



A BILL FOR AN ORDINANCE

TO RECODIFY THE REVISED ORDINANCES OF HONOLULU 1990.

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

SECTION 1. Purpose. The purpose of this ordinance is to recodify the Revised Ordinances of Honolulu 1990 in order to reorganize its structure to a more logical format, update obsolete references, correct errors, standardize and clarify language, and delete unnecessary provisions. The new codified ordinances will be called the Revised Ordinances of Honolulu 2021.

SECTION 2. Enactment of the provisions in, and adoption as, the Revised Ordinances of Honolulu 2021. Each provision in the four-volume document entitled "The Revised Ordinances of Honolulu 2021," transmitted by the Office of Council Services to the City Clerk by Council Communication 138, dated April 19, 2022, copies of which are filed for use and examination by the public in the Office of the City Clerk, and also available on the City Clerk's website (honolulu.gov/clerk.html) in the HNLDOCS LEGISLATIVE RECORDS page as an attachment to Council Communication 138 (2022), said document being incorporated herein by this reference; and all ordinances enacted after June 30, 2019, and intended for inclusion in the Revised Ordinances of Honolulu; are hereby enacted, adopted, and codified as the Revised Ordinances of Honolulu 2021 (hereinafter referred to as "ROH 2021").

SECTION 3. Repeal of prior ordinances; what not repealed. All ordinances in effect prior to July 1, 2019, are hereby repealed; provided that the repeal does not apply to or affect the following:

- (1) Any ordinance or amending ordinance that is not of a general and permanent nature and that is not included in or by reference made a part of the ROH 2021;
- (2) Any provision in an ordinance in the nature of a saving clause or short title, or any provision relating to constitutionality, legislative findings or intent, interpretation, or the repeal of laws;
- (3) Any provision in an ordinance as to the time at which or manner in which a provision in an ordinance codified in the ROH 2021 is to take effect, apply, or be repealed, or any other transition provision in an ordinance;



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- (4) Any provision in an ordinance as to the effect of noncompliance of any ordinance or part thereof with any State or federal law, or as to the effect of failure to secure a certificate or approval of any State or federal officer or agency, and notwithstanding the enactment of the ROH 2021, such noncompliance, or the failure to secure such certificate or approval, shall have the same effect as if the ROH 2021 had not been enacted; and
- (5) Any administrative rule adopted, permit issued, or contract entered into, under the authority of the repealed ordinance. The rule, permit, or contract will continue in full force and effect under the authority of the replacement provision in the ROH 2021.

SECTION 4. Preservation of rights and liabilities. The repeal in SECTION 3 does not affect any act done, ratified, or confirmed; or any right accruing, accrued, or established; or any action, suit, or proceeding had or commenced in any civil cause; prior to the repeal, but all rights and liabilities under any ordinance embraced in the ROH 2021 or so repealed will continue and may be enforced in the same manner and with the same effect as if the repeal had not been made; nor does the repeal in any manner affect the right to any office or change the term or tenure thereof.

SECTION 5. Preservation of penalties for offenses, etc. The repeal in SECTION 3 does not affect any offense committed, or any punishment, penalty, or forfeiture incurred, prior to the repeal under any ordinance embraced in the ROH 2021 or so repealed, but every such offense may be prosecuted and punished, and every such punishment, penalty, or forfeiture imposed and enforced, in the same manner and with the same effect as if the repeal had not been made.

SECTION 6. Effect of this ordinance. The enactment by SECTION 2 of this ordinance of the ROH 2021 does not affect or repeal the ordinances enacted after June 30, 2019, and prior to the effective date of this ordinance; but all such ordinances have full effect, and so far as these ordinances vary from or conflict with any provision contained in the ROH 2021, they have the effect of subsequent ordinances and of amending, repealing, or adding to the ROH 2021. Citations in those ordinances to provisions of the Revised Ordinances of Honolulu 1990 will be deemed to refer to the applicable or corresponding provisions of the ROH 2021.

SECTION 7. No revivor. When any ordinance repealing a former ordinance or provision is itself repealed, the repeal does not revive the former ordinance or provision unless expressly provided in the ordinance.



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SECTION 8. Correction of errors; formal changes. The Revisor of Ordinances may correct, before the publication of the ROH 2021 or in supplements thereto, typographical and grammatical errors, erroneous references, and other mistakes obviously made through oversight or inadvertence, and may also make any other purely formal or clerical changes in keeping with the purpose of the revision. The Revisor of Ordinances may conform any references to the Revised Ordinances of Honolulu 1990 in any ordinance enacted after June 30, 2019, to ensure that the references to chapters, articles, sections, and parts of sections are consistent with the chapters, articles, sections, and parts of sections, of the ROH 2021, and may also make nonsubstantive changes to the ordinance to conform to the numbering, format, and style of the ROH 2021.

SECTION 9. Copies for public inspection. The City Clerk shall make available for public use and examination in the Office of the City Clerk at least three copies of the ROH 2021.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE 22-21

BILL 30 (2022), CD1

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SECTION 10. This ordinance takes effect 120 days after its approval. In the interim period following approval, bills to amend the Revised Ordinances of Honolulu must be drafted as amendments to the Revised Ordinances of Honolulu 1990.

INTRODUCED BY:

Tommy Waters

DATE OF INTRODUCTION:

April 26, 2022
Honolulu, Hawai'i

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Duane Pang
Deputy Corporation Counsel

DUANE W.H. PANG

APPROVED this 21st day of July, 2022.

Rick Blangiardi

RICK BLANGIARDI, Mayor
City and County of Honolulu

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

BILL 30 (2022), CD1

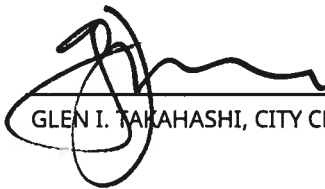
Introduced: 04/26/22 By: TOMMY WATERS Committee: EXECUTIVE MATTERS AND LEGAL AFFAIRS (EMLA)

Title: TO RECODIFY THE REVISED ORDINANCES OF HONOLULU 1990.

Voting Legend: * = Aye w/Reservations

04/26/22	INTRO	Introduced.
05/04/22	CCL	Passed first reading. 9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'AINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS
05/20/22	PUBLISH	Public hearing notice published in the Honolulu Star-Advertiser.
05/24/22	EMLA	Reported out for passage on second reading and scheduling of a public hearing as amended in CD1 form. CR-138 7 AYES: CORDERO, ELEFANTE, KIA'AINA, SAY, TULBA, TUPOLA, WATERS 2 EXCUSED: FUKUNAGA, TSUNEYOSHI
06/01/22	CCL/PH	Committee report adopted. Bill passed second reading as amended, public hearing closed and referred to committee. 8 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'AINA, SAY, TULBA, TUPOLA, WATERS 1 ABSENT: TSUNEYOSHI
06/08/22	PUBLISH	Second reading notice published in the Honolulu Star-Advertiser.
06/21/22	EMLA	Reported out for passage on third reading. CR-176 9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'AINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS
07/06/22	CCL	Committee report adopted and Bill passed third reading. 9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'AINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, 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.


GLEN I. TAKAHASHI, CITY CLERK


TOMMY WATERS, CHAIR AND PRESIDING OFFICER