



**A BILL FOR AN ORDINANCE**

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RELATING TO REFUSE.

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

SECTION 1. Purpose. The purpose of this ordinance is to address the illegal disposal of refuse.

SECTION 2. Chapter 9, Article 1, Revised Ordinances of Honolulu 1990 ("General Provisions"), is amended by adding a new section to be appropriately designated by the revisor of ordinances and to read as follows:

**"Sec. 9-1. Prohibited activities.**

No person shall throw, drop, place, dump, or deposit refuse, to include bulky wastes, on a street, roadside, alley, highway, or public place except as provided in this chapter."

SECTION 3. Section 9-5.1, Revised Ordinances of Honolulu 1990, is amended to read as follows:

**"Sec. 9-5.1 Violation—Penalty.**

- (a) Except as otherwise provided, any person violating any provision of this chapter shall be subject to a civil fine not exceeding \$500.00 for each violation. Each day that a person violates any provision of this chapter shall constitute a separate violation.
- (b) Any person violating Section 9-1.4(a)(6) shall be subject to a civil fine not exceeding \$250.00 for each violation.
- (c) Any person violating Section 9-3.1(c) shall be subject to a civil fine not exceeding \$250.00 for each violation.
- (d) Any person violating Section 9-3.5 shall be subject to a civil fine not exceeding \$250.00 for each violation. For purposes of this subsection, "person" means any natural person, partnership, corporation, firm, sole proprietorship, trust, unincorporated association or joint venture, cooperative, or any other entity; provided that the term shall exclude a church and a nonprofit organization, as defined in Section 28-1.3, except a hospital.



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- (e) Any person violating both Sections 9-1.4(d) and 9-4.8 shall be subject to a civil fine not exceeding \$250.00 for each violation. Each time an owner or association of apartment owners violates Section 9-1.4(d), and fails to properly dispose of or remove the bulky wastes after receiving a written notice pursuant to Section 9-4.8, that shall constitute a single violation. The fine shall be in addition to any removal costs billed to the owner or association of apartment owners.
- (f) Any person violating Section 9-1. shall be subject to a civil fine not exceeding \$2,500.00 for each violation; provided that any person violating both Section 9-1.4(d) and 9-1. shall be subject only to the civil fine set forth in subsection (a).
- (g) The penalties under this section are in addition to any other penalty that may be imposed on a person for a violation of any other provision of this chapter.
- ~~(g)~~(h) Appeal of the fines set forth in this section shall be pursuant to rules promulgated by the director as necessary to carry out the provisions of this chapter."

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.



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SECTION 5. This ordinance takes effect upon its approval.

INTRODUCED BY:

Kymberly Pine

Ron Menor

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DATE OF INTRODUCTION:

March 10, 2016  
Honolulu, Hawaii

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Councilmembers

APPROVED AS TO FORM AND LEGALITY:

*Theresa A. Contreras*  
Deputy Corporation Counsel

APPROVED this 16<sup>th</sup> day of May, 2016.

*Kirk Caldwell*  
KIRK CALDWELL, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE 16-9

BILL 24 (2016), CD1, FD1

Introduced: 03/10/16 By: KYMBERLY PINE

Committee: PUBLIC HEALTH, SAFETY  
AND WELFARE

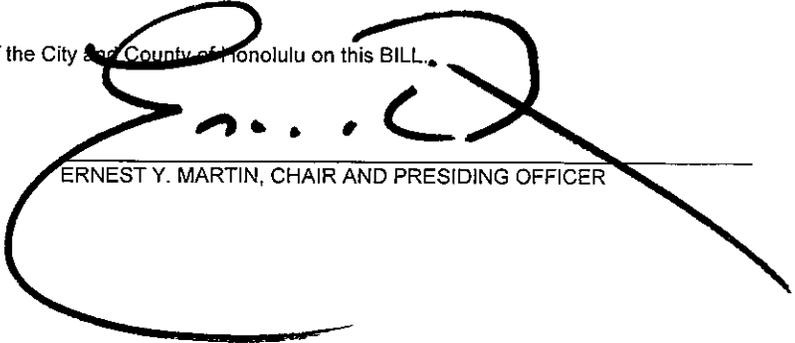
Title: A BILL FOR AN ORDINANCE RELATING TO REFUSE.

Voting Legend: \* = Aye w/Reservations

03/16/16	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.
		<u>CC-71 FUKUNAGA – RE-REFERRAL FROM COMMITTEE ON PUBLIC WORKS, INFRASTRUCTURE &amp; SUSTAINABILITY TO THE COMMITTEE ON PUBLIC HEALTH, SAFETY &amp; WELFARE</u>
03/29/16	PUBLIC HEALTH, SAFETY AND WELFARE	CR-87 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING AS AMENDED IN CD1 FORM.
04/09/16	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
04/20/16	COUNCIL/PUBLIC HEARING	CR-87 ADOPTED. BILL PASSED SECOND READING AS AMENDED, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, SAFETY AND WELFARE. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.
04/26/16	PUBLIC HEALTH, SAFETY AND WELFARE	CR-120 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING.
04/27/16	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
05/04/16	COUNCIL	BILL AMENDED TO FD1. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE. CR-120 ADOPTED AND BILL 24 (2016), CD1, FD1 PASSED THIRD READING. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.

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