



A BILL FOR AN ORDINANCE

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RELATING TO REAL PROPERTY TAXATION.

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

SECTION 1. The purpose of this ordinance is to amend certain provisions of the Revised Ordinances of Honolulu 1990, as amended relating to dedication of lands for agricultural use.

SECTION 2. Section 8-7.1, Revised Ordinances of Honolulu 1990, as amended, is amended by amending subsection (c) to read as follows:

- “(c) (1) Land shall be classified, upon consideration of its highest and best use, into the following general classes:
- (A) Improved residential;
  - (B) Unimproved residential;
  - (C) Apartment;
  - (D) Hotel and resort;
  - (E) Commercial;
  - (F) Industrial;
  - (G) Agricultural;
  - (H) Preservation;
  - (I) Public service; and
  - (J) Vacant agricultural
- (2) In assigning land to one of the general classes, the director shall give major consideration to the districting established by the city in its general plan and zoning ordinance, and such other factors which influence highest and best use.



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Notwithstanding the city's zoning district classification, the director shall assign to the agricultural class any land classified as tree farm property under HRS Chapter 186.

- (3) When real property is subdivided into condominium units, each unit and its appertaining common interest:
  - (A) Shall be classified upon consideration of the unit's actual use into one of the general classes in the same manner as land; and
  - (B) Shall be deemed a parcel and assessed separately from other units.
  
- (4) Notwithstanding any provision contained in this subsection, a condominium unit which is used at any time during the assessment year as a time share unit shall be classified for the following tax year as "hotel and resort" unless:
  - (A) The unit is on property zoned as apartment, apartment mixed use, apartment precinct, or apartment mixed use precinct,
  - (B) The property on which the unit is located does not include a lobby with a clerk's desk or counter with 24-hour clerk service facilities for registration and keeping of records relating to persons using the property, and
  - (C) The unit is part of a condominium property regime established pursuant to HRS Chapter 514A.

If the requirements of (A), (B) and (C) are met, the time share unit shall be classified as "apartment." For purposes of this paragraph, "assessment year" shall mean the one-year period beginning October 2<sup>nd</sup> of the previous calendar year and ending October 1<sup>st</sup>, inclusive, of the calendar year preceding the tax year, and "time sharing" shall be as defined in Section 21-10.1.

- (5) "Improved residential" means land which is classified as residential by the director upon consideration of its highest and best use which fulfills the provisions of at least one of the following paragraphs:



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- (A) Land which has been subdivided prior to any assessment year as a lot for single- or two-family residential use in conformity with the then existing county zoning ordinances, and has been approved for sale or approved as being in conformity with all of the subdivision requirements of the city; or
  - (B) Land which is in actual single- or two-family residential use at a density of at least a single- or a two-family residential building per acre; or
  - (C) Land which is sufficiently developed with necessary land improvements to support a use density of at least a single- or two-family residential building per acre.
- (6) "Unimproved residential" means all residential class lands not classified as "improved residential."
- (7) "Vacant agricultural" means [land] a parcel, or portion thereof, which would otherwise be classified [agriculture] agricultural by the director upon major consideration of the districting established by the city in its general plan and zoning ordinance and of such other factors which influence highest and best use, but which [land:] parcel, or portion thereof: (i) has no residential buildings; and (ii) is not [in agricultural production.] dedicated for agricultural purposes. If a portion of a parcel is dedicated as vacant agricultural, the remainder of the parcel that is zoned agricultural must be dedicated for agricultural use.
- (8) Notwithstanding any provision contained in this subsection, all lands actually used by a public service company in its public service business shall be classified public service. For purposes of this subsection, a public service company is defined as a public utility, except airlines, motor carriers, common carriers by water, and contract carriers, where:
- (A) "Public utility" means and includes every person who may own, control, operate, or manage as owner, lessee, trustee, receiver, or otherwise, whether under a franchise, charter, license, articles of association, or otherwise, any plant or equipment, or any part thereof, directly or indirectly for public use, for the transportation of passengers or freight, or the conveyance or transmission of telecommunications messages, or the furnishing of facilities for the



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transmission of intelligence by electricity by land or water or air within the state, or between points within the state, or for the production, conveyance, transmission, delivery, or furnishing of light, power, heat, cold, water, gas, or oil, or for the storage or warehousing of goods, or the disposal of sewage; provided that the term:

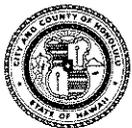
- (i) Shall include any person insofar as that person owns or operates a private sewer company or sewer facility;
- (ii) Shall include telecommunications carrier or telecommunications common carrier;
- (iii) Shall not include any person insofar as that person owns or operates an aerial transportation enterprise;
- (iv) Shall not include persons owning or operating taxicabs, as defined in this subsection;
- (v) Shall not include common carriers transporting only freight on the public highways, unless operating within localities or along routes or between points that the public utilities commission of the State of Hawaii finds to be inadequately serviced without regulation under this chapter;
- (vi) Shall not include persons engaged in the business of warehousing or storage unless the public utilities commission of the State of Hawaii finds that regulation thereof is necessary in the public interest;
- (vii) Shall not include:
  - (aa) The business of any carrier by water to the extent that the carrier enters into private contracts for towage, salvage, hauling, or carriage between points within the state and the carriage is not pursuant to either an established schedule or an undertaking to perform carriage services on behalf of the public generally; and



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- (bb) The business of any carrier by water, substantially engaged in interstate or foreign commerce, transporting passengers on luxury cruises between points within the state or on luxury round-trip cruises returning to the point of departure;
- (viii) Shall not include any person who:
  - (aa) Controls, operates, or manages plants or facilities for the production, transmission, or furnishing of power primarily or entirely from nonfossil fuel sources; and
  - (bb) Provides, sells, or transmits all of that power, except such power as is used in its own internal operations, directly to a public utility for transmission to the public;
- (ix) Shall not include a telecommunications provider only to the extent determined by the public utilities commission of the State of Hawaii, pursuant to applicable state law.
- (x) Shall not include any person who controls, operates, or manages plants or facilities developed pursuant to applicable state law for conveying, distributing, and transmitting water for irrigation and such other purposes that shall be held for public use and purpose; and
- (xi) Shall not include any person who owns, controls, operates, or manages plants or facilities for the reclamation of wastewater; provided that:
  - (aa) The services of the facility shall be provided pursuant to a service contract between the person and a state or county agency and at least 10 percent of the wastewater processed is used directly by the state or county which has entered into the service contract;
  - (bb) The primary function of the facility shall be the processing of secondary treated wastewater that has been produced by a municipal wastewater treatment facility that is owned by a state or county agency;



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- (cc) The facility shall not make sales of water to residential customers;
  - (dd) The facility may distribute and sell recycled or reclaimed water to entities not covered by a state or county service contract; provided that, in the absence of regulatory oversight and direct competition, the distribution and sale of recycled or reclaimed water shall be voluntary and its pricing fair and reasonable. For purposes of this subparagraph xi, "recycled water" and "reclaimed water" mean treated wastewater that by design is intended or used for a beneficial purpose; and
  - (ee) The facility shall not be engaged, either directly or indirectly, in the processing of food wastes.
- (B) "Motor carrier" means a common carrier or contract carrier transporting freight or other property on the public highways, other than a public utility or taxicab.
- (C) "Contract carrier" means a person other than a public utility or taxicab which, under contracts or agreements, engages in the transportation of persons or property for compensation, by land, water, or air.
- (D) "Carrier" means a person who engages in transportation, and does not include a person such as a freight forwarder or tour packager who provides transportation by contracting with others, except to the extent that such person oneself engages in transportation.
- (E) "Taxicab" means and includes:
- (i) Any motor vehicle used in the movement of passengers on the public highways under the following circumstances, namely, the passenger hires the vehicle on call or at a fixed stand, with or without baggage for transportation, and controls the vehicle to the passenger's destination; and



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- (ii) Any motor vehicle having seating accommodations for eight or less passengers used in the movement of passengers on the public highways between a terminal, i.e., a fixed stand, in the city of Honolulu, and a terminal in a geographical district outside the limits of the city of Honolulu, and vice versa, without picking up passengers other than at the terminals or fixed stands; provided that passengers may be unloaded at any point between terminals; and provided further that this definition relating to motor vehicles operating between terminals shall pertain only to those motor vehicles whose operators or owners were duly licensed under any applicable provision of law or ordinance and doing business between such terminals on January 1, 1957.
  
- (F) "Telecommunications carrier" or "telecommunications common carrier" means any person that owns, operates, manages, or controls any facility used to furnish telecommunications services for profit to the public, or to classes of users as to be effectively available to the public, engaged in the provision of services, such as voice, data, image, graphics, and video services, that make use of all or part of their transmission facilities, switches, broadcast equipment, signalling, or control devices.
  
- (G) "Telecommunications service" or "telecommunications" means the offering of transmission between or among points specified by a user, of information of the user's choosing, including voice, data, image, graphics, and video without change in the form or content of the information, as sent and received, by means of electromagnetic transmission, or other similarly capable means of transmission, with or without benefit of any closed transmission medium, and does not include cable service as defined under applicable state law."

SECTION 3. Section 8-7.3, Revised Ordinances of Honolulu 1990, as amended, is amended to read as follows:

**"Sec. 8-7.3 Dedication of lands for agricultural use.**

- (a) As used in this section:



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“Agricultural use of land” means the active use of the land for the production of agricultural products.

“Agricultural products” include such products as floricultural, horticultural, viticultural, aquacultural, forestry, nut, coffee, dairy, livestock, poultry, bee, animal, tree farm, animals raised by grazing and pasturing, and any other farm, agronomic, or plantation products.

“Owner” or “property owner” mean the fee simple owner of the real property provided that for government-owned real property, “owner” or “property owner” mean a lessee of the land where (i) the lease allows the specific agricultural use, and (ii) the lease term extends through the period of the dedication.

“Maintain as agricultural land” means that the [subject] land dedicated for agricultural use throughout the [subject time] dedication period is not, at the initiation of the owner or with the authorization of the owner, subject to (i) a change in the state land use classification from [agriculture] agricultural to urban or rural district, (ii) a change in the county zoning from [agriculture,] agricultural, preservation or country district, or (iii) a subdivision of the land into parcels of five acres or less.

“Residential homesite area” means that portion of the parcel, which is zoned agricultural and used for residential purposes, including land upon which the house is located and the land designated to be the yard space. A residential homesite area cannot be dedicated for agricultural use.

“Substantial and continuous agricultural use” means no less than 75 percent of the area of the subject land, but excluding the area of unusable land, is in active, continuous and revenue-generating agricultural use throughout the subject time period. For lands dedicated for a period of five years or 10 years, substantial and continuous agricultural use shall include necessary and customary following periods.

“Tree farm property” and “tree farm” mean land classified as tree farm property under HRS Chapter 186.

“Unusable land” means that portion of the lands dedicated for a specific agricultural use that the director determines to be unsuitable for the dedicated agricultural use.

- (b) Lands for which the director has approved a petition for dedication for a specific agricultural use for a period of one year, five years, or 10 years shall be classified



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and assessed for real property tax purposes at a percentage of the land's fair market value as established in subdivision (2) and shall be subject to the following:

- (1) The land dedicated must be substantially and continuously used for the business of raising and producing agricultural products in their natural state.
  - (2) Dedicated land shall be assessed as follows:
    - (A) For land dedicated for a period of one year, the land shall be assessed at five percent of its fair market value.
    - (B) For land dedicated for a period of five years, the land shall be assessed at three percent of its fair market value.
    - (C) For land dedicated for a period of 10 years, the land shall be assessed at one percent of its fair market value.
    - (D) For land dedicated for a pasture use for a period of one, five or 10 years, the land shall be assessed at one percent of its fair market value.
  - (3) The land dedicated shall be substantially and continuously in a use specified under subdivision (1) for the duration of the dedication period.
- (c) Notwithstanding the provisions of subsection (b), in the event the highest per-acre calculation for lands dedicated for five years under subsection (b)(2)(B) based on the minimum lot size as designated in the Chapter 21 for lands located in agricultural districts exceeds the average agricultural production value per acre for the county for vegetables and melon crops, and fruits excluding pineapple, as determined annually by the director, then the percent of market value for five-year dedications set forth in subsection (b)(2)(B) shall be changed so as not to exceed the average agricultural production value per acre for such crops. The percent of market value for one-year dedications set forth in subsection (b)(2)(A) shall also be changed to not exceed the percent of market value for five-year dedications by more than 1.67 times, and the percent of market value for 10-year dedications set forth in subsection (b)(2)(C) shall also be changed to not exceed the percent of market value for five-year dedications by more than 0.33 times.



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- (d) Lands for which the director has approved a petition for dedication as vacant agricultural land for a period of 10 years shall be classified and assessed for real property tax purposes at 50 percent of the land's fair market value, provided that for the period of the dedication, the land dedicated is not, at the initiation of the owner or with the authorization of the owner, subject to (i) a change in the state land use classification from [agriculture] agricultural to urban or rural district, (ii) a change in the county zoning from [agriculture, preservation or country district,] agricultural or (iii) a subdivision of the land into parcels of [five] ten acres or less.
- (e) A petition to dedicate land or a portion thereof for a specific agricultural use or as vacant agricultural land shall be filed with the director. An owner of the land may petition for dedication, or with the written authorization of the owner, a lessee, permittee or licensee may petition for dedication of the owner's land. The petition for dedication for a specific agricultural use shall require a declaration that if the petition is approved by the director, the land shall be used for the specific agricultural use for the duration of the dedication period, and a petition for dedication as vacant agricultural land shall require a declaration that if the petition is approved by the director, the land shall be maintained as agriculture land for the duration of the dedication period. The petition for a dedication for a specific agricultural use shall be supported by an agricultural plan. The director shall prescribe the form of the petition and of the agricultural plan. The agricultural plan may include the following:
- (1) A description of the specific agricultural use;
  - (2) A tax map key number of the owner's land;
  - (3) A description of the total acreage of the land;
  - (4) A description of the acreage to be utilized for the specific agricultural [use;] use or as vacant agricultural land;
  - (5) A description of the residential homesite area, if any, excluded from the dedication;
  - (6) A timetable for implementation of the plan; and
- [(6)] (7) A copy of a valid State of Hawaii general excise tax license issued for agricultural purposes.



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- (f) [Lands which have] A parcel, or portion thereof, which has been approved for dedication as vacant agricultural land may have [their] its dedicated use, for all or a portion thereof, changed to a specific agricultural use without the imposition of the rollback tax and penalty upon petition to the director to change the dedication of the [lands] parcel or portion thereof to a specific agricultural use, provided that:
- (1) When the remaining period of the dedication for vacant agricultural land is more than five years, the dedication for a specific agricultural use shall be for a [five- or] 10-year period;
  - (2) When the remaining period of the dedication for vacant agricultural land is less than five years, the dedication for a specific agricultural use shall be for a [one-, five-,] five or 10-year period.

The petition for change of the dedication shall be filed by the owner of the land or with the written authorization of the owner, by a lessee, permittee or licensee of the land, as the case may be. The director shall prescribe the form of the petition to change dedication.

- (g) Upon receipt of a petition as provided in subsection (e), the director shall make a finding of fact as to whether the land in the petition area is reasonably well suited for the designated specific agricultural use or is classified [agriculture] agricultural under Section 8-7.1 and qualifies to be maintained as agricultural land. The finding shall be based upon a study of the ownership, size of operating unit, the present use of surrounding similar lands, the state and county land use restrictions for the land and other criteria as may be appropriate. The director shall also make a finding of fact as to whether the designated specific agricultural use or vacant agricultural land use conforms to the development plan for the area. The director shall also make a finding of fact as to the economic feasibility of the designated specific agricultural use of the land. If all the findings are favorable, the director shall approve the petition and declare the land to be dedicated for the designated specific agricultural use or as vacant agricultural land.
- (h) The approval by the director of the petition to dedicate shall constitute a forfeiture on the part of the owner of any right to change the use of the owner's land to a use other than [agriculture] agricultural for a minimum period of one year, five years, or 10 years, as the case may be or to cease to maintain the land as agricultural land for a minimum of 10 years.



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- (i) The petition for dedication shall be filed with the director by September 1<sup>st</sup> of any calendar year and shall be approved or disapproved by October 31. If approved, the assessment based upon the use requested in the petition for dedication shall be effective on [July 1<sup>st</sup>] October 1<sup>st</sup> of the [following tax] same calendar year.
- (j) The owner of any parcel of land dedicated under this section shall annually submit a report to the director no later than September 1<sup>st</sup> following each tax year of the dedication. The report may be rejected by the director in the event the report is incomplete or contains erroneous or incorrect information. The report shall be accepted or rejected by the director by October 31 of the year in which it is submitted. The director shall prescribe the form of the report. The report may include but is not limited to:
- (1) An updated description of the agricultural use of the land during the immediately preceding and current tax years;
  - (2) A copy of all state general excise tax returns for the immediately preceding tax year concerning activities conducted on the parcel of land dedicated for a specific agricultural use;
  - (3) A description of the acreage and percentage of the area of the parcel of land utilized for the specified agricultural use during the immediately preceding and current tax years; and
  - (4) A declaration, if applicable, that the owner will keep the land in substantial and continuous agricultural use, or will maintain the land as agricultural land through the remaining period of the dedication.

Any part of the report containing confidential commercial or financial information, including income statements or tax statements, shall be clearly labeled by the owner as such and shall not be open to inspection by the public.

- (k) If land dedicated for agricultural use undergoes a change in classification which is not at the initiation of the owner or with the authorization of the owner, such that there is (i) a change in the state land use classification from agriculture to urban or rural district, (ii) a change in the county zoning from agriculture, preservation or country district, the dedication shall continue unless the owner files a written notice of cancellation with the director within 60 days of the change. Such cancellation shall be effective on the next July 1<sup>st</sup> which is at least nine months after the filing.



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- (l) In the event that a dedication is canceled or expires, the director shall execute an expiration or cancellation of the dedication.
  
- (m) In the event the director, upon inspection, finds that dedicated agricultural land is not in substantial and continuous agricultural use, that the land has not been maintained as agricultural land, that the property owner failed to file the required report in a timely manner, or that the required report must be rejected, the owner shall be notified of the finding and the owner shall have 60 days to address the finding. In the event the owner fails to satisfactorily address the finding, the dedication shall be canceled and the property owner shall be subject to a rollback tax and penalty. The rollback tax shall be the difference between the taxes owed for the land at 100 percent of the land's assessed value at fair market value and the taxes actually imposed on the land, retroactive from June 30<sup>th</sup> of the tax year in which the dedication was canceled to July 1<sup>st</sup> of the initial year of the dedication at the tax rate applicable for the respective tax years, except as provided in paragraphs (1) and (2) below. The penalty shall be 10 percent for each year of the rollback tax. The rollback tax and penalty shall be a paramount lien upon the property.
  - (1) For lands dedicated for five years and subject to a cancellation after the third tax year of the dedication period, the period of the rollback tax shall be in accordance with the following schedule:
    - (A) For two tax years for a cancellation in the fourth tax year of the dedication period, retroactive from June 30<sup>th</sup> of the fourth tax year to July 1<sup>st</sup> of the third tax year of the dedication period;
    - (B) For one tax year for a cancellation in the fifth tax year of the dedication period, retroactive from June 30<sup>th</sup> of the fifth tax year to July 1<sup>st</sup> of the fifth tax year of the dedication period.
  - (2) For lands dedicated for 10 years and subject to a cancellation after the fifth year of the dedication period, the period of the rollback tax shall be in accordance with the following schedule:
    - (A) For five tax years for a cancellation in the sixth tax year of the dedication period, retroactive from June 30<sup>th</sup> of the sixth tax year to July 1<sup>st</sup> of the second tax year of the dedication period;



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- (B) For four tax years for a cancellation in the seventh tax year of the dedication period, retroactive from June 30<sup>th</sup> of the seventh tax year to July 1<sup>st</sup> of the fourth tax year of the dedication period;
  - (C) For three tax years for a cancellation in the eighth tax year of the dedication period, retroactive from June 30<sup>th</sup> of the eighth tax year to July 1<sup>st</sup> of the sixth tax year of the dedication period;
  - (D) For two tax years for a cancellation in the ninth tax year of the dedication period, retroactive from June 30<sup>th</sup> of the ninth tax year to July 1<sup>st</sup> of the eighth tax year of the dedication period;
  - (E) For one tax year for a cancellation in the tenth tax year of the dedication period, retroactive from June 30<sup>th</sup> of the tenth tax year to July 1<sup>st</sup> of the tenth tax year of the dedication period;
- (n) The owner may appeal any disapproved petition for dedication, rejection of the annual report, cancellation of the dedication, or imposition of a rollback tax and penalty in the same manner as an appeal from an assessment.
- (o) Notwithstanding any provision in this section to the contrary, the occurrence of any of the following events shall cause the dedication to be canceled without the imposition of any rollback taxes or penalties whatsoever.
- (1) The death of any owner; or
  - (2) Events beyond the owner's control make it unfeasible to continue the agricultural use of the dedicated property, including, but not limited to:
    - (A) A serious or debilitating long-term illness or injury suffered by the owner;
    - (B) A natural disaster such as a windstorm, flood, disease, or infestation that destroys the crop or livestock on the dedicated parcel; or
    - (C) The taking of the dedicated parcel or any portion thereof by a governmental entity, provided that where only a portion of the parcel is taken, the cancellation shall be effective only as to the portion taken.



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- (3) The change of a dedication of vacant agricultural lands to a dedication for a specific agricultural use under subsection (f).
- (p) Notwithstanding any provisions in this section to the contrary, for five- and 10-year dedications of land for a specific agricultural use, the director may grant an owner a grace period which may be granted subject to the following conditions:
- (1) A grace period may be granted only if one of the following events occurs:
- (A) A bank or other lending institution acquires possession of a property as a result of a default of a mortgage on the property; or
- (B) The agricultural use of a dedicated parcel is terminated because a lessee has abandoned or terminated a lease prior to the end of the term of the lease, the owner of the parcel has not found another lessee, and the lease has a term of five years or longer.
- (2) During the grace period, the owner is not required to use the land for the business of raising and producing agricultural products.
- (3) At the end of the grace period, the owner shall use the land for the business of raising and producing agricultural products for the entire remaining period of the owner's dedication. The grace period shall not be counted in determining the owner's compliance with the dedication.
- (4) The grace period shall not exceed two years.
- (5) During the grace period, the land shall be assessed at 100 percent of market value.
- (6) No grace period shall be granted for a parcel of land within five years following the expiration of a previous grace period."

SECTION 4. Any other law notwithstanding, for the tax year 2007-2008 only, the director of budget and fiscal services shall remit taxes due or paid for real property which would have qualified for an agricultural dedication under the provisions of this ordinance and for which a petition was filed by September 1, 2006.



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The director shall review all disapproved petitions for agricultural dedications for tax year 2007-2008 and approve or disapprove each based on the provisions of this ordinance. For newly approved petitions, the director shall remit the amount necessary for the total tax on the property to equal that of the total tax on the property subsequent to qualifying for the agricultural dedication for the tax year. The minimum tax of ROH Section 8-11.1(g) shall apply to real property, the tax on which is remitted under this section. In no case shall the amount remitted for a parcel of real property under this section cause the tax on that parcel to be less than the minimum.

SECTION 5. Ordinance material to be repealed is bracketed. 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, bracketed material, or the underscoring.



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SECTION 6. This ordinance shall take effect upon its approval and, except for those petitions approved for remittance pursuant to Section 4 of this ordinance, shall apply to the tax years beginning July 1, 2008 and thereafter.

INTRODUCED BY:  
[Handwritten Signature]

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\_\_\_\_\_  
\_\_\_\_\_

DATE OF INTRODUCTION:

DEC 07 2006

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

[Handwritten Signature]

Deputy Corporation Counsel

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
MUFU HANNEMANN, Mayor  
City and County of Honolulu

(OCS/120406/ct)

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE **07 - 4**

**BILL 90 (2006)**

Introduced: 12/07/06 By: DONOVAN DELA CRUZ (BY REQUEST)

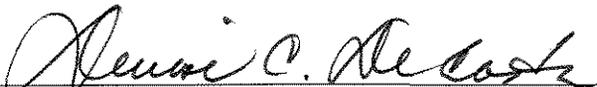
Committee: BUDGET

Title: A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Links: [BILL 90 \(2006\)](#)  
[CR-12](#)

COUNCIL	12/13/06	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON BUDGET.				
	APO Y	CACHOLA Y	DELA CRUZ Y	DJOU Y	GARCIA Y	
	KOBAYASHI Y	MARSHALL Y	OKINO Y	TAM Y		
BUDGET	01/10/07	CR-12 (2007) – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.				
PUBLISH	01/13/07	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-BULLETIN.				
COUNCIL/PUBLIC HEARING	01/24/07	BILL PASSED SECOND READING, CR-12 (2007) ADOPTED, PUBLIC HEARING CLOSED AND BILL REFERRED TO BUDGET COMMITTEE.				
	APO Y	CACHOLA Y	DELA CRUZ Y	DJOU Y	GARCIA Y	
	KOBAYASHI Y	MARSHALL Y	OKINO Y	TAM E		
PUBLISH	02/10/07	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-BULLETIN.				
BUDGET	02/07/07	CR-36 (2007) – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING.				
COUNCIL	02/21/07	BILL 90 (2006) PASSED THIRD READING AND CR-36 (2007) ADOPTED.				
	APO Y	CACHOLA Y	DELA CRUZ Y	DJOU Y	GARCIA Y	
	KOBAYASHI Y	MARSHALL Y	OKINO Y	TAM Y		

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.

  
DENISE C. DE COSTA, CITY CLERK

  
BARBARA MARSHALL, CHAIR AND PRESIDING OFFICER

ORDINANCE NO. 07-4

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

CERTIFICATE

I hereby certify that on February 22, 2007, Bill 90 (2006) was presented to the Honorable Mufi Hannemann, Mayor of the City and County of Honolulu, for his approval or otherwise; and that on March 8, 2007, the Mayor returned said Bill without his signature; therefore, pursuant to Section 3-203 of the Revised Charter of Honolulu, said Bill 90 (2006) became a duly enacted ordinance on March 9, 2007.

Dated, Honolulu, State of Hawaii, this 9th day of March, 2007.

CITY COUNCIL

By *Barbara Marshall*  
BARBARA MARSHALL  
Chair and Presiding Officer

ATTEST:

*Denise C. De Costa*  
DENISE C. DE COSTA  
City Clerk