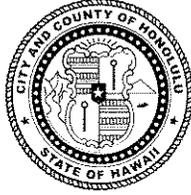


OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU

530 SOUTH KING STREET • HONOLULU, HAWAII 96813
TELEPHONE: (808) 768-4141 • FAX: (808) 768-4242 • INTERNET: www.honolulu.gov

MUFI HANNEMANN
MAYOR



May 7, 2009

Ms. Bernice K. N. Mau
Acting City Clerk
Office of the City Clerk
530 South King Street
Honolulu, Hawaii 96813

Dear Ms. Mau:

Subject: Approved Bills

The following bills are approved and returned herewith:

- | | |
|------------------|---|
| Bill 4, CD2, FD1 | Relating to the use of electronic devices while operating motor vehicles. |
| Bill 5, CD2 | Relating to banners. |
| Bill 7, CD1 | Relating to building permits. |

Yours truly,

A handwritten signature in black ink, appearing to read "Mufi Hannemann", is written over a horizontal line.

Mufi Hannemann
Mayor

Attachments

RECEIVED

MAY 7 1 08 PM '09

CITY CLERK
HONOLULU, HAWAII



A BILL FOR AN ORDINANCE

RELATING TO THE USE OF ELECTRONIC DEVICES WHILE OPERATING MOTOR VEHICLES.

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

SECTION 1. The purpose of this ordinance is to prohibit the use of certain electronic devices while operating a motor vehicle.

SECTION 2. Chapter 15, Article 24, Revised Ordinances of Honolulu 1990, as amended ("Miscellaneous Provisions"), is amended by adding a new section to be appropriately designated by the revisor of ordinances and to read as follows:

"Sec. 15-24. Mobile electronic devices.

- (a) No person shall operate a motor vehicle while using a mobile electronic device.
- (b) The use of a mobile electronic device for the sole purpose of making a "911" emergency communication shall be an affirmative defense to this ordinance.
- (c) The following persons shall be exempt from the provisions of subsection (a):
 - (1) Emergency responders using a mobile electronic device while in the performance and scope of their official duties;
 - (2) Drivers using two-way radios while in the performance and scope of their work-related duties;
 - (3) Drivers holding a valid amateur radio operator license issued by the federal communications commission and using a half-duplex two-way radio.
- (d) As used in this section:

"Emergency responders" include fire fighters, emergency medical technicians, mobile intensive care technicians, civil defense workers, police officers and federal and state law enforcement officers.

"Mobile electronic device" means any hand-held or other portable electronic equipment capable of providing wireless and/or data communication between two or more persons or of providing amusement, including but not limited to a cellular phone, text messaging device, paging device, personal digital



A BILL FOR AN ORDINANCE

assistant, laptop computer, video game, or digital photographic device, but does not include any audio equipment or any equipment installed in a motor vehicle for the purpose of providing navigation, emergency assistance to the operator of the motor vehicle or video entertainment to the passengers in the rear seats of the motor vehicle.

“Operate” a motor vehicle means the same as is defined in HRS Section 291E-1.

“Use or using” means holding a mobile electronic device while operating a motor vehicle.”

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 the underscoring.



A BILL FOR AN ORDINANCE

SECTION 4. This ordinance shall take effect on July 1, 2009.

INTRODUCED BY:

Rod Tam

Donovan Dela Cruz

DATE OF INTRODUCTION:

January 28, 2009
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Joy S. Kiteoka
Deputy Corporation Counsel

APPROVED this 7th day of May, 2009.

Mufi Hannemann
MUFU HANNEMANN, Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE

BILL 4 (2009), CD2, FD1

Introduced: 01/28/09 By: ROD TAM

Committee: TRANSPORTATION
AND PLANNING

Title: A BILL FOR AN ORDINANCE RELATING TO THE USE OF ELECTRONIC DEVICES WHILE OPERATING MOTOR VEHICLES.

Links: [BILL 4 \(2009\)](#)
[BILL 4 \(2009\), CD1](#)
[BILL 4 \(2009\), CD2](#)
[BILL 4 \(2009\), CD2, FD1](#)
[CR-95](#)
[CR-129](#)

NOTE: COUNCILMEMBER BARBARA MARSHALL PASSED AWAY ON SUNDAY, FEBRUARY 22, 2009. ALTHOUGH THERE IS A VACANCY, THE COUNCIL CONTINUES TO OPERATE IN ACCORDANCE WITH THE 9 MEMBERS IT IS ENTITLED TO PURSUANT TO SECTION 3-102, REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED. HOWEVER, THE CERTIFICATE WILL NOT REFLECT THE VACANCY ON THE VOTE RECORDED FOR THIS ITEM.

COUNCIL	02/25/09	BILL PASSED FIRST READING AND REFERRED TO THE COMMITTEE ON TRANSPORTATION AND PLANNING.
	APO Y GARCIA Y	BAINUM Y OKINO Y
		CACHOLA Y TAM Y
		DELA CRUZ Y
		DJOU A
TRANSPORTATION AND PLANNING	03/05/09	CR-95 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING AS AMENDED IN CD1 FROM.
PUBLISH	03/07/09	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.
COUNCIL/PUBLIC HEARING	03/18/09	CR-95 ADOPTED. BILL PASSED SECOND READING AS AMENDED (BILL 4 (2009), CD1), PUBLIC HEARING CLOSED AND REFERRED TO TRANSPORTATION AND PLANNING COMMITTEE.
	APO Y GARCIA Y	BAINUM Y OKINO Y
		CACHOLA Y TAM Y
		DELA CRUZ Y
		DJOU Y
PUBLISH	03/23/09	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.
TRANSPORTATION AND PLANNING	04/09/09	CR-129 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD2 FORM.

COUNCIL 04/22/09 NOTE: PROPOSED FD1 VERSION (OCS/041509/03:14/HM) AS POSTED ON THE AGENDA WAS NOT CONSIDERED.

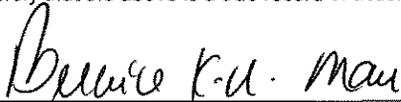
BILL 4 (2009), CD2 WAS AMENDED TO FD1 (OCS/041609/10:16/HM).

APO	Y	BAINUM	Y	CACHOLA	Y	DELA CRUZ	Y	DJOU	A
GARCIA	Y	OKINO	Y	TAM	Y				

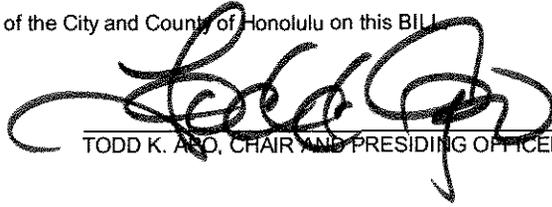
CR-129 WAS ADOPTED AND BILL 4 (2009), CD2, FD1 PASSED THIRD READING.

APO	N	BAINUM	Y	CACHOLA	Y	DELA CRUZ	Y	DJOU	A
GARCIA	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.



BERNICE K. N. MAU, ACTING CITY CLERK



TODD K. AHO, CHAIR AND PRESIDING OFFICER



A BILL FOR AN ORDINANCE

RELATING TO BANNERS.

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

SECTION 1. Purpose. The purpose of this ordinance is to permit the display of banners along certain streets, increase the banner fees, and make conforming amendments.

SECTION 2. Section 41-22.2, Revised Ordinances of Honolulu 1990 ("Definitions"), is amended by amending the definition of "Authorized street" to read as follows:

""Authorized street" means within the City and County of Honolulu, so much of Kalakaua Avenue between its intersection with Ala Moana Boulevard and its intersection with Kapahulu Avenue; so much of Ala Moana Boulevard between its intersection with Atkinson Drive and its intersection with Kalakaua Avenue; so much of King Street between its intersection with Bethel Street and its intersection with Kapiolani Boulevard; [and] so much of Bishop Street between its intersection with Queen Street and its intersection with Hotel Street[.]; so much of Punchbowl Street between its intersection with Vineyard Boulevard and its intersection with King Street; and so much of Beretania Street between its intersection with Alapai Street and its intersection with Alakea Street."

SECTION 3. Section 41-22.5 ("Application process and fees") is amended by amending subsection (d) to read as follows:

"(d) Fees. Every applicant shall pay to the director of [finance] budget and fiscal services a fee of [\$35.00,] \$65.00 for each and every banner to be displayed. No banner shall be displayed from any lamppost by the department of [transportation services] facility maintenance unless and until the full fee required has been paid in advance."

SECTION 4. Ordinance material to be repealed is bracketed. New 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 bracketed material or the underscoring.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 5 (2009), CD2

A BILL FOR AN ORDINANCE

SECTION 5. This ordinance shall take effect upon its approval; provided that the amendments made to the definition of "Authorized street" in Section 2 of this ordinance shall be repealed on July 31, 2009.

INTRODUCED BY:

Nestor Garcia (BR)

DATE OF INTRODUCTION:

February 02, 2009
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Don S. Ritscher
Deputy Corporation Counsel

APPROVED this 7th day of May, 2009.

Mufi Hannemann
MUFU HANNEMANN, Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE

BILL 5 (2009), CD2

Introduced: 02/02/09 By: NESTOR GARCIA (BR)

Committee: TRANSPORTATION
AND PLANNING

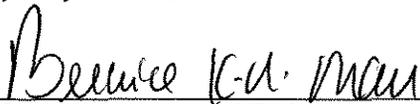
Title: A BILL FOR AN ORDINANCE RELATING TO BANNERS.

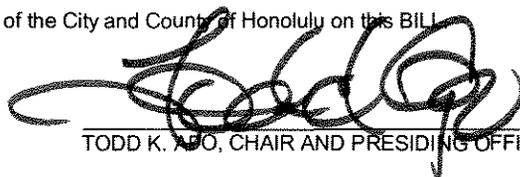
Links: [BILL 5 \(2009\)](#)
[BILL 5 \(2009\), CD1](#)
[BILL 5 \(2009\), CD2](#)
[CR-96](#)
[CR-130](#)

NOTE: COUNCILMEMBER BARBARA MARSHALL PASSED AWAY ON SUNDAY, FEBRUARY 22, 2009. ALTHOUGH THERE IS A VACANCY, THE COUNCIL CONTINUES TO OPERATE IN ACCORDANCE WITH THE 9 MEMBERS IT IS ENTITLED TO PURSUANT TO SECTION 3-102, REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED. HOWEVER, THE CERTIFICATE WILL NOT REFLECT THE VACANCY ON THE VOTE RECORDED FOR THIS ITEM.

COUNCIL	02/25/09	BILL PASSED FIRST READING AND REFERRED TO THE COMMITTEE ON TRANSPORTATION AND PLANNING.
	APO Y	BAINUM Y CACHOLA Y DELA CRUZ Y DJOU A
	GARCIA Y	OKINO Y TAM Y
TRANSPORTATION AND PLANNING	03/05/09	CR-96 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING AS AMENDED IN CD1 FORM.
PUBLISH	03/07/09	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.
COUNCIL/PUBLIC HEARING	03/18/09	CR-96 ADOPTED. BILL PASSED SECOND READING AS AMENDED (BILL 5 (2009), CD1), PUBLIC HEARING CLOSED AND REFERRED TO TRANSPORTATION AND PLANNING COMMITTEE.
	APO Y	BAINUM Y CACHOLA Y DELA CRUZ Y DJOU N
	GARCIA Y	OKINO Y TAM Y
PUBLISH	03/23/09	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.
TRANSPORTATION AND PLANNING	04/09/09	CR-130 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD2 FORM.
COUNCIL	04/22/09	CR-130 WAS ADOPTED AND BILL 5 (2009), CD2 PASSED THIRD READING, AS AMENDED.
	APO Y	BAINUM Y CACHOLA Y DELA CRUZ Y DJOU A
	GARCIA 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.


BERNICE K. N. MAU, ACTING CITY CLERK


TODD K. APO, CHAIR AND PRESIDING OFFICER



A BILL FOR AN ORDINANCE

RELATING TO BUILDING PERMITS.

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

SECTION 1. The purpose of this ordinance is to make more consistent with other types of structures the length of time allowed for a building, electrical, plumbing or sidewalk permit for construction, alteration or maintenance work on a single-family dwelling.

SECTION 2. Section 18-5.3, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 18-5.3 Validity.

- (a) The issuance hereunder of any permit or approval of plans, specifications, and other data shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other law.
- (b) The issuance of a permit shall not prevent the building official from thereafter requiring the correction of errors in the plans and specifications or from halting building operations when in violation of the provisions of said chapters and this chapter or of any other law; nor shall it prevent the institution of criminal action and the imposition of penalty as prescribed under Section 18-7.1 hereof for violation of any of the provisions of said chapters and this chapter.
- (c) Every permit shall be valid for a period of three years from the date of its issuance, subject to satisfactory work progress as contained in Section 18-5.4; provided, that wherever time limit and appeal provisions are specified by other ordinances or regulations, such ordinances or regulations shall govern. Any building or structure that is not completed within the period of validity shall fall within the purview of unfinished buildings or structures.
- [(d) Exception. The three-year limit for completing work under a permit shall not apply to:
 - (1) Construction, alteration or maintenance work on a single-family dwelling which is not part of a larger development, subject to satisfactory work progress as provided in Section 18-5.4; provided, however, that the permit for such work shall only be valid for a period of five years from the date of its issuance; or



A BILL FOR AN ORDINANCE

- (2) Work such as painting, interior work or installation of exterior fenestration.]”

SECTION 3. Ordinance material to be repealed is bracketed. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets or the bracketed material.

SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Duke Bainum

DATE OF INTRODUCTION:

February 4, 2009
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Don S. Kuteaka
Deputy Corporation Counsel

APPROVED this 7th day of May, 2009.

Mufi Hannemann
MUFU HANNEMANN, Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE

BILL 7 (2009), CD1

Introduced: 2/4/09 By: DUKE BAINUM

Committee: TRANSPORTATION
AND PLANNING

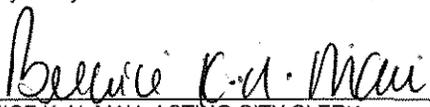
Title: A BILL FOR AN ORDINANCE RELATING TO BUILDING PERMITS.

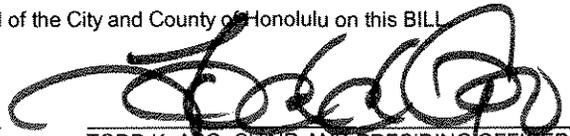
Links: [BILL 7 \(2009\)](#)
[BILL 7 \(2009\), CD1](#)
[CR-97](#)
[CR-131](#)

NOTE: COUNCILMEMBER BARBARA MARSHALL PASSED AWAY ON SUNDAY, FEBRUARY 22, 2009. ALTHOUGH THERE IS A VACANCY, THE COUNCIL CONTINUES TO OPERATE IN ACCORDANCE WITH THE 9 MEMBERS IT IS ENTITLED TO PURSUANT TO SECTION 3-102, REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED. HOWEVER, THE CERTIFICATE WILL NOT REFLECT THE VACANCY ON THE VOTE RECORDED FOR THIS ITEM.

COUNCIL	02/25/09	BILL PASSED FIRST READING AND REFERRED TO THE COMMITTEE ON TRANSPORTATION AND PLANNING.
	APO Y	BAINUM Y CACHOLA Y DELA CRUZ Y DJOU A
	GARCIA Y	OKINO Y TAM Y
TRANSPORTATION AND PLANNING	03/05/09	CR-97 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.
PUBLISH	03/07/09	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.
COUNCIL/PUBLIC HEARING	03/18/09	CR-97 ADOPTED. BILL PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO TRANSPORTATION AND PLANNING COMMITTEE.
	APO Y	BAINUM Y CACHOLA A DELA CRUZ Y DJOU Y
	GARCIA Y	OKINO Y TAM Y
PUBLISH	03/23/09	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.
TRANSPORTATION AND PLANNING	04/09/09	CR-131 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD1 FORM.
COUNCIL	04/22/09	CR-131 WAS ADOPTED AND BILL 7 (2009), CD1 PASSED THIRD READING, AS AMENDED.
	APO Y	BAINUM Y CACHOLA Y DELA CRUZ Y DJOU A
	GARCIA 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


BERNICE K. N. MAU, ACTING CITY CLERK


TODD K. APO, CHAIR AND PRESIDING OFFICER