



A BILL FOR AN ORDINANCE

RELATING TO CONSTRUCTION INSPECTIONS.

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

SECTION 1. Purpose. The purpose of this ordinance is to help expedite the construction of certain buildings and other structures by establishing a process, called special assignment inspections, to allow some construction activity to begin while building permit applications are still being reviewed. The landowner and the building permit holder assume all responsibility in the event that the construction does not comply with applicable codes.

SECTION 2. Section 18-3.1, Revised Ordinances of Honolulu 1990 ("Required"), is amended by adding a new subsection (c) to read as follows:

"(c) Special assignment inspection. The building official may allow construction to proceed prior to the issuance of a building permit required under subsection (a) if the building permit applicant submits to the building official a request for a special assignment inspection and all of the following requirements are satisfied with respect to the project for which the building permit is sought:

- (1) A building permit application has been accepted as complete, and the application has been under review for at least 30 days;
- (2) All applicable discretionary permits have been obtained; provided that if the only applicable discretionary permits are those issued by the building official and applications for the permits are pending with the building official, then the requirement of this subdivision may be met if the building official determines that the pending discretionary permits are achievable;
- (3) Adequate documentation has been submitted showing the satisfaction of, or the intent to satisfy, all applicable requirements for flood hazard certification, storm water quality compliance, and outstanding conditions of approval associated with discretionary permits;
- (4) Except for notices of violation and notices of order that will be corrected by the building permit issued pursuant to the application, there must be no outstanding notices of violation, notices of order, or unpaid civil fines for the subject property;



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- (5) The building permit application must not involve a single-family or two-family detached dwelling;
- (6) The work allowed to proceed must not involve work in a public right-of-way;
- (7) The nonrefundable special assignment inspection fee specified in Table No. 18-A must be paid at the time the request for a special assignment inspection is made;
- (8) The drawings used for the special assignment inspection, including the jobsite copy, must be identical to the drawings submitted with the building permit application, and the applicant shall ensure that all sets of drawings are consistent throughout the review period and construction phases;
- (9) The building official shall find that:
  - (A) It is reasonably likely that the building permit application, including all documents and materials submitted with or attached to the application, will be approved and the building permit issued;
  - (B) The construction poses no threat to public health and safety; and
  - (C) There is a sense of urgency to commence construction in a timely manner; examples include but are not limited to the impending lapse of funding, federal compliance deadlines, financing obligations, or lease obligations;
- (10) Special assignment inspections will be conducted as soon as practicable after the approval date of the initial request; if a building permit is not issued within an 18-month period, the applicant may submit a new request for a special assignment inspection, subject to the building official's approval; and
- (11) Special assignment inspections must not be used for purposes of obtaining a certificate of occupancy.

The building official may waive any or all of the requirements of this subsection if the building permit applicant demonstrates good cause; provided that the building official shall not approve a waiver that would result in any conflict with other requirements of this chapter.



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A building permit applicant requesting to proceed with construction under a special assignment inspection proceeds at the applicant's risk without assurance that a building permit will ultimately be issued. Violations discovered during the special assignment inspection may result in suspension of the special assignment inspection, a notice of violation, a stop work order, or suspension of the review of the building permit application."

SECTION 3. Table No. 18-A, Revised Ordinances of Honolulu 1990 ("Fees for Permits"), is amended by amending inspection fee (5) to read as follows:

"(5) Special assignment inspection fee        ~~[\$200.00]~~ \$1,000.00"

SECTION 4. Ordinance material to be repealed is bracketed and stricken, and 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 brackets, the material that has been bracketed and stricken, or the underscoring.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE 19-21

BILL 24 (2019), CD2

**A BILL FOR AN ORDINANCE**

SECTION 5. This ordinance takes effect upon its approval.

INTRODUCED BY:

Ann Kobayashi (br)

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DATE OF INTRODUCTION:

April 26, 2019  
Honolulu, Hawaii

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Councilmembers

APPROVED AS TO FORM AND LEGALITY:

*Molly A. Stebbins* MOLLY A. STEBBINS  
Deputy Corporation Counsel

APPROVED this 18<sup>th</sup> day of September, 20 19.

*Kirk Caldwell*

KIRK CALDWELL, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE **19-21**

BILL 24 (2019), CD2

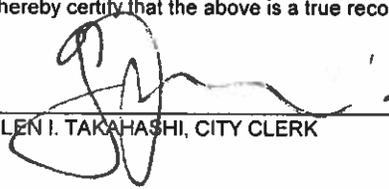
Introduced: 04/26/19 By: ANN KOBAYASHI - BY REQUEST Committee: ZONING, PLANNING AND HOUSING

Title: A BILL FOR AN ORDINANCE RELATING TO CONSTRUCTION INSPECTIONS.

Voting Legend: \* = Aye w/Reservations

NOTE: COUNCILMEMBER WATERS TOOK OFFICE ON MONDAY, MAY 6, 2019.		
05/08/19	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON ZONING, PLANNING AND HOUSING. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, MANAHAN, MENOR, PINE, TSUNEYOSHI, WATERS. 1 ABSENT: KOBAYASHI.
<u>CC-173</u> ANDERSON - COUNCIL STANDING COMMITTEE ASSIGNMENTS.		
<u>CC-181</u> ANDERSON - RE-REFERRAL OF BILLS, RESOLUTIONS AND COMMUNICATIONS.		
07/25/19	ZONING, PLANNING AND HOUSING	CR-229 - BILL REPORTED OUT FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING AS AMENDED IN CD1 FORM. 5 AYES: ELEFANTE, KOBAYASHI, MANAHAN, MENOR, WATERS.
07/27/19	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
08/07/19	COUNCIL/PUBLIC HEARING	CR-229 ADOPTED. BILL PASSED SECOND READING AS AMENDED, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON ZONING, PLANNING AND HOUSING. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI, WATERS.
08/14/19	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
08/22/19	ZONING, PLANNING AND HOUSING	CR-265 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD2 FORM. 5 AYES: ELEFANTE, KOBAYASHI, MANAHAN, MENOR, WATERS.
09/04/19	COUNCIL	CR-265 ADOPTED AND BILL 24 (2019), CD2 PASSED THIRD READING AS AMENDED. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI, WATERS.

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.

  
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GLEN I. TAKAHASHI, CITY CLERK

  
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IKAIKA ANDERSON, CHAIR AND PRESIDING OFFICER

19-21