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**A BILL FOR AN ORDINANCE**

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RELATING TO REPORTING REQUIREMENTS FOR INSPECTIONS OF CITY-OWNED STREAMS.

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

SECTION 1. Purpose. The purpose of this ordinance is to require the Director and Chief Engineer of the Department of Facility Maintenance to periodically post on a website maintained by that department a written report on the status of the inspection of each City-owned stream.

SECTION 2. Section 41-26.3, Revised Ordinances of Honolulu 1990, is amended to read as follows:

**"Sec. 41-26.3 Maintenance of streams.**

- (a) The owner of any stream has the duty to maintain, dredge, and clear such stream, or applicable portion thereof, so that the natural flow of water runs unimpaired. The owner shall also be responsible for the removal of any debris, vegetation, silt or other items or material of any kind that may interfere with the natural flow of water or is likely to create an unsanitary condition or otherwise become a public nuisance.
- (b) The chief engineer shall conduct an inspection of all city-owned streams that are lined with concrete or other impervious material no less than annually and all other city-owned streams no less than semi-annually, and shall remove or cause to be removed any debris, vegetation, silt, or other item or material of any kind that may interfere with the natural flow of water or is likely to create an unsanitary condition or otherwise become a public nuisance. In determining the scheduling of the annual or semi-annual inspections and removal of debris, vegetation, silt, or other items or materials, as applicable, the chief engineer shall consider seasonal patterns of elevated flood risk, such as that associated with hurricane activity, and approved, applicable permits.
- (c) The chief engineer shall annually post on the website of the department a written report on the status of the inspection of each city-owned stream. The report must, at a minimum, contain the following information:
  - (1) The date on which, or period during which, the stream was inspected; and
  - (2) The types and quantities of debris, vegetation, rock, silt, or other items or materials of any kind that were removed from the stream to protect public safety."



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

ORDINANCE 21-2

BILL 82 (2020), CD1

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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.

SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

Tommy Waters

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DATE OF INTRODUCTION:

October 9, 2020  
Honolulu, Hawaii

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Councilmembers

APPROVED AS TO FORM AND LEGALITY:

*Denise W. Wong*  
Deputy Corporation Counsel

**DENISE W. WONG**  
APPROVED this 11<sup>th</sup> day of February, 20 21.

*Rick Blangiardi*, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE **21-2**

BILL 82 (2020), CD1

Introduced: 10/09/20 By: TOMMY WATERS

Committee: PUBLIC  
INFRASTRUCTURE AND  
TECHNOLOGY

Title: A BILL FOR AN ORDINANCE RELATING TO REPORTING REQUIREMENTS FOR INSPECTIONS OF CITY-OWNED STREAMS.

Voting Legend: \* = Aye w/Reservations

11/05/20	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON PUBLIC INFRASTRUCTURE, TECHNOLOGY AND SUSTAINABILITY. 9 AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TEXEIRA, TSUNEYOSHI, WATERS.
11/18/20	PUBLIC INFRASTRUCTURE, TECHNOLOGY AND SUSTAINABILITY	CR-301 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING AS AMENDED IN CD1 FORM. 4 AYES: FUKUNAGA, PINE, TEXEIRA, TSUNEYOSHI.
11/27/20	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
12/09/20	COUNCIL/PUBLIC HEARING	CR-301 ADOPTED. BILL PASSED SECOND READING AS AMENDED, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON PUBLIC INFRASTRUCTURE, TECHNOLOGY AND SUSTAINABILITY. 9 AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TEXEIRA, TSUNEYOSHI, WATERS.
12/16/20	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.  NOTE: COUNCILMEMBERS CORDERO, KIA'AINA, SAY, TULBA, AND TUPOLA TOOK OFFICE ON SATURDAY, JANUARY 2, 2021. <u>CC-3(21) WATERS</u> – STANDING COMMITTEE ASSIGNMENTS. <u>CC-4(21) WATERS</u> - RE-REFERRAL OF BILLS, RESOLUTIONS AND COMMUNICATIONS.
01/13/21	PUBLIC INFRASTRUCTURE AND TECHNOLOGY	REPORTED OUT FOR PASSAGE ON THIRD READING. CR-6 4 AYES: ELEFANTE, FUKUNAGA, TSUNEYOSHI, TUPOLA.
01/27/21	COUNCIL	COMMITTEE REPORTED ADOPTED AND BILL PASSED THIRD READING. 8 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'AINA, SAY, TULBA, TUPOLA, WATERS. 1 ABSENT: TSUNEYOSHI.

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. TANAHASHI, CITY CLERK

  
TOMMY WATERS, CHAIR AND PRESIDING OFFICER