of beginning.

SECTION 2. For the purpose of this ordinance the City of Honolulu proper shall be divided into fire and industrial districts as follows:

Commencing at a point on the waterfront where a line 100 feet Waikiki of, and parallel to, the centerline of Ward Avenue extended cuts the water edge, thence mauka and parallel to the centerline of Ward Avenue to a point 100 feet mauka of the intersection with the centerline of King Street, thence Ewa along a line 100 feet mauka and parallel to the centerline of King Street to a point 100 feet Waikiki of the intersection with the centerline of Alapai Street. Thence mauka and parallel to the centerline of Alapai Street to a point 150 feet mauka of the intersection with the centerline of

Beretania Street, thence along a line parallel to the centerline of Beretania Street, to a point 100 feet Waikiki of the intersection with the centerline of Punchbowl Street, thence parallel to the centerline of Punchbowl Street, to a point 100 feet mauka of the intersection with the centerline of Vineyard Street, thence Ewa parallel to the centerline of Vineyard Street to a point 100 feet Ewa of the intersection with the centerline of Liliha Street, thence makai and parallel to the centerline of Liliha Street to the intersection with the centerline of King Street, thence due West to the waterfront, thence along the waterfront to the point of beginning.

The lines which are set back 100 feet or 150 feet as hereinbefore designated, shall mean 100 or 150 feet, as the case may be, measured on the perpendicular to the centerline of the street to which these boundaries are parallel.

SECTION 3. Outside of the fire and industrial districts as herein defined and within the City of Honolulu proper, no building designed for use or intended to be used as a store, stable for more than three (3) animals, public automobile garage, shop, theatre, moving picture house, tenement house, factory, laundry, dairy shall be allowed upon any site within a radius of five hundred (500) feet if vacant or occupied by residences or residential boarding houses without the written consent of sixty per cent (60%) of the property owners within such radius.

Provided, however, that nothing in this section shall be construed to affect existing buildings except when repair on such total more than fifty per cent (50%) of the assessed value of the structure at the time just prior to the proposed repairs, in which event the owner shall be required to obtain the sanction of the property owners as in the case of a new building. If such permission

is not obtained, and it is otherwise impracticable to place the building in a safe condition, the building inspector may condemn the structure and require its removal within a reasonable time or such other procedure, with the approval of the Board of Supervisors, as will not defeat the object of this ordinance.

SECTION 4. The five hundred (500) feet radius herein required shall be measured from the center of the proposed building and property partly within said radius shall be considered as within the radius for the purpose of this ordinance.

SECTION 5. DEFINITIONS. (a) The term "Owner" or "Owners" as used in this ordinance shall mean any person, firm, copartnership or corporation or its or their duly authorized agent or attorney or legal representative owning the fee or an interest in the fee of real property.

Provided, however, that the holder of a leasehold interest for a term of five (5) years or more shall be an owner within the meaning of this ordinance.

Amended meeting held Dec. 16, 1919

Provided, further, that all the owners of interests, including leasehold must concur before that property shall be held to consent to the erecting of the building as hereinbefore provided.

(b) The term "Moving Picture House" as used in this ordinance shall mean a building used or intended to be used for moving pictures or variety entertainment which contain no galleries or balconies and only a small stage with little or no movable scenery, and which has a capacity of not more than four hundred (400) people.

SECTION 6. Drawings of the proposed building shall be furnished to the Building Inspector of the City and County of Honolulu and shall contain sufficient detail to show the general appearance and location of the building and the frontage and character of pro-

party within the radius aforesaid. No written consent as specified in Section 3 herein shall be obtained unless at the time it was given, the party giving the consent was shown the drawings of the proposed building as furnished the Building Inspector. The Building Inspector of the City and County of Honolulu shall not issue any building permit for any building to be erected in violation of the terms and provisions of this ordinance.

SECTION 7. This Ordinance shall take effect from and after the date of its approval.

INTRODUCED BY

Supervisor.

DATE OF INTRODUCTION:

December 1919.

APPROVED THIS 29 DAY OF Dec A. D. 1919

MAYOR, CITY AND COUNTY OF HONOLULU, T. H.

by title Dec. 2, 1919.

Star Bulletin: Dec. 4, 5, 6, 1919.

as amended & ordered to print - Dec. 11, 1919.

Pub. in Star Bulletin: Dec. 17, 18, 19, 1919.

Dec. 23, 1919.

for approval Dec. 23, 1919.

with Mayor's approval - Dec. 29, 1919.

Pub. in Star Bulletin: Dec. 30, 31, 1919 and Jan. 2, 1920.

2nd Slip

BILL NO. 29.

ORDINANCE NO. 176.

AN ORDINANCE TO REGULATE THE USE OF THE HIGHWAYS IN THE CITY AND COUNTY OF HONOLULU AND IN THAT REGARD TO REGULATE THE USE AND OPERATION OF VEHICLES AND STREET CARS THEREON; TO PROHIBIT CERTAIN PERSONS FROM OPERATING VEHICLES UPON THE HIGHWAYS; TO REGULATE THE SPEED OF VEHICLES UPON HIGHWAYS; TO PROVIDE PENALTIES FOR VIOLATIONS OF PROVISIONS OF THIS ORDINANCE; TO PROVIDE FOR THE CARRYING OUT OF THE OBJECTS OF THIS ORDINANCE, AND TO REPEAL ORDINANCES NUMBERS 11, 37, 51, 56, 63, 64, 88, 93, 96, 120, 137 and 147.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF HONOLULU:

PART I. DEFINITIONS.

SECTION 1. DEFINITIONS. The words and phrases used in this ordinance shall, for the purpose thereof, unless the same be contrary to or inconsistent with the context, be construed as follows:

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.

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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. "Motorcycles" 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 ordinance 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. 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.

PART II. MECHANICAL REQUIREMENTS FOR MOTOR VEHICLES.

SECTION 2. 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 approach 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.

SECTION 3. 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.

All brakes shall be of sufficient power to bring the vehicle tested, when traveling at a rate of speed of ten (10) miles an hour over a dry level paved road, to a full stop within ten (10) feet from point of application of the brakes.

SECTION 4. 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.

SECTION 5. 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 3 hereof for Brakes.

PART III. LIGHTS FOR VEHICLES.

SECTION 6. 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 (200) feet from the rear thereof and so constructed and placed that the registration number plate carried on the rear thereof shall be illuminated by a white light in such a manner that the registration number thereon can be plainly distinguished at a distance of not less than fifty (50) feet toward the rear.

SECTION 7. 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 (2) 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 (200) feet.

Such light when measured at a distance of one hundred (100) feet directly in front of the automobile and at a height of sixty (60) inches above the level surface on which the automobile stands shall not exceed two thousand four hundred (2400) apparent candle power, nor shall this candle power be exceeded at a greater height than sixty (60) inches.

When measured at a distance of one hundred (100) feet ahead of the automobile and seven (7) feet or more to the left of the axis of the same, and at a height of sixty (60) inches above the level surface on which the automobile stands, does not exceed eight hundred (800) 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 (200) 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 ($50.00) Dollars.

(d) No person shall drive, operate or propel a motor vehicle without an approved device or adjustment upon its head lights 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).

SECTION 8. BICYCLE LIGHTS. At the time specified in Section 7, every bicycle while on a highway shall carry a lighted lamp visible at all times at least two hundred (200) 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 (200) feet toward the rear.

SECTION 9. LIGHTS ON ROADS. 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 (4) 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 (200) 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 (16) inches square shall be displayed at the extreme rear of said load.

SECTION 10. LIGHTS FOR OTHER VEHICLES. All vehicles other than those specified in Sections 7 and 8 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 (200) feet.

SECTION 11. 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 (200) feet from an approaching vehicle.

PART IV. TRAFFIC RULES.

SECTION 12. 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.

No person or persons shall impede the right of travel of any vehicle or street car.

SECTION 13. 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 (75) yards.

SECTION 14. 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, building 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.

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.

SECTION 15. 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.

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 (2) feet from the vehicle, animal or street car passed, unless the same shall have stopped on account of highway conditions as aforesaid.

SECTION 16. 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.

SECTION 17. RULE ON 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.

SECTION 18. 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.

SECTION 19. 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.

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.

SECTION 20. 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 (1) foot of the curb, or except in case of an emergency or except as provided in Sections 27 and 35 hereof.

Vehicles shall not stand, except to let passengers on or off, in front of the entrance of any public building or place of public resort, within twenty (20) feet of any highway intersection, within ten (10) feet of a fire hydrant or in front of an alley.

SECTION 21. 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.

SECTION 22. 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 which the traffic on that side of the highway is moving.

SECTION 23. RIGHT 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.

SECTION 24. 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 bei traveled by such vehicles until the vehicles 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.

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 as 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.

SECTION 25. 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.

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 si of the vehicle opposite the direction 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.

SECTION 26. 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 (8) feet from the nearest part of a street car which has stopped for the purpose of taking on or discharging passengers.

SECTION 27. 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 (5%) 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 (5%) 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.

SECTION 28. DRIVING ON CAR TRACKS REGULATED. It shall be unlawful for any person wilfully to stop, drive, operate or propel any vehicle along or cross 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.

SECTION 29. 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 harness for the purpose of subjection.

SECTION 30. 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.

SECTION 31. NUISANCES -. It shall be unlawful for any person driving, operating, propelling or in charge of a motor vehicl 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.

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.

SECTION 32. DRIVING OR RIDING BY CERTAIN PERSONS PROHIBITED. No person under the age of fifteen (15) years shall drive, operate, propel or be in charge of any motor vehicle upon any highway.

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 highway 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.

SECTION 33. 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 (50) 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 (50) feet from the traffic officer and in the manner provided in section 24 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 sai traffic officer.

SECTION 34. 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.

SECTION 35. RULE OF VEHICLES STANDING ON CERTAIN STREETS 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 8:00 A. M. and 5:30 P. M. on the following highways or parts thereof:

On King Street and on Hotel Streets, between River and Richards Streets;

On Fort Street, between Queen and Beretania Streets.

Nor shall such vehicle be allowed to remain standing for a longer period than thirty minutes between 8:00 A. M. and 10:00 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 8:00 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 Service;

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 Service:

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 Streets;

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.

SECTION 36. 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 or in front of the operator thereof, any child, person or any article or package or to carry on any portion of said vehicle any thing, 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.

SECTION 37. 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.

SECTION 38. 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.

SECTION 39. USE OF BICYCLE BY CHILD UNDER TWELVE (12) YEARS IN BUSINESS DISTRICT OF CITY OF HONOLULU PROHIBITED. It shall be unlawful for any child under the age of twelve (12) years to ride or propel a bicycle in the business district of the City of Honolulu.

SECTION 40. 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.

PART V. SPEED REGULATIONS.

SECTION 41. RATES OF SPEED. No vehicle shall be operated on any highway at a greater speed than: -

15 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 marked off by official signs indicating the prescribed rate of speed.

20 miles per hour in the City of Honolulu except upon "Main Thoroughfares" as herein defined, and except as otherwise provided herein.

25 miles per hour upon "Main Thoroughfares".

35 miles per hour upon all highways where a lesser rate of speed is not required.

SECTION 42. 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 26, 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 (15) miles per hour.

SECTION 43. 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 (15) miles per hour.

Provided, however, that this section shall not apply to yards of the Kamehameha School for Boys, the Kamehameha School for Girls, the College of Hawaii, the Military Academy, and the Mid-Pacific Institute.

SECTION 44. 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 (5) miles an hour.

SECTION 45. SIGNS. It shall be the duty of the Sheriff to place or have caused to be placed official signs marking dangerous portions of the highways and indicating permitted speeds when the same may be required.

SECTION 46. CERTAIN VEHICLES EXCEPTED. Nothing contained in Sections 41 to 44 inclusive as to specific rates of speed shall apply to the vehicles specified in Section 24 hereof when used in the manner therein specified.

PART VI. SPECIAL TRAFFIC RULES FOR HEAVY VEHICLES.

SECTION 47. USE OF FLANGES, ETC., ON WHEELS RESTRICTED. No traction engine, road engine, hauling engine, trailer, steam roller, automobile truck, motor 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, spike 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 are fastened upon all the wheels of such vehicles, not less than 2-1/2 inches wide and not more than 1-1/2 inches high, and 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.

SECTION 48. WEIGHT OF VEHICLES RESTRICTED. No traction engine, trailer, steam roller, automobile truck, motor or other power vehicle shall be operated upon any public highway, nor shall any object be moved over or upon any such highways upon wheels, rollers or otherwise, in excess of a total weight of fifteen (15) tons, including the vehicle, object or contrivance and load, and no vehicle which might prove destructive to any public highway shall be operated thereon, without first obtaining the permission of the City and County Engineer as hereinafter provided.

SECTION 49. LIMIT OF WEIGHT DEFINED. The tire, other than pneumatic tire, of each wheel of any vehicle other than traction engines, road engines, and hauling engines shall be smooth, and the weight of such vehicle, including load, shall not exceed eight hundred (800) pounds upon any inch in width of the tire, wheel, roller or other object and any weight in excess of eight hundred (800) pounds upon an inch of tire, measured at the base of the rubber in case of rubber tired vehicles, is prohibited unless permission is obtained from the City and County Engineer as hereinafter provided.

SECTION 50. WIDTH OF VEHICLES RESTRICTED. No motor or other power vehicle of a greater width than one hundred and eight (108) inches shall be operated upon any public highway, including the load, except traction engines, which may have a width of one hundred and twenty (120) inches.

SECTION 51. SPEED OF HEAVY VEHICLES. No traction engine, road engine, hauling engine, trailer, steam roller, automobile, truck for passengers or freight, motor or other power vehicle carrying a weight in excess of four tons, including the vehicle, shall be operated upon any highway at a speed greater than fifteen (15) miles an hour; and no such vehicle carrying a weight in excess of ten tons, including the vehicle, shall be operated upon any highway at a speed greater than ten (10) miles an hour.

Provided, however, that no vehicle carrying a weight in excess of six tons, including the vehicle, which is equipped with metal tires shall be operated upon any highway at a speed

in excess of six (6) miles per hour.

SECTION 52. PERMISSION TO OPERATE CERTAIN HEAVY VEHICLES. The City and County Engineer may grant permission for the moving of heavy vehicles and objects mentioned in Sections 48 and 49 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 damge by reasons of such operation and moving.

SECTION 53. 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 ordinance.

SECTION 54. TRAILER TRAIN. No trailer train of a greater length than sixty-five (65) feet including the vehicle having the motive power shall be operated upon any highway without the written permission of the Sheriff.

SECTION 55. 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.

PART VII. PENALTIES.

SECTION 56. PENALTIES. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction therefor shall be punished by a fine of not less than Five Dollars ($5.00) and not more than One Thousand Dollars ($1,000.00); or by imprisonment for not more than one (1) 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.

Any person convicted of driving, operating, propelling or being in charge of any motor vehicle upon any highway while intoxicated shall, in addition to the penalties hereinbefore provided, forfeit for one (1) years his certificate entitling him to drive, operate or propel any such vehicle.

Upon a second conviction within one (1) year of a violation of Sections 3, 12, 14, 23, 26, 41, 42, 43, 47, 48, 49 and 51 the minimum fine shall not be less than Fifty ($50.00) Dollars.

but not as to offenses previously committed

highway to permit any portion of any load upon said vehicle to rest upon or drag upon or touch the highway surface.

PART VII. PENALTIES.

SECTION 56. PENALTIES. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction therefor shall be punished by a fine of not less than Five Dollars ($5.00) and not more than One Thousand Dollars ($1,000.00); or by imprisonment for not more than one (1) 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.

Any person convicted of driving, operating, propelling or being in charge of any motor vehicle upon any highway while intoxicated shall, in addition to the penalties hereinbefore provided, forfeit for one (1) years his certificate entitling him to drive, operate or propel any such vehicle.

PART VIII. REPEAL OF CERTAIN ORDINANCES.

SECTION 57. 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.

PART IX. CONSTITUTIONALITY.

SECTION 58. CONSTITUTIONALITY. If any section, subdivision, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

PART X.

SECTION 59. This Ordinance, except Section 7, shall take effect thirty days from and after the date of its approval.

Section 7 shall take effect from and after ninety days from the approval of this Ordinance.

INTRODUCED

By Chas. U. Amo

Supervisor.

Date of Introduction:
Honolulu, Hawaii,
December 11th 1919.

APPROVED THIS 11 DAY OF Feb A. D. 1920

[signature]
PRESIDENT PRO-TEM, CITY AND COUNTY OF HONOLULU, T. H.

Pass 1st Reading by title and rest to Print Dec. 11, 1919

Pub. in Advertiser: Jan. 21, 22, 23-1920.

Pass 2nd Reading as amended & print - Jan. 17, 1920.

Pass 3rd Reading Feb. 3, 1920.

Pres. pro tem. - Feb. 4, 1920

with Pres. Pro-Tem's approval - Feb. 11th, 1920.

Pub. in Advertiser: Feb. 13, 14, 16-1920

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of Sections 3, 12, 14, 23, 26, [illegible]
42, 43, 47, 48, 49 and 50 [illegible]
minimum [illegible]
[illegible] Fifty [illegible]

ORDINANCE NO. _____

AN ORDINANCE TO REGULATE THE USE OF THE HIGHWAYS IN THE CITY AND COUNTY OF HONOLULU AND IN THAT REGARD TO REGULATE THE USE AND OPERATION OF VEHICLES AND STREET CARS THEREON, TO PROHIBIT CERTAIN PERSONS FROM OPERATING VEHICLES UPON THE HIGHWAYS; TO REGULATE THE SPEED OF VEHICLES UPON HIGHWAYS; TO PROVIDE PENALTIES FOR VIOLATIONS OF PROVISIONS OF THIS ORDINANCE; TO PROVIDE FOR THE CARRYING OUT OF THE OBJECTS OF THIS ORDINANCE, AND TO REPEAL ORDINANCES NUMBERS 11, 37, 51, 56, 63, 64, 88, 93, 96, 120, 137 and 147.

Be it Ordained by the People of the City and County of Honolulu:

PART 1. DEFINITIONS

SECTION 1. DEFINITIONS. The words and phrases used in this ordinance shall, for the purpose thereof, unless the same be contrary to or inconsistent with the context, be construed as follows:

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. "Motorcycles" 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 St 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 other than a chauffeur 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 ordinance 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 motor 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. 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.

PART 11. MECHANICAL REQUIREMENTS FOR MOTOR VEHICLES.

SECTION 2. 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 approach 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.

SECTION 3. 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.

All brakes shall be of sufficient power to bring the vehicle tested, when traveling at a rate of speed of ten (10) miles an hour over a dry level (asphalt bound macadam) road, to a full stop within ten (10) feet from point of application of the brakes.

SECTION 4. 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.

SECTION 5. 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 3 hereof for Brakes.

PART 111. LIGHTS FOR VEHICLES

SECTION 6. 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 and left side of the rear and at a height of not over two (2) feet from the ground, a tail light which shall display a red light visible not less than two hundred (200) feet from the rear thereof and so constructed and placed that the registration number plate carried on the rear thereof shall be illuminated by a white light in such a manner that the registration number thereon can be plainly distinguished at a distance of not less than fifty (50) feet toward the rear.

LIGHTS FOR MOTOR VEHICLES.

SECTION 7. (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 (2) lighted head lamps of equal candle power, and so arranged, adjusted and constructed that, when the automobile is fully loaded, ~~that~~ 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 (200) feet.

Such light when measured at a distance of one hundred (100) feet directly in front of the automobile and at a height of sixty (60) inches above the level surface on which the automobile stands shall not exceed two thousand four hundred (2400) apparent candle power, nor shall this candle power be exceeded at a greater height than sixty (60) inches.

When measured at a distance of one hundred (100) feet ahead of the automobile and seven (7) feet or more to the left of the axis of the same, and at a height of sixty (60) inches above the level surface on which the automobile stands, does not exceed eight hundred (800) 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 (200) 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 ($50.00) Dollars.

(d) No person shall drive, operate or propel a motor vehicle without an approved device or adjustment upon its head lights 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).

BICYCLE LIGHTS.

SECTION 8. At the time specified in Section 7, every bicycle while on a highway shall carry a lighted lamp visible at all times at least two hundred (200) 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 (200) feet toward the rear.

LIGHTS ON LOADS.

SECTION 9. 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 (4) 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 (200) 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 (16) inches square shall be displayed at the extreme rear of said load.

LIGHTS FOR OTHER VEHICLES.

SECTION 10. All vehicles other than those specified in Sections 7 to 8 shall, during the time mentioned in said sections when upon the highway, carry one or more lighted red lamp or lamps so arranged that a light from said lamp or lamps shall be visible in every direction for at least two hundred (200) feet.

SECTION 11. 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 (200) feet from an approaching vehicle.

PART IV. TRAFFIC RULES.

SECTION 12. DUTY - CAREFUL DRIVING. Every person riding, driving, operating, propelling or in charge of any vehicle upon any of the highways shall ride, drive, operate or propel such vehicle upon such highways in a careful manner and with due regard for the safety and convenience of pedestrians and all other vehicles upon such highways.

No person or persons shall impede the right of travel of any vehicle, or street car

SECTION 13. 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 (75) yards.

SECTION 14. 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, building 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.

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.

SECTION 15. 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.

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 (2) feet from the vehicle, animal or street car passed, unless the same shall have stopped on account of highway conditions as aforesaid.

SECTION 16. 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.

SECTION 17. RULE ON 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.

SECTION 18. 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 before turning.

SECTION 19. 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.

In the "Business District", such turn shall be made at street crossings only. Streets joining, but not intersecting, shall constitute a street crossing.

SECTION 20. 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 (1) foot of the curb, or except in case of an emergency or except as provided in Sections 27 and 35 hereof.

Vehicles shall not stand, except to let passengers on or off, in front of the entrance of any public building or place of public resort, within twenty (20) feet of any highway intersection, within ten (10) feet of a fire hydrant or in front of an alley.

SECTION 21. 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.

SECTION 22. 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 at right angles to such vehicle and in the direction which the traffic upon that side of the highway is moving.

SECTION 23. RIGHT OF WAY AT CROSSINGS OR INTERSECTIONS. At any high 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.

Provided, however, that auto vehicles upon "Main Thoroughfares" as herein defined shall have the right of way over all other vehicles.

SECTION 24. 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 traveled by such vehicles until the vehicles 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.

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 as 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.

SECTION 25. 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 ~~and approval by~~ the Sheriff be tested and approved be certified as adequate to give the signal herein required.

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 vehicle opposite the direction 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.

SECTION 26. ~~PASSING STANDING STREET CARS.~~ delete In the "Business District" of 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. Provided, however, that

vehicles may pass any standing street car where the distance between the said vehicle and street car is greater than twenty (20) feet.

Outside of the "Business District" no vehicle shall pass or approach nearer than eight (8) feet from a running board or nearest part of a street car which has stopped for the purpose of taking on or discharging passengers.

SECTION 27. 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 (5%) 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", on highways where the grade exceeds five (5%) 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 right angles 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.

SECTION 28. DRIVING ON CAR TRACKS REGULATED. It shall be unlawful for any person wilfully to stop, drive, operate or propel any vehicle along or cross 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.

SECTION 29. 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 harness for the purpose of subjection.

SECTION 30. 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.

SECTION 31. 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.

No person riding a bicycle shall hang upon a street car or any vehicle.

No unauthorized person shall interfere with or molest any vehicle, provided, however, that for the purpose of getting away from the place of standing, a driver may move another vehicle which is so placed that he cannot move his vehicle out upon its right of way.

No vehicle or pedestrian shall, without the permission of a police officer, pass through a procession authorized by the Sheriff.

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.

SECTION 32. DRIVING OR RIDING BY CERTAIN PERSONS PROHIBITED. No person under the age of fifteen (15) years shall drive, operate, propel or be in charge of any motor vehicle upon any highway.

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 highway 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.

SECTION 33. TRAFFIC OFFICERS - POWERS OF. Traffic officers, at steamer landings, highway intersections, railroad depots, theaters, places of general public resort, and also along routes of authorized 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 (50) 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 (50) feet from the traffic officer and in the manner provided in section 24 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.

SECTION 34. PEDESTRIANS - NUISANCE PROHIBITED. No person shall ride or jump upon any vehicle (or street car) 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.

SECTION 35. RULE OF VEHICLES STANDING ON CERTAIN STREETS. 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 8:00 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.

Nor shall such vehicle be allowed to remain standing for a longer period than thirty minutes between 8:00 A.M. and 10:00 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 8:00 A.M. and 5:30 P.M. any longer than is absolutely necessary to take on or discharge passengers on the following streets or parts thereof; provided, however, this shall not apply to vehicles ~~used in~~ the United States Mail Service;

On the mauka side of Hotel Street between Nuuanu and Richards Streets;

On the Easterly or Waikiki side of Fort Street between Queen and Beretania Streets;

On the Easterly or Waikiki side of Bethel Street between Merchant and Hotel Streets;

On both sides of Kaahumanu Street;

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.

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.

SECTION 36. NO LEFT HAND TURN AT FORT AND KING STREET. Between the hours of 8:00 A.M. and 5:30 P.M. of every day except Sunday it shall be unlawful for any person driving, operating, propelling or in charge of any vehicle to cause the same to turn to the left at the corner of Fort and King Streets.

SECTION 36. 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 or in front of the operator thereof, any child, person or any article or package or to carry on any portion of said vehicle any thing, 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.

SECTION 37. 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.

SECTION 38. 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 Eng.

Sec. 40

Sec 41 PART V. SPEED REGULATIONS.

SECTION 41. RATES OF SPEED. No vehicle shall be operated on any highway at a greater speed than: -

15 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 marked off by official signs indicating the prescribed rate of speed.

20 miles per hour in the City of Honolulu except upon "Main Thoroughfares" as herein defined, and except as otherwise provided herein.

25 miles per hour upon "Main Thoroughfares".

35 miles per hour upon all highways where a lesser rate of speed is not required.

Sec. 42

SECTION 43. SPEED ON TURNING CORNERS AND PASSING STREET CARS. In turning a corner at highway intersections or in passing street cars stopped for the purpose of receiving or discharging passengers, the person driving, operating, propelling or in charge of any vehicle shall not proceed, nor shall the owner of any such vehicle riding thereon or therein, cause or permit the same to proceed at a rate of speed greater than fifteen (15) miles per hour.

SECTION ~~42~~ 43. SPEED ON ~~APPROACHING~~ 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 (15) miles per hour.

SECTION ~~43~~ 44. 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 (where the view is obstructed) at a rate of speed in excess of five (5) miles an hour.

SECTION ~~44~~ 45. SIGNS. It shall be the duty of the Sheriff to place or have caused to be placed official signs marking dangerous portions of the highways and indicating permitted speeds when the same may be required.

SECTION ~~45~~ 46. CERTAIN VEHICLES EXCEPTED. Nothing contained in (Sections 39 to 42) as to specific rates of speed shall apply to the vehicles specified in Section 24 hereof when used in the manner therein specified.

PART VI. SPECIAL TRAFFIC RULES FOR HEAVY VEHICLES.

SECTION ~~46.~~ USE OF FLANGES, ETC., ON WHEELS RESTRICTED. No traction engine, road engine, hauling engine, trailer, steam roller, automobile truck, motor 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 (seriously) destructive to the road surface, other than rubber (or wooden 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 are fastened upon all the wheels of such vehicles, not less than 2-1/2 inches wide and not more than 1-1/2 inches high, and 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.

SECTION ~~47.~~ WEIGHT OF VEHICLES RESTRICTED. ~~OUTSIDE~~. No traction engine, trailer, steam roller, automobile truck, motor or other power vehicle shall be operated upon any public highway, nor shall any object be moved over or upon any such highways upon wheels, rollers or otherwise, in excess of a total weight of fifteen (15) tons, including the vehicle, object or contrivance and load, and no vehicle which might (seriously) damage any public highway shall be operated thereon, without first obtaining the permission of the City and County Engineer as hereinafter provided. (No weight in excess of eight (8) tons shall be carried on any one axle of any vehicle.)

SECTION 48. LIMIT OF WEIGHT DEFINED. The tire, other than pneumatic tire, of each wheel of any vehicle other than traction engines, road engines, and hauling engines shall be smooth, and the weight of such vehicle, including load, shall not exceed eight hundred (800) pounds upon any inch in width of the tire, wheel, roller or other object and any weight in excess of eight hundred (800) pounds upon an inch of tire, measured at the base of the rubber in case of rubber tired vehicles, is prohibited unless permission is obtained from the City and County Engineer as hereinafter provided.

SECTION 49. WIDTH OF VEHICLES RESTRICTED. No motor or other power vehicle shall be operated upon any public highway of a greater width than ninety (90) inches, including the load, except traction engines, which may have a width of one hundred and twenty (120) inches.

SECTION 50. SPEED OF HEAVY VEHICLES. No traction engine, road engine, hauling engine, trailer, steam roller, automobile, truck for passengers or freight, motor or other power vehicle carrying a weight in excess of four tons, including the vehicle, shall be operated upon any highway at a speed greater than fifteen (15) miles an hour; and no such vehicle carrying a weight in excess of ten tons, including the vehicle, shall be operated upon any highway at a speed greater than ten (10) miles an hour.

Provided, however, that no vehicle carrying a weight in excess of six tons, including the vehicle, which is equipped with metal tires shall be operated upon any highway at a speed in excess of six (6) miles per hour.

SECTION 51. PERMISSION TO OPERATE CERTAIN HEAVY VEHICLES. The City and County Engineer may grant permission for the moving of heavy vehicles and objects mentioned in sections 49 and 50 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 reasons of such operation and moving.

SECTION 52. 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 ordinance.

SECTION 53. TRAILER TRAIN. No trailer train ~~shall be~~ of a greater length than seventy 65 (70) feet including the vehicle having the motive power. shall be [illegible] upon any highway without the written [illegible] of the Sheriff

PART V11 PENALTIES.

SECTION 54. PENALTIES. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction therefor shall be punished by a fine of not less than FIVE ($5.00) DOLLARS and not more than ONE THOUSAND ($1,000.00)

DOLLARS; or by imprisonment for not more than one (1) 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.

PART VIII. REPEAL OF CERTAIN ORDINANCES.

SECTION 55. 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 offences previously committed thereunder.

PART IX. CONSTITUTIONALITY.

SECTION 56. CONSTITUTIONALITY. If any section, subdivision, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

PART X.

SECTION 57. This Ordinance except sec 7 shall take effect 30 days from and after ~~December 31st, 1919~~ date of its approval. Section 7 shall take effect from and after 90 days from the approval of this ordinance.

INTRODUCED BY Chas. U. Arnold

Supervisor.

DATE OF INTRODUCTION:

December 11, 1919.

Pass 1st Reading by title & not to print Dec. 11, 1919.

Pub. in

Pass 2nd Reading and

Pass 3rd Reading

To Mayor

Returned

2nd R deferred Dec. 16/19.

" " " " 23/19

Failed to pass as amended