



**HONOLULU CITY COUNCIL**  
*KE KANIHELA O KE KALANA O HONOLULU*  
CITY AND COUNTY OF HONOLULU

ORDINANCE 24-17

BILL 6 (2024), CD1

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**A BILL FOR AN ORDINANCE**

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RELATING TO PERMITS.

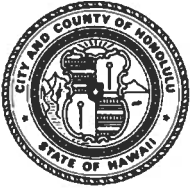
BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to improve public notification regarding the authorization, or lack thereof, for work performed on a property in the City and County of Honolulu and to amend provisions related to the administration and enforcement of certain codes in the Revised Ordinances of Honolulu 2021.

SECTION 2. Section 16-10.1, Revised Ordinances of Honolulu 2021 ("Generally"), is amended to read as follows:

**"§ 16-10.1 Generally.**

- (a) It is unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish, equip, use, occupy, or maintain any building or structure, or cause ~~[or permit]~~ the same to be done, contrary to or in violation of this code.
- (b) It is unlawful for any person without the necessary State licenses to erect, construct, enlarge, alter, move, improve, remove, convert, or demolish any building or structure; provided that an owner-builder may do so for residential or farm buildings or structures in strict compliance with the provisions of HRS Chapter 444 applicable to owner-builders, including but not limited to HRS §§ 444-2.5 and 444-9.1.
- (c) The department shall provide owner-builders with instructions on their obligations to follow all employment, occupational safety, environmental, and tax regulations in addition to their obligations under HRS Chapter 444 and this ~~[building]~~ code, and may impose reasonable conditions in addition to those already provided for by law, relating to hours of work, noise, dust, runoff, parking ~~[of]~~ for workers, operation of heavy equipment, safety of workers and subcontractors, and requirements for the demolition and remediation of structures containing lead based paint, asbestos, or other potentially hazardous materials. Failure by an owner-builder to comply with reasonable conditions imposed~~[-shall]~~ will be deemed a violation of this code and subject to criminal and administrative enforcement to the same extent as any other violation of this code.



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(d) Service of enforcement notices issued by the building official.

- (1) The building official may serve an enforcement notice issued pursuant to this chapter by registered or certified mail, with return receipt requested, addressed to the last known address of each violator identified in the enforcement notice, or by delivering a copy of the enforcement notice to the violator in person.
- (2) The building official also may serve an enforcement notice issued pursuant to this chapter by leaving a copy of the enforcement notice at the violator's residence, place of employment, or usual place of business, or by physically posting a copy of the enforcement notice in a prominent location on the property that is the subject of the enforcement notice, in a conspicuous manner that is likely to be discovered.
- (3) If the building official is not able to serve the enforcement notice by any of the methods described in subdivisions (1) and (2), the building official may serve the enforcement notice on one or more violators by publishing a copy of the enforcement notice once each week for two consecutive weeks in a daily or weekly publication that is in general circulation within the city.
- (4) Where one or more violators identified in an enforcement notice have the same mailing address, place of residence, place of employment, or usual place of business, the delivery of one copy of the enforcement notice to that place will be effective service upon all violators named in the enforcement notice that may be served at the place the enforcement notice has been delivered. The physical posting of a copy of the enforcement notice pursuant to subdivision (2) will be effective service upon all violators named in the enforcement notice."

SECTION 3. Section 16-10.2, Revised Ordinances of Honolulu 2021, is amended to read as follows:

**"§ 16-10.2 Notice of violation.**

- (a) Whenever any person [~~firm, or corporation~~] violates this chapter, the building official shall serve, pursuant to § 16-10.1(d), a notice of violation to the [~~party~~] persons responsible for the violation to [~~make~~] require that the building or structure or portion thereof comply with the requirements of this chapter. [A



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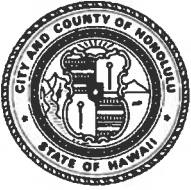
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~~notice of violation must be served upon responsible persons either personally or by certified mail. However, if the whereabouts of such persons are unknown, and the same cannot be ascertained by the building official in the exercise of reasonable diligence, and the building official provides an affidavit to that effect, then a notice of violation may be served by publishing the same once each week for two consecutive weeks in a daily or weekly publication in the city pursuant to HRS § 1-28.5.]~~

- (b) ~~[The]~~ At a minimum, the notice of violation ~~[shall]~~ must include ~~[at least]~~ the following information:
- (1) ~~[Date]~~ The date of the notice ~~[;]~~ of violation;
  - (2) The name ~~[and address]~~ of the person noticed ~~[, and the];~~
  - (3) The address or location of the violation;
  - ~~[(3)](4)~~ The [section number of the] specific ordinance, code, or rule that has been violated;
  - ~~[(4) — The nature]~~ (5) A concise description of the violation; ~~[and~~
  - ~~(5) — The deadline for compliance with the notice.]~~ (6) A requirement that the violator correct the violation by a specified date;
  - (7) A statement of the penalties that will be imposed if the violation is not corrected by the deadline for correction established pursuant to subdivision (6); and
  - (8) A requirement that the violator send a written notice to the building official reporting the correction of the violation when the violator believes the violation has been corrected."

SECTION 4. Section 16-10.4, Revised Ordinances of Honolulu 2021, is amended to read as follows:



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**"§ 16-10.4 Administrative enforcement.**

In lieu of or in addition to enforcement pursuant to § 16-10.3, if the building official determines that any person ~~[, firm, or corporation]~~ is not complying with a notice of violation, the building official ~~[may have the party responsible for the violation served, by mail or delivery, with an order pursuant to this section.]~~ shall serve, pursuant to § 16-10.1(d), a notice of order to the persons responsible for the violation.

(a) *Contents of the notice of order.*

(1) In addition to any other information or requirements deemed appropriate by the building official, the notice of order must include a copy of the applicable notice of violation issued by the building official for the violation.

~~[(4)](2)~~ (2) The notice of order may require the ~~[party]~~ persons responsible for the violation to do any or all of the following:

(A) Correct the violation ~~[within the time]~~ at the person's own expense before a date specified in the order;

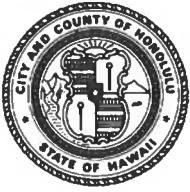
(B) Except ~~[where]~~ as provided in paragraph (C) ~~[applies]~~, pay a civil fine not to exceed:

(i) \$2,000 in the manner, at the place, and before the date specified in the order; and

(ii) \$2,000 per day for each day in which the violation persists~~[-]~~ beyond the date specified in subparagraph (i), in the manner and at the time and place specified in the order;

(C) ~~[Where]~~ If a building or structure, or portion thereof, is erected, constructed, enlarged, altered, improved, or converted without the ~~[necessary]~~ required permit; and a notice of violation contains ~~[an instruction]~~ a directive that the ~~[party]~~ persons responsible for the violation suspend work on the building or structure, or portion thereof, and work on the building or structure, or portion thereof, has nevertheless continued:

(i) Pay a civil fine equal to 10 times the building permit fee amount that would have been incurred pursuant to



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§ 18-6.2 if the building permit had been properly obtained, or \$10,000, whichever is greater, in the manner, at the place, and before the date specified in the order; and

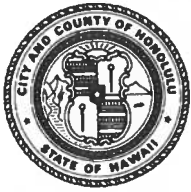
- (ii) Pay a civil fine equal to 10 times the building permit fee amount that would have been incurred pursuant to § 18-6.2 if the building permit had been properly obtained, or \$10,000, whichever is greater, per day for each day in which the violation persists[;] beyond the date specified in subparagraph (i), in the manner and at the time and place specified in the order; or
- (iii) Demolish the building or structure, or portion thereof;

The civil fines issued pursuant to this paragraph [~~cannot~~] may not be reduced nor [~~can~~] may any portion thereof be waived by the building official.

~~[(2)]~~(3) The order must advise the [~~party~~] persons responsible for the violation that the notice of order will become final 30 calendar days after the date [~~of its delivery.~~] the notice of order was served on the persons responsible for the violation pursuant to § 16-10.1(d). The notice of order must also advise that the building official's action may be appealed to the building board of appeals.

~~[(b)]~~—*Service of notice of order.* A notice of order must be served upon responsible persons either personally or by certified mail. However, if the whereabouts of such persons are unknown and the same cannot be ascertained by the building official in the exercise of reasonable diligence and the building official provides an affidavit to that effect, then a notice of order may be served by publishing the same once each week for two consecutive weeks in a daily or weekly publication in the city pursuant to HRS § 1-28-5.

~~[(e)]~~(b) *Effect of the notice of order—right to appeal.* The provisions of the notice of order issued by the building official under this section will become final 30 calendar days after the date [~~of the delivery of~~] the notice of order[;] is served to the persons responsible for the violation pursuant to § 16-10.1(d). The [~~party~~] persons responsible for the violation may appeal the notice of order to the building board of appeals as provided in this chapter[;] provided that an appeal to the building board of appeals will not stay any provision of the notice of order



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requiring correction of the violation and payment of civil fines. The appeal must be received in writing on or before the date the order becomes final. ~~[An appeal to the building board of appeals does not stay any provisions of the order requiring correction of the violation and payment of civil fines. An order or provision of an order]~~ A notice of order directing the persons responsible for the violation to demolish a building or structure, or portion thereof, pursuant to subsection [(a)(1)(C)(iii)] (a)(2)(C)(iii), will be stayed until the conclusion of the appeal, including any judicial review thereof pursuant to HRS Chapter 91.

~~[(e)](c)~~ Judicial enforcement of the notice of order. The building official may institute a civil action in any court of competent jurisdiction for the enforcement of any notice of order [issued pursuant to this section.] served to the persons responsible for the violation pursuant to § 16-10.1(d). Where ~~[the]~~ a civil action has been instituted to enforce the civil fine imposed by [said] the notice of order, the building official need only show that the notice of violation and the notice of order were served, that a civil fine was imposed, the amount of the civil fine imposed, and that the fine imposed has not been paid.

~~[(e)](d)~~ Report. The building official shall, upon issuance of a notice of order pursuant to subsection ~~[(a)(1)(C);]~~ (a)(2)(C), submit a report to the State department of commerce and consumer affairs. The report must at a minimum contain the following information:

- (1) ~~[Date]~~ The date of the notice of order;
- (2) ~~[Name;]~~ The name, address, and license number of any contractor, as that term is defined in HRS § 444-1, or the name and address of any owner-builder, who has supervised or performed any work on the building or structure, or portion thereof, contrary to [an instruction] a directive of the building official in a notice of order under subsection [(a)(1)(C) by the building official to] (a)(2)(C) for the responsible [party] persons to suspend work[-; and] due to lack of a required permit;
- (3) ~~[Nature and]~~ A concise description of the violation[-; and the]; and
- (4) The penalty imposed.

~~(e)~~ Nothing in this section will preclude the building official from seeking any other remedy available by law."



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SECTION 5. Section 18-2.1, Revised Ordinances of Honolulu 2021, is amended by amending the definition of "Building official" to read as follows:

**"Building Official.** The director of planning and permitting of the city or the director's duly authorized [deputy-] representative."

SECTION 6. Section 18-5.1, Revised Ordinances of Honolulu 2021 ("Issuance—Posting—Transfer"), is amended by amending subsection (d) to read as follows:

"(d) The building permit [~~shall~~] must be posted in a conspicuous place on the site during the progress of work[-]; provided that:

- (1) If a building permit is suspended pursuant to § 18-5.4(d), within three calendar days after the date the notice of suspension is served to the permittee pursuant to § 18-7.1(c), the permittee shall physically post the notice of suspension directly adjacent to any building permit that has been posted pursuant to this subsection; if the notice of suspension is not posted within the specified time period, the building official shall post the notice of suspension; and
- (2) If a building permit is revoked pursuant to § 18-5.4(d), within three calendar days after the date the notice of revocation is served to the permittee pursuant to § 18-7.1(c), the permittee shall remove the building permit that has been posted pursuant to this subsection; if the building permit is not removed within the specified time period, the building official shall remove the building permit."

SECTION 7. Section 18-5.4, Revised Ordinances of Honolulu 2021 ("Suspension or revocation of building permits—Notice—Hearing—Appeal"), is amended by amending subsections (d) and (e) to read as follows:

"(d) Suspension or revocation [for noncompliance-] of a permit.

- (1) The building official may issue a notice to suspend or revoke a permit pursuant to the requirements of subsection (e) whenever [~~the~~] a permit is issued under this chapter:
  - (A) In error;
  - (B) On the basis of incorrect information supplied; or



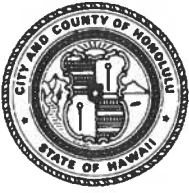
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- (C) In violation of the building, electrical, or plumbing codes, or any other code, ordinance, or regulation.
- (2) No suspension imposed pursuant to this section ~~[shall]~~ will constitute a cause beyond the control of the building contractor or owner, as defined in this section, for which extensions may be received under subsection (c), unless the suspension is found by the appellate authority to be arbitrary, capricious, characterized by an abuse of discretion, or based upon a clearly erroneous finding of a material fact.
- (3) The building official may issue a notice to revoke a permit pursuant to ~~[the requirements of]~~ subsection (e) if the building or work authorized by the permit is not commenced within 180 days ~~[from]~~ after the date ~~[of such permit,]~~ the permit was issued, or if the building or work authorized by ~~[such]~~ the permit is suspended~~[-]~~ or abandoned ~~[at any time]~~ for a period of at least 120 consecutive days after the work ~~[is]~~ has commenced ~~[for a period of 120 days].~~
- (4) The building official may issue a notice to revoke a permit pursuant to the requirements of subsection (e) when a building or structure is not completed within the time specified in subsection (b)(3) and (b)(4).
- (e) *Notice of suspension or revocation of a permit.*
- (1) The building official shall ~~[issue]~~ serve to the permittee, pursuant to § 18-7.1(c), a written notice [to show cause why the building permit should not be suspended or revoked and set] of the suspension or revocation of a permit that sets forth the specific grounds for the suspension or revocation of the permit. The notice [shall] must state that the permittee may apply in writing for a hearing before the building board of appeals[-], and that such application [shall] must be submitted within 10 working days [of] after receipt of the notice[-] of suspension or revocation of a permit.
- ~~[(2) Service of such notice may be made by:~~
- ~~(A) Personal delivery to the permittee, which means:~~
- ~~(i) Showing the original notice to the permittee and leaving a copy thereof with the permittee;~~





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- (ii) ~~Leaving a copy of the notice at permittee's place of business with an employee, partner, or agent of the permittee, all of whom shall be mentally competent to understand the contents of the notice; or~~
- (iii) ~~Leaving a copy of the notice at the permittee's usual place of abode with the permittee's spouse or an adult child, parent, or other blood relative of the permittee or of the permittee's spouse, all of whom shall be residing with the permittee and be mentally competent to understand the contents of the notice; or~~
- (B) ~~Certified or registered mail.~~
- (3) ~~To signify that personal service has been made upon the permittee as prescribed in this subsection, the original of any notice shall have the signature of the permittee or other individual prescribed in subdivision (2)(A) affixed to the original.~~
- (4)(2) In computing the 10 working ~~[days]~~ day ~~deadline~~ specified in subdivision (1) ~~[in which the permittee shall indicate whether the permittee desires a hearing,] for the permittee to file an appeal,~~ the day on which the permittee receives the building official's notice ~~[shall]~~ will be omitted and the 10 working days ~~[shall]~~ will be calculated from the next working day. The last day of the period so computed ~~[shall]~~ will be included, unless it is a Saturday, ~~[a]~~ Sunday, or ~~[a]~~ holiday, in which ~~[event]~~ case the period ~~[runs until the]~~ will end ~~[of]~~ on the next day that is not a Saturday, ~~[a]~~ Sunday, or ~~[a]~~ holiday. As used in this ~~[subsection,]~~ subdivision, "holiday" ~~[includes]~~ means any day designated as such pursuant to HRS § 8-1.
- (3) If a notice of suspension is served to the permittee pursuant to § 18-7.1(c), the permittee shall comply with the physical posting requirements of § 18-5.1(d)(1). If a notice of revocation is served to the permittee pursuant to § 18-7.1(c), the permittee shall remove the building permit in compliance with § 18-5.1(d)(2)."

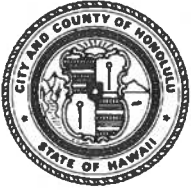


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SECTION 8. Section 18-7.1, Revised Ordinances of Honolulu 2021, as amended by Ordinance 24-3, is amended to read as follows:

**"§ 18-7.1 Generally.**

- (a) A person may not erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure[-]; or perform any electrical work, or install, remove, alter, repair, or replace ~~or~~ ~~cause to be installed, removed, altered, repaired or replaced~~ any plumbing, gas, or drainage piping work, or any fixture, gas appliance or water heating or treating equipment[-]; or construct, reconstruct, or improve any sidewalk, curb, or driveway in public street rights-of-way, or cause ~~the same~~ any of the aforementioned acts to be done, contrary to or in violation of this chapter.
- (b) Any person applying for a permit or approval pursuant to this chapter must comply with all applicable requirements of this chapter. The failure of an applicant to comply with all applicable requirements and restrictions set forth in this chapter is a violation of this chapter.
- (c) Service of enforcement notices issued by the building official.
- (1) The building official may serve an enforcement notice issued pursuant to this chapter by registered or certified mail, with return receipt requested, addressed to the last known address of each violator identified in the enforcement notice, or by delivering a copy of the enforcement notice to the violator in person.
- (2) The building official also may serve an enforcement notice issued pursuant to this chapter by leaving a copy of the enforcement notice at the violator's residence, place of employment, or usual place of business, or by physically posting a copy of the enforcement notice in a prominent location on the property that is the subject of the enforcement notice, in a conspicuous manner that is likely to be discovered.
- (3) If the building official is not able to serve the enforcement notice by any of the methods described in subdivisions (1) and (2), the building official may serve the enforcement notice on one or more violators by publishing a copy of the enforcement notice once each week for two consecutive weeks in a daily or weekly publication that is in general circulation within the city.



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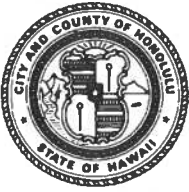
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- (4) Where one or more violators identified in an enforcement notice have the same mailing address, place of residence, place of employment, or usual place of business, the delivery of one copy of the enforcement notice to that place will be effective service upon all violators named in the enforcement notice that may be served at the place the enforcement notice has been delivered. The physical posting of a copy of the enforcement notice pursuant to subdivision (2) will be effective service upon all violators named in the enforcement notice.

SECTION 9. Section 18-7.2, Revised Ordinances of Honolulu 2021, as amended by Ordinance 24-3, is amended to read as follows:

**"§ 18-7.2 Notice of violation[—Contents].**

- "(a) Whenever any person[~~, firm, or corporation~~] violates this chapter, the building official shall serve, pursuant to § 18-7.1(c), a notice of violation to the [party] persons responsible for the violation to notify the [party] person or persons of the applicable violation and direct the [party] person or persons to make the building or structure, or portion thereof, comply with the requirements of this chapter, as applicable. ~~[A notice of violation must be served upon responsible persons either personally or by certified mail. However, if the whereabouts of such persons are unknown and the same cannot be ascertained by the building official in the exercise of reasonable diligence, and the building official provides an affidavit to that effect, then a notice of violation may be served by publishing the notice of violation in accordance with HRS § 1-28.5, or if that provision no longer applies, once each week for two consecutive weeks in a daily or weekly publication in the city.]~~
- (b) ~~[The]~~ At a minimum, the notice of violation ~~[shall]~~ must include ~~[at least]~~ the following information:
- (1) ~~[Date]~~ The date of the notice ~~[:]~~ of violation;
  - (2) The name ~~[and address]~~ of the person noticed ~~[, and the]~~;
  - (3) The address or location of the violation;
  - ~~[(3)]~~(4) The ~~[section number of the]~~ specific ordinance, code, or rule that has been violated;



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- ~~[(4) The nature]~~ (5) A concise description of the violation; ~~[and~~
- ~~(5) The deadline for compliance with the notice.]~~ (6) A requirement that the violator correct the violation by a specified date;
- (7) A statement of the penalties that will be imposed if the violation is not corrected by the deadline for correction established pursuant to subdivision (6); and
- (8) A requirement that the violator send a written notice to the building official reporting the correction of the violation when the violator believes the violation has been corrected."

SECTION 10. Section 18-7.4, Revised Ordinances of Honolulu 2021, as amended by Ordinance 24-3, is amended to read as follows:

**"§ 18-7.4 Administrative enforcement.**

In lieu of or in addition to enforcement pursuant to § 18-7.3, if the building official determines that any person ~~[, firm, or corporation]~~ is not complying with a notice of violation, the building official ~~[may have the party responsible for the violation served, by mail or delivery, with an order pursuant to this section.]~~ shall serve, pursuant to § 18-7.1(c), a notice of order to the persons responsible for the violation.

**(a) Contents of the notice of order.**

- (1) In addition to any other information or requirements deemed appropriate by the building official, the notice of order must include a copy of the applicable notice of violation issued by the building official for the violation.

~~[(1)]~~(2) The notice of order may require the [party] persons responsible for the violation to do any or all of the following:

- (A) Correct the violation [within the time] at the person's own expense before a date specified in the order; or
- (B) Except as provided in subsection ~~[(e)(2)]~~ (d)(2), pay a civil fine not to exceed;



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(i) \$3,000 in the manner, at the place, and before the date specified in the order; and

~~[(C) Pay a civil fine not to exceed]~~ (ii) \$3,000 per day for each day in which the violation persists~~[-]~~ beyond the date specified in subparagraph (i), in the manner and at the time and place specified in the order.

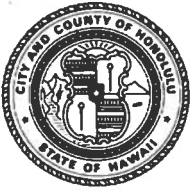
In determining the appropriate penalties, the building official may take into consideration whether the person responsible for the violation is a person with a history of making false statements.

~~[(2)](3)~~ The notice of order must advise the ~~[party]~~ persons responsible for the violation that the order will become final 30 calendar days after the date ~~[of its delivery.]~~ the notice of order was served on the persons responsible for the violation. The order must also advise that the building official's action may be appealed to the building board of appeals.

~~[(b) Service of notice of order. A notice of order must be served upon responsible persons either personally or by certified mail. However, if the whereabouts of such persons are unknown and the same cannot be ascertained by the building official in the exercise of reasonable diligence and the building official provides an affidavit to that effect, then a notice of order may be served by publishing the same once each week for two consecutive weeks in a daily or weekly publication in the city pursuant to HRS § 1-28.5.~~

~~[(e)](b)~~ Effect of the notice of order—right to appeal. The provisions of the order issued by the building official under this section will become final 30 calendar days after the date ~~[of the delivery of]~~ the notice of order[-] is served to the persons responsible for the violation pursuant to § 18-7.1(c). The ~~[party]~~ persons responsible for the violation may appeal the order to the building board of appeals as provided in Chapter 16[-]; provided that an appeal to the building board of appeals will not stay any provision of the notice of order. The appeal must be received in writing on or before the date on which the order becomes final. ~~[However, an appeal to the building board of appeals will not stay any provision of the order.]~~

~~[(d)](c)~~ Judicial enforcement of the notice of order. The building official may institute a civil action in any court of competent jurisdiction for the enforcement of any notice of order ~~[issued pursuant to this section.]~~ served to the persons



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responsible for the violation pursuant to § 18-7.1(c). Where ~~[the]~~ a civil action has been instituted to enforce the civil fine imposed by the notice of order, the building official need only show that the notice of violation and the notice of order were served, that a civil fine was imposed, the amount of the civil fine imposed, and that the fine imposed has not been paid.

~~[(e)]~~(d) *Three orders within a three-year period.* If a person incurs three final orders under this section within a period of three years relating to a ~~[detached]~~ one- or two-family detached dwelling, as those terms are ~~[used in Chapter 46,]~~ defined in § 21-10.1, then:

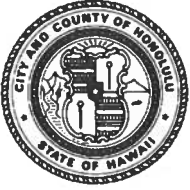
- (1) For a period of three years ~~[from]~~ after the date the third order becomes final, the building official may not accept any application for a permit under this chapter from the person; and
- (2) The civil fine for any subsequent violation by the person within three years ~~[of]~~ after the ~~[preceding violation]~~ date the third order became final will be \$10,000. The building official may not reduce or waive any portion of the civil fine issued pursuant to this subdivision.

A notice of order that has been appealed will be deemed final when it has been sustained upon appeal.

Any person who has incurred three final orders under this section within a three-year period may not circumvent the application of this subsection through the use of third persons, including employees and agents, and any third person knowingly aiding a person in the circumvention of this subsection shall be subject to the fine prescribed in subdivision (2).

(e) Nothing in this section will preclude the building official from seeking any other remedy available by law."

SECTION 11. Section 18-7.5, Revised Ordinances of Honolulu 2021, is amended to read as follows:



**HONOLULU CITY COUNCIL**  
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**"§ 18-7.5 Stop work order.**

- (a) If the building official determines that work must stop, whether ~~[pursuant]~~ due to violation of requirements of any permit issued under this chapter, or for failure to obtain a required permit, the building official shall ~~[issue]~~ serve, pursuant to § 18-7.1(c), a stop work order to the owner of the property that is the subject of the stop work order, and shall concurrently notify and transmit a copy of the order to the chief of police, who shall have the power to enforce the stop work order pursuant to Charter § 6-1604.
- (b) Any person, firm, or corporation violating a stop work order issued pursuant to subsection (a) shall be:
- (1) Deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each ~~[and every]~~ day or portion thereof during which the violation is committed, continued, or permitted;
  - (2) Subject to punishment by a fine of not more than \$2,000 or by imprisonment for not more than one year, or by both ~~[such]~~ a fine and imprisonment, upon conviction of [any such violation] violating the stop work order; and
  - (3) Prohibited from applying for any permit required by this chapter until all of the violations that caused the issuance of the stop work order are cured, and all related fines and penalties are satisfied in full; provided that if the stop work order was issued for failure to obtain a permit, this prohibition does not apply to the application for that permit.

The building official may enforce subdivisions (1) and (2) pursuant to § 18-7.3 and shall notify the prosecuting attorney of the violation. Prosecution for the violation pursuant to subdivisions (1) and (2) shall be as provided by law for the prosecution of misdemeanors.

- (c) If a stop work order is served, pursuant to § 18-7.1(c), to the owner of the property that is the subject of the stop work order, within three calendar days after the date the stop work order was served to the owner, the owner shall physically post the stop work order directly adjacent to any building permit that has been posted pursuant to § 18-5.1(d); if the stop work order is not posted within the specified time period, the building official shall post the stop work order."



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SECTION 12. Ordinance material to be repealed is bracketed and stricken. 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, the material that has been bracketed and stricken, or the underscoring.





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SECTION 13. This ordinance takes effect upon its approval.

INTRODUCED BY:

Tommy Waters

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DATE OF INTRODUCTION:

February 16, 2024  
Honolulu, Hawai'i

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel  
BRAD T. GAITO

APPROVED this 25th day of June, 20 24.

RICK BLANGIARDI, Mayor  
City and County of Honolulu

24-17

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

BILL 6 (2024), CD1

Introduced: 02/16/24 By: TOMMY WATERS

Committee: ZONING (ZON)

Title: RELATING TO PERMITS.

Voting Legend: \* = Aye w/Reservations

02/16/24	INTRO	Introduced.
02/28/24	CCL	Passed first reading.  9 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WATERS, WEYER
05/01/24	ZON	Reported out for passage on second reading and scheduling of a public hearing.  CR-132  4 AYES: CORDERO, DOS SANTOS-TAM, SAY, WEYER  1 ABSENT: KIA'ĀINA
05/03/24	PUBLISH	Public hearing notice published in the Honolulu Star-Advertiser.
05/15/24	CCL/PH	Committee report adopted. Bill passed second reading, public hearing closed and referred to committee.  9 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WATERS, WEYER
05/22/24	PUBLISH	Second reading notice published in the Honolulu Star-Advertiser.
05/22/24	ZON	Reported out for passage on third reading as amended in CD1 form.  CR-176  5 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, SAY, WEYER
06/05/24	CCL	Committee report adopted and Bill passed third reading as amended.  7 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, SAY, TUPOLA, WATERS, WEYER  2 ABSENT: OKIMOTO, TULBA

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

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