



A BILL FOR AN ORDINANCE

RELATING TO ILLEGAL LODGING.

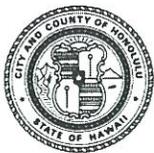
BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose and Findings. The purpose of this ordinance is to continue active communication regarding the shelter facilities available to those who would greatly benefit from these resources, to offer to transport individuals to shelter facilities, and to inform and encourage those who would benefit from shelter facilities to make use of those resources.

The Council of the City and County of Honolulu finds:

- (a) The City and County of Honolulu, as shown by the list of Council appropriations which may be used to address homelessness attached to this ordinance as Exhibit A, along with the State of Hawaii and their private partners, have appropriated and expended millions of dollars and considerable resources in providing available short-term and transitional housing, also known as shelter facilities, for their residents. Many of the residents who would benefit from these resources are unaware of the available resources and/or have an uninformed impression of the benefits of short-term and transitional housing resources.
- (b) There is a need to continuously maintain communication with those who would benefit from these resources and to encourage these individuals to make use and to take advantage of these resources.
- (c) Often the shelter facilities are some distance away, and the City's agencies and shelter providers are willing to offer transportation to the shelter facilities, thus increasing the potential benefits of the facilities to individuals.

SECTION 2. Chapter 29, Revised Ordinances of Honolulu 1990 ("Streets, Sidewalks, Malls and other Public Places"), is amended by adding a new article to be appropriately designated by the Revisor of Ordinances and to read as follows:



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"Article _____. Illegal Lodging on a Public Sidewalk or Other Public Place

Sec. 29-____.1 Prohibition—Exceptions—Citations.

- (a) No person shall lodge on a public sidewalk or other public place.
- (b) No law enforcement officer shall issue a citation, make an arrest, or otherwise enforce this section against any person unless:
 - (1) Shelter space is readily available;
 - (2) An offer has been made to transport the person to the available shelter; and
 - (3) The officer requests or orders the person to refrain from the alleged violation of this section.
- (c) A person may be cited or arrested for a violation of this section if the person fails to comply after receiving the oral request or order and refuses to go to or to be transported to the available shelter after being given one hour to relocate from the sidewalk or other public place.
- (d) As used in this section:

"Lodge or lodging" means to sleep; to come to rest and refuse to vacate the area when requested pursuant to subsection (b) above.

"Public place" means the same as the term is defined in Section 29-1.1.

"Public sidewalk" means the same as the term is defined in Section 29-15.1(d).

"Shelter" means a facility that provides temporary housing for individuals or families. A "shelter" may include an incarceration diversion program, a medical facility, or related supportive services.

- (e) This article does not apply to any person engaging in an activity pursuant to a permit or license issued by the state, city, or federal government.



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Sec. 29-___.2 Penalty.

Any person violating any provision of this article shall, upon conviction, be guilty of a petty misdemeanor and subject to punishment in accordance with HRS Sections 706-640 and 706-663, as amended."

SECTION 3. This ordinance takes effect upon its approval; provided that the enforcement of this ordinance shall not be implemented in a Council district until:

- (a) The Office of Housing and the Department of Community Services submit a comprehensive written report to the Council that outlines the City Administration's implementation plan and action steps taken to expedite deployment of homeless services and housing solutions in each of the nine City Council districts, pursuant to Resolution 18-158, FD1; and



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(b) The Council accepts the written report for the Council district by resolution.

INTRODUCED BY:

Ernest Martin (br)

DATE OF INTRODUCTION:

July 5, 2018
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this 11th day of October, 20 18.

KIRK CALDWELL, Mayor
City and County of Honolulu

City Budget Highlights - Homeless Solutions (2012-2018)

2012 (FY 2013 CIP Budget)

- **\$5.9 million** Community Development Block Grant (CDBG) Program
- **\$1.1 million** Emergency Solutions Grants (ESG) Program
- **\$3.8 million** Home Investment Partnerships (HOME) Program

2013 (FY 2014 Operating and CIP Budgets)

- **\$100,000** to promote economic revitalization in such areas as downtown/Chinatown in conjunction with community-based efforts to reduce crime, promote art/culture and increase economic sustainability
- **\$40 million** Community Development Block Grant (CDBG) Program
- **\$760,815** Emergency Solutions Grants (ESG) Program: provide funds and grants to nonprofit organizations serving the homeless
- **\$4.6 million** Home Investment Partnerships (HOME) Program: provide funds to nonprofit organizations to develop affordable housing
- **\$300,000** Homeless Refuge (Puuhonua) Project: plan and design facilities and infrastructure for homeless
- **\$6.5 million** Housing Partnership Program: develop or preserve affordable and permanent supportive housing in partnership with state agencies and qualified nonprofit housing developers.

2014 (FY 2015 Operating and CIP Budgets)

- **\$75,000** for operating funds for Affordable Housing projects
- **\$200,000** for joint City-State Affordable housing and permanent supportive housing projects in Iwilei-Downtown-Chinatown area
- **\$450,000** to provide community services and programs to address concerns raised by Downtown Neighborhood Board #13 and other area-specific organizations
- **\$200,000** operating funds for "Project Homeless Connect" model that provides access for homeless individuals to health services, one-stop housing and quality of life services
- **\$500,000** for operating funds for Mental Health Kokua
- **\$500,000** for public restrooms in City-own facilities in Downtown-Chinatown
- **\$1 million** Affordable and Permanent Supportive Housing: development of affordable housing and permanent supportive housing projects within the transit oriented development radius of the Iwilei Transit Station
- **\$6.9 million** Community Development Block Grants (CDBG) Program
- **\$635,084** Emergency Solutions Grants (ESG)
- **\$3.8 million** Homeless Investment Partnerships (HOME) Program
- **\$32 million** Homeless Relocation Initiative: Acquisition and renovation of facilities to relocate homeless individuals from parks, facilities, and other public areas to emergency, transitional, and permanent housing
- **\$8.2 million** Housing Partnership Program: funds to develop affordable housing for the chronically homeless through the Housing First model

2015 (FY 2016 Operating and CIP Budgets)

- **\$100,000** operating funds for Homeless Outreach Team (HPD)
- **\$300,000** to provide assistance to officers responding to incidents concerning persons with mental health issues
- **\$250,000** to provide community services and programs to address concerns raised by Downtown Neighborhood Board #13 and other area-specific organizations
- **\$500,000** to expand the scope of services with homeless services providers
- **\$616,488** for intensive case management at a location to be determine targeting homeless veterans, working homeless, and homeless families
- **\$500,000** for operating funds to assist homeless households such as shallow subsidy programs

- **\$7.1 million** Affordable Housing Strategic Development Program
- **\$6.6 million** Community Development Block Grant (CDBG)
- **\$676,821** Emergency Solutions Grants (ESG) Program
- **\$3.3 million** Home Investment Partnerships (HOME) Program
- **\$32 million** Homeless Relocation Initiative

2016 (FY 2017 Operating and CIP Budgets)

- **\$125,000** for a grant in aid to an organization focused on transitional housing for underserved, incarcerated men suffering from substance abuse and addiction.
- **\$180,000** to continue mental health activity center services
- **\$1 million** for operating funds for services and management for a hygiene center in Iwilei

- **\$8.8 million** Community Development Block Grant (CDBG)
- **\$18 million** Community Revitalization Initiatives: for acquisition, lease, development and/or renovation of facilities for urban rest stops, navigation centers, workforce-affordable housing, and other community-focused projects provided that no more than \$2 million may be expended in 1 council district.
- **\$609,980** Emergency Solutions Grants (ESG) Program
- **\$1.6 million** Home Investment Partnerships (HOME) Program
- **\$5.6 million for Housing Partnership Program**
- **\$2 million for an Iwilei Hygiene Center:** plans, design, construction of public restrooms, showers and laundry facilities). City and State administrations will work cooperatively to provide needed homeless wrap-around services to be provided on-site, and constructing low-income, permanent supportive housing units at the Iwilei Hygiene Center site.

2017 (FY 2018 Operating and CIP Budgets)

- **\$50,000** appropriated for a subscription to a Homeless Statistical Analysis Data Software
- **\$5 million** Affordable Housing Strategic Development Program
- **\$6.2 million** Community Development Block Grant (CDBG) Program
- **\$5 million** Community Revitalization Initiatives
- **\$609,980** Emergency Solutions Grants (ESG) Program
- **\$3.6 million** Home Investment Partnerships (HOME) Program
- **\$50 million** Affordable Housing With Preference in Transit Oriented Zones Program: land acquisition and development of affordable housing and infrastructure, with preference to housing in transit oriented zones

2018 (FY 2019 Operating and CIP Budgets)

- **\$1 million** for operating costs for the first floor of Kuwili Street Hygiene Center
- **\$150,000** for community-based, multi-agency collaborative approach that includes all of law enforcement (City, State, and federal agencies) for the prevention, control and reduction of violent crime, drug abuse, and gang activity in targeted high-crime neighborhoods
- **\$10 million** for acquisition of Hilo Hattie Building (Iwilei) for use as housing, a hygiene facilities, and a place where health services can be provided for homeless individuals.
- **\$40 million** Affordable Housing Strategic Development Program
- **\$3.1 million** Community Development Block Grant (CDBG) Program
- **\$18 million** Community Revitalization Initiative
- **\$622,785** Emergency Solutions Grants (ESG) Program
- **\$1.2 million** Home Investment Partnerships (HOME) Program
- **\$4 million** Homeless Prevention Initiative
- **\$2 million** Housing and Hygiene Center
- **\$5 million** Urban Honolulu Hygiene and Medical Triage Centers: for land acquisition, planning, design and construction for development of new urban rest stops and medical/triage centers and community-focused projects initiated by community groups in partnership with State/City agencies or qualified nonprofits.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE **18-35**

BILL 52 (2018), CD2, FD1

Introduced: 07/05/18 By: ERNEST MARTIN – BY REQUEST Committee: PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY

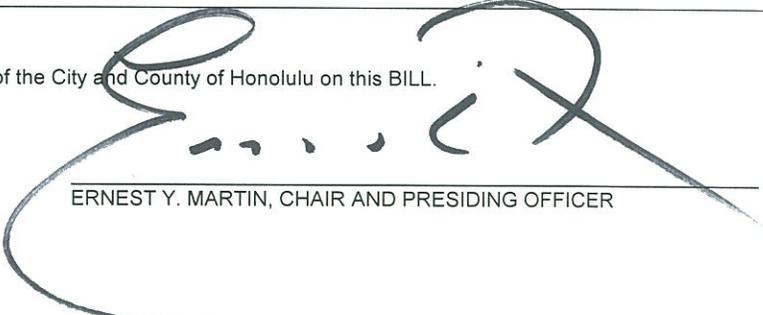
Title: A BILL FOR AN ORDINANCE RELATING TO ILLEGAL LODGING.

Voting Legend: * = Aye w/Reservations

07/11/18	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY. 7 AYES: ANDERSON, FUKUNAGA, MANAHAN, MARTIN, MENOR, OZAWA, PINE. 1 NO: ELEFANTE. 1 ABSENT: KOBAYASHI.
07/25/18	PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY	BILL POSTPONED IN COMMITTEE.
08/29/18	PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY	CR-288 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING AS AMENDED IN CD1 FORM.
09/01/18	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
09/12/18	COUNCIL/PUBLIC HEARING	CR-288 ADOPTED. BILL PASSED SECOND READING AS AMENDED, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY. 7 AYES: ANDERSON, FUKUNAGA, KOBAYASHI, MARTIN, MENOR, OZAWA, PINE*. 1 NO: ELEFANTE. 1 ABSENT: MANAHAN.
09/19/18	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
09/19/18	PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY	CR-321 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD2 FORM.
10/03/18	COUNCIL	BILL AMENDED TO HAND-CARRIED FD1 (OCS2018-0946/10/2/2018 7:46 AM). 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE. CR-321 ADOPTED AND BILL 52 (2018), CD2, FD1 PASSED THIRD READING. 6 AYES: FUKUNAGA, KOBAYASHI, MARTIN, MENOR*, OZAWA, PINE. 3 NOES: ANDERSON, ELEFANTE, MANAHAN.

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

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