



A BILL FOR AN ORDINANCE

RELATING TO LITTER REDUCTION, RECYCLING, AND COMPOSTING INCENTIVES.

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

SECTION 1. Purpose. The purpose of this ordinance is to promote litter reduction, including through recycling and composting of food containers by restaurants.

SECTION 2. Chapter 8, Article 10, Revised Ordinances of Honolulu 1990 ("Exemptions"), is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

"Sec. 8-10. Exemption—Litter reducing restaurants.

(a) For the purposes of this section:

"Litter reducing restaurant" means a restaurant that is certified by a litter reducing program approved by the director of environmental services as a litter-reducing restaurant. Examples of eligible litter reducing programs include, but are not limited to Malama 808, Ocean Friendly Restaurants, or the State of Hawaii's Green Business Program.

"Restaurant" means an establishment that sells prepared food to be eaten by customers.

(b) Real property, or any portion thereof, used for a litter reducing restaurant will be exempt from real property taxes to the extent of _____ percent of the assessed value, provided that:

(1) The property is actively and exclusively used for a litter reducing restaurant and the applicant submits to the director a certification from the director of environmental services that the property qualifies as a litter reducing restaurant;

(2) If an exemption is claimed under this section, an exemption for the same property may not also be claimed under any other section of this article;

(3) The property is owned in fee simple or is leased or rented for the exempt purpose;



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- (4) If the rented property for which the exemption is claimed is leased or rented, the lease or rental agreement must be in force and recorded in the bureau of conveyances or filed in the office of the assistant registrar of the land court; and
- (5) The director of environmental services, in accordance with HRS Chapter 91, may adopt rules establishing additional criteria by which a restaurant will qualify and be certified as a litter reducing restaurant. Such criteria must, at minimum, include having a recycling policy, having lids on trash cans and participation in a city-approved or city-administered litter education program.
- (c) An application for the exemption provided by this section must be filed with the director on or before September 30th preceding the tax year for which the exemption is claimed."

SECTION 3. Chapter 9, Article 4, Revised Ordinances of Honolulu 1990 ("Collection and Disposal Charges"), is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

"Sec. 9-4. Exemption—Recycling/composting restaurants.

- (a) For the purposes of this section:

"Recycling/composting restaurant" means a restaurant that utilizes food containers that can be recycled or composted in a city-operated facility or program.

"Restaurant" means an establishment that sells prepared food to be eaten by customers.

- (b) A recycling/composting restaurant will be exempt from the disposal charges imposed by Section 9-4.1.
- (c) The director of environmental services, in accordance with HRS Chapter 91, may adopt rules establishing the criteria by which a restaurant will qualify and be certified as a recycling/composting restaurant.
- (d) An application for the exemption provided by this section must be filed with the director after the department of environmental services has established a city-operated recycling program for expandable polystyrene food containers or a composting facility for compostable paper food containers."



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____
BILL 5(2018)

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SECTION 4. New ordinance material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the underscoring.

SECTION 5. This ordinance takes effect upon its approval and applies to tax years beginning July 1, 2019, and thereafter.

INTRODUCED BY:

David Johnson

DATE OF INTRODUCTION:

JAN 25 2018

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

KIRK CALDWELL, Mayor
City and County of Honolulu

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FILED
JAN 25 2020
PURSUANT TO ROH Sec. 1-2.4