RELATING TO PUBLIC NUISANCES.

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

SECTION 1. The purpose of this ordinance is to regulate nuisances on public sidewalks.

SECTION 2. Section 29-16.6, Revised Ordinances of Honolulu 1990, is amended to read as follows:

'Sec. 29-16.6 Exceptions.

The prohibitions in this article shall not apply to the following:

(1) An object or collection of objects smaller than 42 inches in length, 25 inches in width, and 43 inches in height, provided that:

   (A) The object or collection of objects is attended to by an individual at all times;

   (B) The object or collection of objects, or any portion thereof, does not extend into the roadway;

   (C) The object or collection of objects does not obstruct the use of 36 inches in width of the sidewalk and does not obstruct the free movement of pedestrians;

   (D) The object or collection of objects does not obstruct individuals from access to or egress from legally parked vehicles;

   (E) The object or collection of objects does not interfere with other lawful activities taking place on the sidewalk and its placement complies with other provisions of this chapter; and

   (F) The object or collection of objects does not otherwise threaten public health and safety.

Provided further than this exception (1) does not apply in the Waikiki Special District, as identified by Section 21-9.80-2.
(2) An object or collection of objects used in the performance of a government-approved public safety, maintenance or construction function; or

(3) Tables or other portable outdoor furniture or items used for the purpose of displaying literature or other expressive material or otherwise directly facilitating expressive activities; provided that the tables, furniture, or items:

(A) Are attended to by an individual at all times;

(B) Do not extend into the roadway;

(C) Do not obstruct the use of 36 inches in width of the sidewalk and do not obstruct the free movement of pedestrians;

(D) Do not obstruct individuals from access to or egress from legally parked vehicles;

(E) Do not interfere with other lawful activities taking place on the sidewalk and comply with other provisions of this chapter;

(F) Do not otherwise threaten public health and safety; and

(G) Are not larger than five feet by two feet or ten square feet for each individual engaging in the expressive activity."

SECTION 3. 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 underscored.
SECTION 4. This ordinance takes effect upon its approval.

DATE OF INTRODUCTION:

JAN 25 2018
Honolulu, Hawaii

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of ____________, 20____.

KIRK CALDWELL, Mayor
City and County of Honolulu
**ORDINANCE**

**BILL 6 (2018)**

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<td>01/25/18</td>
<td>Introduced by TREvor Ozawa, Committee: BUDGET</td>
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<td>01/31/18</td>
<td>COUNCIL: BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, SAFETY AND ECONOMIC DEVELOPMENT. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.</td>
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<td>03/17/18</td>
<td>PUBLISH: PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.</td>
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<td>03/22/18</td>
<td>PUBLIC HEATH, SAFETY AND ECONOMIC DEVELOPMENT: CR-114 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.</td>
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<td>03/28/18</td>
<td>COUNCIL/PUBLIC HEARING: CR-114 ADOPTED. BILL PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON BUDGET. 8 AYES: ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE. 1 ABSENT: ANDERSON.</td>
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<td>COUNCIL: CR-137 AND BILL 6 (2018) WERE RECOMMENDED TO COMMITTEE ON BUDGET. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.</td>
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<tr>
<td>10/17/18</td>
<td>BUDGET: CR-346 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING.</td>
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I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

Glen I. Takahashi, City Clerk

Ernest Y. Martin, Chair and Presiding Officer
I hereby certify that on November 16, 2018, Bill 6 (2018) was presented to the Honorable Kirk Caldwell, Mayor of the City and County of Honolulu, for his approval or otherwise; that on December 3, 2018, the Mayor returned said Bill vetoed; and that the Council failed to reconsider the vote on the Bill within the period specified by Section 3-203 of the Revised Charter.


CITY COUNCIL

By

KIMBERLY MARCOS PINE
Council Chair Pro Tempore

ATTEST:

GLEN I. TAKAHASHI
City Clerk