



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON PUBLIC INFRASTRUCTURE, TECHNOLOGY AND SUSTAINABILITY

Voting Members:

Carol Fukunaga, Chair
Joey Manahan, Vice Chair
Ron Menor
Kymberly Marcos Pine
Heidi Tsuneyoshi

AGENDA

SPECIAL MEETING
COMMITTEE MEETING ROOM
MONDAY, APRIL 15, 2019
10:00 A.M.

SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 10:00 a.m. as follows:

- a. On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- b. By faxing to 768-3827 your name, phone number and the agenda item;
- c. By filling out a registration form in person; or
- d. By calling 768-3819.

Persons who have not registered to testify will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker is limited to a **one-minute** presentation.

WRITTEN TESTIMONY

Written testimony may be faxed to 768-3827 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, may be posted by the City Clerk and available to the public on the City's DocuShare Website.

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MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("*board packet*" §92-7.5, HRS) are available for public inspection at the Council Information and Records Section's service window at Room 202 in Honolulu Hale (530 S. King St.).

Accommodations are available upon request to persons with disabilities, please call 768-3819 or send an email to darcie.nago@honolulu.gov at least three working days prior to the meeting.

The meeting is viewable by: (1) internet live streaming through http://olelo.granicus.com/MediaPlayer.php?publish_id=92; (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulucitycouncil.tv/>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

FOR ACTION

1. **BILL 96 (2018) – RELATING TO FIRE SAFETY.** Clarifying the intent of Ordinance 18-14 and addressing implementation issues relating to fire safety measures and assessments enacted by that ordinance for the protection of persons and property in existing high-rise residential buildings. (Bill passed second reading and public hearing held 2/13/19; Committee postponed action on 3/25/19)

Revisions to Exhibit B of the proposed CD1 will be distributed at the PITS Committee meeting, and will be posted to the bill status listing for Bill 96 (2018) before the committee meeting.

PROPOSED CD1 TO BILL 96 (2018) (Submitted by Councilmember Fukunaga) – The CD1 (OCS2019-0369/4/9/2019 4:23 PM) makes the following amendments:

- A. Adds the six-year deadline relating to the building fire and life safety evaluation in Section 13.3.2.26.2 to the new EXCEPTION so that this deadline will also be paused, tolled, or suspended in the event that any required building permits are not timely reviewed and approved, and amends the EXCEPTION to require that building permits be submitted through a State-licensed specialty contractor, to read as follows:

EXCEPTION: The time periods and deadlines for compliance set forth in Section 13.3.2.26.2 and Section 13.3.2.26.2.7 shall be paused, tolled, or suspended where a building permit application, or other code application, for projects that relate to those sections or are required for the building to achieve compliance with the requirements of Section 13.3.2.26.2.2 for an automatic fire sprinkler system throughout the building or alternative fire prevention and fire safety systems, when the application is duly filed by a State-licensed specialty contractor for the design, installation, or upgrade of such system, and the review and issuance of the building permit or other code application has not been completed by the reviewing agency within 90 days of such submission to the reviewing agency. The period of time in excess of the 90-day period following timely filing of a complete application, but before issuance of the permit or approval of the application, shall constitute the period of time in which the time period and deadline is paused, tolled, or suspended.

- B. Amends Section 13.3.2.26.2., to read as follows:

13.3.2.26.2 Compliance shall be with either an automatic fire sprinkler system throughout the building or alternative fire prevention and fire safety systems in accordance with the requirements of a building fire and life safety evaluation code assessment as achieved by a passing score on a building fire and life safety evaluation code assessment. Existing high-rise residential buildings not protected throughout by an automatic fire sprinkler system shall be subject to building fire and life safety evaluation code assessments, which shall consist of an assessment of building safety features and fire protection systems in accordance with this code and the building code on a form prescribed by the AHJ in accordance with Section 20-__4. Existing high-rise residential buildings that opt to install an automatic fire sprinkler system throughout the building shall not be required to undergo the building fire and life safety evaluation code assessment; provided that, all buildings must continue to maintain a passing status on their respective building fire and life safety evaluation code assessment or maintain the codes and standards for automatic fire sprinkler systems that are current and applicable at the time the building permit application is submitted for approval. A passing score on the evaluation provides a minimum level of fire and life safety to occupants and fire fighters that is approved by the AHJ. A building fire and life safety evaluation shall be ~~conducted~~ prepared by a licensed design professional, or a building's authorized representative under the supervision of a licensed design professional, be stamped with the licensed design professional's authorized seal or stamp, and be authenticated as provided under Hawaii Administrative Rules Section 16-115-9. A building fire and life safety evaluation shall be conducted within three years from ~~[the effective date of this ordinance]~~ May 3, 2018. Buildings shall comply by passing the building fire and life safety evaluation within six years from ~~[the effective date of this ordinance]~~ May 3, 2018, unless compliance is met with an automatic fire sprinkler system as indicated in the building fire and life safety evaluation form, Table 8. The AHJ may grant an extension pursuant to Section 13.3.2.26.7 if automatic fire sprinkler systems are used to achieve compliance. All buildings must continue to maintain a passing status on their respective building fire and life safety evaluation code assessments or maintain an automatic sprinkler system that complies with this chapter and the building code at the time of the evaluation. For the purposes of this section, "existing high-rise residential building" means the same as "existing highrise residential building" as defined in Section 20-5.1.

- C. Amends Section 13.3.2.26.2.2, to read as follows:

13.3.2.26.2.2 Except as otherwise provided in this paragraph (15), which establishes the life safety evaluation system and authorizes owners of existing high-rise residential buildings to opt-out of approved automatic sprinkler systems through a life-safety evaluation process, existing high-rise residential buildings shall be protected throughout by an approved automatic fire sprinkler system in accordance with this chapter and the building code. Existing high-rise residential buildings that opt to install an automatic fire sprinkler system throughout the building shall not be required to undergo a building fire and life safety evaluation code assessment, but shall be required to apply for and obtain a building permit through a State-licensed specialty contractor for the automatic fire sprinkler system within two years from the date of notifying the AHJ of its option or selecting the option on the building fire and life safety evaluation code assessment form, Table 8.

- D. Adds a new SECTION 3 that amends Ordinance 18-14, SECTION 3, Section 20-___.3, Revised Ordinances of Honolulu 1990, to conform with revisions to Section 13.3.2.26.2, to read as follows:

"Sec. 20-___.3 Compliance.

A building fire and life safety evaluation code assessment shall be [~~conducted~~] prepared by a licensed design professional, or a building's authorized representative under the supervision of a licensed design professional using the building fire and life safety evaluation form prescribed by the AHJ in accordance with Section 13.3.2.26.2[-]; provided that existing high-rise residential buildings that opt to install an automatic fire sprinkler system throughout the building shall not be required to undergo a building fire and life safety evaluation code assessment for initial compliance. The AHJ may grant an extension per Section 13.3.2.26.2.7 if automatic fire sprinkler systems in common areas are used to achieve compliance. All buildings that are required to undergo a building fire and life safety evaluation code assessment must continue to maintain a passing status on their respective building fire and life safety evaluation code assessments."

- E. Adds a new SECTION 4 that amends the building fire and life safety evaluation form that was prescribed in Section 4, marked Exhibit A, of Ordinance 18-14, to a new form that is attached to the bill as Exhibit A, and is made a part of this ordinance by reference.

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- F. Adds a new SECTION 5 that attaches a list of the existing high-rise residential buildings that are subject to the building fire and life safety evaluation code assessment required under Ordinance 18-14, attached and marked as Exhibit B, and made a part of the ordinance by reference, and provides that the AHJ shall maintain a list of the buildings on its website, to read as follows:

"SECTION 5. The existing high-rise residential buildings not protected throughout by an automatic fire sprinkler system and are subject to the building fire and life safety evaluation code assessment required under Ordinance 18-14, are listed in the attachment hereto, marked Exhibit B, and made a part of this ordinance by reference. The listing of the existing high-rise residential buildings shall be maintained on the AHJ's website. For purposes of this ordinance, "existing high-rise residential building" means the same as defined in Section 20-5.1."

- G. Adds a new SECTION 6 that reads as follows:

"SECTION 6. For all existing high-rise residential buildings that are highlighted on the Exhibit B, attached hereto, the time periods and deadlines for compliance under Ordinance 18-14, as set forth in Section 13.3.2.26.2 and Section 13.3.2.26.2.7, as amended in Section 20-1.1(15), shall commence upon the effective date of this ordinance."

- H. Adds a new SECTION 7 that requires the AHJ to provide an annual report to the Council, to read as follows:

"SECTION 7. The AHJ shall provide an annual report to the Council not less than 20 days from the end of the fiscal year on the progress of the implementation of Ordinance 18-14, as it may be amended. The report shall include the number of buildings that are in compliance with Ordinance 18-14, or are in the process of achieving compliance with the ordinance and the status of the buildings' progress; any issues or concerns that have arisen relating to the implementation of Ordinance 18-14; a list of buildings that have provided the AHJ with a listing and contact information of their frail and vulnerable residents who may require evacuation assistance in an emergency; and any suggested amendments or changes to Ordinance 18-14 or to the building fire and life safety evaluation form."

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- I. Renumbers the remaining SECTIONS accordingly.
- J. Makes miscellaneous technical and nonsubstantive amendments, including amendments to correct grammatical and typographical errors, improve clarity, and conform the bill to recommended drafting style.

CAROL FUKUNAGA, Chair
Committee on Public Infrastructure,
Technology and Sustainability