

SUPPLEMENT 9 (1-2010)

Insertion Guide

Hawai'i County Code 1983 (2005 Edition) Volumes 1 - 3

(Covering general ordinances effective through 12-31-09
and numbered through 09-168)

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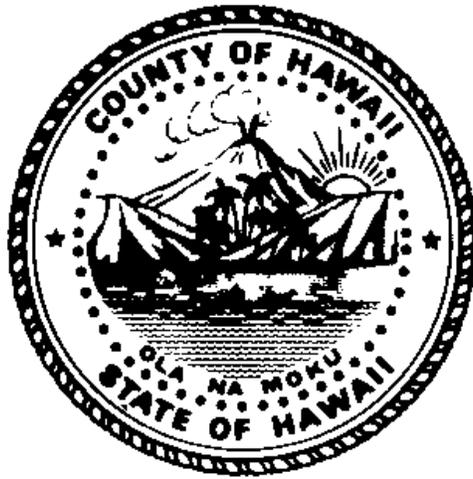
Supplement Insert Guide

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THE HAWAI‘I COUNTY CODE

1983 (2005 Edition, as amended)

Updated to include: **Supplement 9 (1-2010)**
Contains ordinances effective through: **12-31-09**



A CODIFICATION OF THE GENERAL ORDINANCES
OF THE COUNTY OF HAWAI‘I
STATE OF HAWAI‘I

Office of the County Clerk
County of Hawai‘i
25 Aupuni Street
Hilo, Hawai‘i 96720
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Chapter 2

ADMINISTRATION

Article 1. General Provisions.

Section 2-1. Purpose of chapter.

The purpose of this chapter is to set forth the complete plan of administrative organization under the executive branch of the County government pursuant to section 4-2, Hawai'i County Charter. (1975 C.C., c. 2, art. 1, sec. 1.)

Section 2-2. Bonds of officials required; amount; filing; payment of premiums.

(a) In accordance with the provisions of section 13-6, Hawai'i County Charter, bonds in the following amounts shall be furnished by the following officers and employees:

Officers and Employees	Bonds
Mayor.....	\$25,000
Councilmember (each).....	10,000
Prosecuting attorney	20,000
Director of finance	25,000
Corporation counsel.....	20,000
Deputy director of finance	20,000
Controller	20,000
Treasurer	20,000
Purchasing agent.....	10,000
Cashier	10,000
County clerk.....	15,000

(b) Officers and employees of the legislative branch shall file their bonds with the clerk. Officers and employees of the executive branch shall file their bonds with the director of finance.

(c) The premium on the bonds shall be paid by the County. (1975 C.C., c. 2, art. 10, sec. 3.)

Section 2-3. Issuance of commissions.

Whenever any ordinance of the County authorizes the issuance of a commission for the appointment of any officer within the County, such commission shall be filed in the office of the clerk who shall furnish certified copies to persons entitled thereto. The commissions so issued shall be the sole evidence of the appointment of the officers for whom they are issued. (1975 C.C., c. 2, art. 10, sec. 1.)

Section 2-4. Subpoenas.

(a) The chair of the council is authorized when countersigned by the clerk, and over the Seal of the County duly affixed, to summon or to subpoena persons to appear before the council, upon the request in writing of and by parties interested in the matter then pending before the council to the clerk, or to the chair of the council stating that such persons are necessary for the full understanding and legal determination of the matters before the council.

- (b) The person summoned shall be paid from the general fund of the County, upon claims duly certified as by ordinance provided and regulated at the rate of 10 cents a mile, going and coming, and \$1 a day during actual attendance before the council.
- (c) Any person who fails to appear or otherwise violates this section shall be fined a sum not to exceed \$100. (1975 C.C., c. 2, art. 10, sec. 2.)

Section 2-5. Inspections; charges for overtime.

- (a) When an applicant requests that an inspection be made, other than during normal working hours or on a Saturday, Sunday, or legal holiday, the applicant shall bear the cost of such inspection, and shall pay the cost to the County, prior to receiving final approval of the project. Moneys so realized shall be credited to the proper accounts of the respective agencies to cover the cost of such overtime inspections. Such moneys are hereby appropriated and shall be expended for inspection costs without further action of the council.
- (b) As used in this section:
 - (1) “Applicant” means any person requesting inspectional services from the County.
 - (2) “Cost” means the amount to be charged by the County for overtime inspection at the per hour rate, including overhead and administrative charges, to be established by the director of public works, commensurate with the changes in salary and applicable fringe benefits and overhead expenses.
- (c) “Inspection” shall include all inspections provided for by law. (1975 C.C., c. 2, art. 10, sec. 9; Am. 1978, Ord. No. 368, sec. 1; Am. 2001, Ord. No. 01-108, sec. 1.)

Section 2-5.1. Hawaiian language; spelling.

The County shall encourage the proper use and correct spelling of words or terms in the Hawaiian language in documents prepared by or for County agencies or officials, including the use of macrons and glottal stops. Any rule, order, policy, or other act, official or otherwise, that prohibits or discourages the use of these symbols shall be void. (1997, Ord. No. 97-159, sec. 2.)

Article 2. Executive Branch.

Section 2-6. Office of the mayor.

The office of the mayor shall be composed of the mayor and the managing director. (1975 C.C., c. 2, art. 1, sec. 2; Am. 2001, Ord. No. 01-107, sec. 1.)

Section 2-7. Organization of executive branch.

The executive branch of the County is organized into the following agencies/departments:

- (1) Agency and agency heads under direct supervision of the managing director:

AGENCY	AGENCY HEAD
(A) Civil defense	Civil defense administrator
(B) Office of aging	County executive on aging
(C) Office of housing and community development.....	Housing administrator
(D) Mass transit.....	Mass transit administrator

- (2) Departments and heads under direct supervision of the managing director:

DEPARTMENT	DEPARTMENT HEAD
(A) Office of management	Managing director

- (B) Corporation counsel..... Corporation counsel
- (C) Department of finance..... Director of finance
- (D) Planning department Planning director
- (E) Department of environmental management..... Director of environmental management
- (F) Department of research and development..... Director of research and development
- (G) Department of public works..... Director of public works
- (H) Department of parks and recreation Parks and recreation director
- (I) Data systems Director of data systems

(3) Departments and administrative heads under commissions and administrative supervision of the managing director:

DEPARTMENT	ADMINISTRATIVE HEAD
(A) Department of human resources	Director of human resources
(B) Police department.....	Chief of police
(C) Department of liquor control	Director, department of liquor control
(D) Fire department.....	Fire chief
(E) Department of water supply.....	Manager

(1975 C.C., c. 2, art. 1, sec. 3; Am. 1989, Ord. No. 89-48, sec. 1; Am. 2001, Ord. No. 01-106, sec. 1; Ord. No. 01-108, sec. 1; Am. 2002, Ord. No. 02-56, secs. 1 and 2; Am. 2004, Ord. No. 04-58, sec. 2; Am. 2009, Ord. No. 09-105, sec. 2.)

Section 2-8. Order of succession to office of mayor.

In the event of civil, military or natural disaster, during the temporary absence or disability of the mayor, the managing director shall act as mayor. If the office of managing director is vacant, or during such periods as the managing director is unable to so act, the director of finance shall then act as mayor. If the office of director of finance is vacant, or during such periods as the director of finance is unable to so act, then the planning director, director of research and development, director of human resources, and director, department of liquor control, shall succeed to the office of mayor in the order specified herein.

(1975 C.C., c. 2, art. 1, sec. 4; Am. 2009, Ord. No. 09-105, sec. 3.)

Article 3. Office of the Corporation Counsel.

Section 2-9. Settlement of claims.

The corporation counsel shall have the power to adjust, settle, compromise, or submit to arbitration any action, causes of action, accounts, debts, claims, demands, disputes, and matters in favor of or against the County, or in which the County is concerned as debtor or creditor, now existing or which may hereafter arise, not involving or requiring payment in excess of \$1,500, provided the money to settle claims generally has been appropriated and is available; and provided further that a quarterly report of all settlements shall be filed with the council.

(1975 C.C., c. 2, art. 2, sec. 1.01; Am. 1975, Ord. No. 87, sec. 1.)

Section 2-10. Settlement of land acquisitions.

The corporation counsel shall have the power to adjust, compromise, settle, or submit to arbitration, any land acquisition requests referred to him by other County agencies or eminent domain actions, causes of eminent domain actions in favor of or against the County, or in which the County is concerned as purchaser, seller, condemnor, or condemnee, now pending or which may hereafter arise, not involving or requiring payment in excess of \$2,500, provided the money to settle any matter generally has been appropriated and is available; and provided further that a quarterly report of all settlements shall be filed with the council.

(1975 C.C., c. 2, art. 2, sec. 1.02; Am. 1975, Ord. No. 87, sec. 1.)

Article 3A. Office of the Prosecuting Attorney.**Section 2-10A. Appointment of personnel.**

There shall be an office of the prosecuting attorney as provided by Charter. The prosecuting attorney may appoint deputy prosecuting attorneys and necessary staff, including investigators. The investigators shall have all of the powers and privileges of a police officer for the County of Hawai‘i. The office of the prosecuting attorney shall adopt policies and standards for training and use of these powers consistent and in conformance with those adopted by the Hawai‘i County police department. All investigations relating to the discharge of a firearm by an investigator shall be conducted by the Hawai‘i County police department. All investigators must have the minimum qualifications for the class as established by the department of human resources.

(1992, Ord. No. 92-105, sec. 1; Am. 2009, Ord. No. 09-105, sec. 4.)

Article 4. Department of Finance.**Section 2-11. Issuance of warrants.**

- (a) Any person entitled to a warrant upon the County treasury may file a written order for the same with the director of finance authorizing the person named in the order to receipt the warrant. When so receipted, signed in the name of the claimant by the person named in the order so that both names appear upon the receipt, the director of finance may deliver the warrant to the person named in the order.
- (b) In like manner as provided in subsection (a), an order may be filed with the treasurer covering the presentation and payment of the warrants. The orders may cover all warrants issued or to be issued to the person signing the same during the year in which the order is dated but not later. The orders may be renewed from year to year.
- (c) With reference to warrants addressed under this part, the controller may, with the approval of the director of finance, issue checks drawn from, or make electronic funds transfers from, depositories of County treasury moneys in lieu of warrants drawn from the County treasury and may accept remittance by electronic funds transfer or credit or debit card pursuant to standards established by the director of finance.

(1975 C.C., c. 2, art. 2, sec. 2.01; Am. 2003, Ord. No. 03-101, sec. 1.)

Section 2-12. Refund of permit fees.

- (a) The director of finance is authorized to grant the refund of permit fees according to and in compliance with the following provisions in any case not covered specifically by any other law or ordinance:
 - (1) Any person who has paid a fee established by the County for the issuance of any permit shall be entitled to a refund of that fee, provided that the person first submits a written request to the head of the issuing department or agency identifying the issue date, amount, and nature of the permit and the request is received by the head of the issuing department or agency within ninety days from the issue date of the permit.
 - (2) The issuing department or agency shall record the date of receipt thereupon, and shall confirm or deny the information contained in the request pertaining to the issue date, amount and type of permit. If the applicant is entitled to a refund after the verification of the information contained in the request, and the request was received within ninety days from the issue date of the permit, the issuing department or agency shall prepare a request for payment and forward it to the director of finance for processing.
 - (3) If the director of finance is satisfied that the request was received within the ninety day time limit specified in subsection (a)(1), the director of finance shall refund to the applicant the applicant’s permit fee less the greater of the amount of ten percent of the fee or \$50.

- (15) Wa‘awa‘a volunteer fire station.
 - (16) Nā‘alehu volunteer fire station.
 - (17) Hawaiian Ocean View Estate volunteer fire station.
 - (18) Discovery Harbor volunteer fire station.
 - (19) Pāhala volunteer fire station.
 - (20) North Kohala Coast volunteer fire station.
 - (21) Waikoloa volunteer fire station.
 - (22) Laupāhoehoe volunteer fire station.
 - (23) Paradise Park volunteer fire station.
 - (24) Ainaloa volunteer fire station.
 - (25) Pu‘uanahulu volunteer fire station.
- (2004, Ord. No. 04-22, sec. 2; Am. 2005, Ord. No. 05-116, sec. 1; Am. 2005, Ord. No. 05-137, sec. 1.)

Section 2-17. Head of volunteer fire department.

- (a) The fire chief of the County fire department shall be the head of the volunteer fire department. The head of the volunteer fire department shall:
- (1) Be vested with the management and control of the affairs, personnel, and property of the department, subject to the general authority and control of the council;
 - (2) With the consent and approval of the council, make expenditures of moneys appropriated by the council for the department;
 - (3) Not contract any debt on behalf of the department, not dispose of any property belonging to the department without the consent of the council;
 - (4) Make periodic reports to the council concerning the affairs and activities of the department; and
 - (5) Perform and discharge such other duties as may be assigned to the head of the volunteer fire department by the council.
- (1975 C.C., c. 2, art. 3, sec. 5.02; Am. 2004, Ord. No. 04-22, sec. 3.)

Section 2-18. Appointment of other personnel.

The council may provide for the appointment of other personnel as it deems necessary to carry out this article. All such appointees shall be paid monthly salaries as may be fixed in accordance with the provisions of the personnel classification laws.
(1975 C.C., c. 2, art. 3, sec. 5.03.)

Section 2-19. Volunteer personnel.

The organization of the volunteer fire department shall be patterned as closely as is practicable after that of the fire department. The head of the volunteer fire department shall appoint, with the approval of the council, such volunteer personnel as the head of the volunteer fire department deems necessary to fill the membership of the department. The qualifications for membership shall be as prescribed by the rules and regulations governing the conduct of the department. These rules and regulations shall be formulated by the department head and presented to the council for its approval.
(1975 C.C., c. 2, art. 3, sec. 5.04.)

Section 2-20. Mileage reimbursements for volunteer fire personnel.

All volunteer fire personnel residing in a district other than the district where a fire occurs and who are duly authorized to participate and aid in the control of that fire shall be reimbursed at such rates prescribed by, and subject to, the requirements set forth in section 2-101(b), for each mile actually and necessarily traveled, in the performance of their volunteer activities.
(1975 C.C., c. 2, art. 3, sec. 5.05; Am. 1989, Ord. No. 89-28, sec. 1; Am. 2006, Ord. No. 06-100, sec. 2.)

Section 2-21. Coordination of volunteer and regular fire departments.

In the event of a fire occurring at any place within the County, the head of the volunteer fire department shall place the personnel of this department under the direction and control of the County fire department, which may utilize the service of the personnel of the volunteer fire department to the fullest extent to aid in bringing such fire under control and to perform such other duties as may be necessary to provide for the maximum safety of the inhabitants of the area threatened by such conflagration.

(1975 C.C., c. 2, art. 3, sec. 5.06.)

Section 2-22. Use of County fire-fighting equipment.

The fire-fighting apparatus and facilities of the County fire department, necessary to carry out the purpose of this article shall be made available to the volunteer fire department when the chief engineer, County fire department, is satisfied that the efficiency of this department will not be seriously impaired.

(1975 C.C., c. 2, art. 3, sec. 5.07.)

Section 2-23. Benefits.

All persons who are members of the volunteer fire department while engaged in the training and performance of volunteer fire fighting shall be entitled to benefits as provided by this article.

(1975 C.C., c. 2, art. 3, sec. 5.08.)

Section 2-24. Extent of coverage.

In case of injury or death arising out of and in the performance of volunteer fire fighting or training, all persons included in section 2-23, shall be entitled to benefits as prescribed by chapter 386, Hawaii Revised Statutes. No person shall be excluded from receiving such benefits by reason of being an elected official, employer, or having an occupation which is excluded from coverage under chapter 386.

(1975 C.C., c. 2, art. 3, sec. 5.09.)

Section 2-25. Computation of wages.

For the purposes of the benefits under this article, average weekly wages or earnings shall be computed from the usual employment or occupation of the person upon the basis set forth in section 386-51, Hawaii Revised Statutes, or upon the basis of earnings at the rate of \$20 per week, whichever is most favorable to the claimant.

(1975 C.C., c. 2, art. 3, sec. 5.10.)

Section 2-26. Volunteers not members of volunteer fire department.

(a) All persons not members of the volunteer fire department who volunteer their services at fires and whose services are accepted by authorized persons and whose injuries or death arise out of and in the performance of volunteer fire fighting shall be paid their reasonable hospital and medical expenses as authorized by section 386-171, Hawaii Revised Statutes, and funeral expenses not to exceed \$300.

(b) "Authorized persons" as used in this section means such persons in the County fire department or volunteer fire department who are supervising or directing the fire-fighting operations.

(1975 C.C., c. 2, art. 3, sec. 5.11.)

Article 7. Planning Department.**Section 2-27. Windward and leeward planning commissions.**

(a) There shall be a windward planning commission and a leeward planning commission, each made up of seven members as provided for by Charter. The windward and leeward planning commissions shall:

- (1) Perform such duties as are prescribed by the Charter.
- (2) Perform such other duties as are assigned to it by state law or this Code.

- (b) The windward planning commission shall administer, adjudicate and authorize payment from the Geothermal asset fund and claims made against the Geothermal asset fund, provided that no payments shall be made nor obligation incurred for any claim for which there are insufficient funds in the Geothermal asset fund to satisfy. No claim made pursuant to this subsection will be deemed a claim against the County nor will the payment of any claim be construed as an admission of fault by the County or its officers, employees or agents.
 - (c) These commissions may incur expenses as are necessary to carry out these duties for which an appropriation has been made by the council. The planning director shall provide the windward and leeward planning commissions with such administrative support as is necessary.
- (1975 C.C., c. 2, art. 2, sec. 3.01; Am. 1995, Ord. No. 95-62, secs. 1 and 2; Am. 2009, Ord. No. 09-118, sec. 2.)

Section 2-28. Quorum; meetings.

- (a) The majority of the voting members of the windward planning commission shall constitute a quorum for the transaction of business and for the exercise of the powers and authority conferred upon this commission. All actions of the windward planning commission shall require the affirmative vote of a majority of its members.
 - (b) The majority of the voting members of the leeward planning commission shall constitute a quorum for the transaction of business and for the exercise of the powers and authority conferred upon this commission. All actions of the leeward planning commission shall require the affirmative vote of a majority of its members.
 - (c) For those matters requiring a joint meeting of the windward and leeward planning commissions, as provided for in the Charter, a majority of each commission's voting members shall constitute a quorum. All actions of a joint meeting of these commissions shall require the affirmative vote of a majority of their combined membership.
 - (d) The windward and leeward planning commissions shall each hold at least one meeting in each month.
 - (e) Pursuant to the Charter, a uniform body of rules of practice and procedure, except for meeting places and times, shall be adopted by a majority vote of the combined membership of the windward planning commission and leeward planning commission, meeting jointly. Any rule adopted for the transaction of business shall be consistent with the laws of the State and the ordinances of the County.
- (1975 C.C., c. 2, art. 2, sec. 3.02; Am. 2009, Ord. No. 09-118, sec. 3.)

Section 2-28.1. Community development plan.

Within sixty days after receipt of the planning director's recommendation on a draft community development plan or any amendment thereof, either the windward or leeward planning commission, or both meeting as a joint commission as provided for in the Charter, shall transmit the draft community development plan or any amendment with its recommendation through the mayor to the County council. The designated commission, or joint commission, shall recommend approval in whole or in part, with or without modifications, or rejection of the community development plan or any amendment. In the event the designated planning commission, or joint commission, fails to act on the community development plan or amendment within the sixty-day period, such inaction shall be considered as an unfavorable recommendation by that commission, and the community development plan or amendment shall then be submitted through the mayor to the County council with such recommendation.

(2008, Ord. No. 08-71, sec. 2; Am. 2009, Ord. No. 09-118, sec. 4.)

Section 2-29. Records of findings required; location of office.

- (a) The windward and leeward planning commissions shall keep public records of their findings and determinations, whether acting independently or jointly.
- (b) The office of the windward and leeward planning commissions shall be in the planning department, or such other place designated by a consensus of both commissions determined by an affirmative vote of a majority of the combined membership, with the approval of the council. Any such vote shall occur only during a joint meeting of both commissions.

(1975 C.C., c. 2, art. 2, sec. 3.02; Am. 2009, Ord. 09-118, sec. 5.)

Section 2-30. Publication of notice.

Whenever published notice of either a windward or leeward planning commission meeting is required, it shall be provided in accordance with state law. This section shall also apply to any joint meeting of the windward and leeward planning commissions.

(1975 C.C., c. 2, art. 2, sec. 3.02; Am. 1995, Ord. No. 95-62, sec. 3; Am. 2009, Ord. No. 09-118, sec. 6)

Section 2-31. General plan; contents; location.

- (a) The general plan shall include a map of the County and shall contain a statement of:
 - (1) Development objectives, standards and principles with respect to the most desirable use of land within the County for residential, recreational, agricultural, commercial, industrial, and other purposes;
 - (2) The most desirable density of population in the several parts of the County; a system of principal thoroughfares, highways, streets, and other public open spaces; the general location, relocation, and improvement of public buildings;
 - (3) The general location and extent of public utilities and terminals, whether publicly or privately owned, for water, sewers, light, power, transit, and other purposes;
 - (4) The extent and location of public housing projects;
 - (5) Adequate drainage facilities and control; and
 - (6) Such other matters as may, in the council's judgment, be beneficial to the social, economic, and governmental conditions and trends, and which are designed to assure the coordinated development of the County and to promote the general welfare and prosperity of its people.

- (b) The general plan shall be kept on file at the planning department.

(1975 C.C., c. 2, art. 2, sec. 3.03; Am. 2009, Ord. No. 09-118, sec. 7.)

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Section 2-32. Subdivision regulations.

Regulations provided for under this section and as codified in chapter 23 of this Code shall coordinate streets within subdivisions with other existing or planned streets, or with other features of the general plan for the adequate and convenient placing of open spaces for traffic, utilities, access for fire-fighting apparatus, recreation, light and air, and for the avoidance of congestion of population, including minimum width and area of lots, and for a proper distribution of population and traffic which will tend to create conditions favorable to public health, safety, and morals. All such regulations shall be enacted as ordinances of the County and published as provided by law. Pursuant to the Charter, the windward and leeward planning commissions shall meet separately and provide separate recommendations on any amendment to subdivision regulations.

(1975 C.C., c. 2, art. 2, sec. 3.04; Am. 2009, Ord. No. 09-118, sec. 8.)

Section 2-33. Zoning regulations; amendments.

- (a) Regulations provided for under this section and as codified in chapter 25 of this Code shall regulate and limit the height and bulk of buildings, to regulate and determine the area of yards, courts and other open spaces, and to regulate and restrict the location of trades and industries and the location of buildings designed for specific uses or creating districts for any such purposes. The regulations shall be enacted as ordinances of the County and published as provided by law. Pursuant to the Charter, the windward and leeward planning commissions shall meet separately and provide separate recommendations on any amendment to zoning regulations.
- (b) The director, with the approval of either the windward or leeward planning commission, or both acting jointly, as provided in the Charter, may initiate at any time or upon application as provided in section 2-34 and recommend to the council the adoption of an ordinance amending or repealing any zoning regulation or the enactment of a new ordinance regulating land uses after a public hearing is held. Published notice of the hearing shall be given in the manner provided in section 2-30.
- (c) Notwithstanding any provision in this section, any ordinance regulating land use and affecting lands in a redevelopment project area shall be amended without the necessity of a public hearing to conform to the approved redevelopment plan upon acquisition of the lands by the Hawai‘i redevelopment agency in accordance with section 53-6, Hawai‘i Revised Statutes.

(1975 C.C., c. 2, art. 2, sec. 3.05; Am. 2009, Ord. No. 09-118, sec. 9.)

Section 2-34. Application for changes or new provisions.

- (a) Any application for a change, amendment or other modification or addition to any zoning ordinance may be filed with the director by the owner or lessee holding under a recorded lease of any real estate affected by any such ordinance or to be affected by the proposed changes, upon depositing with the director the sum of \$100 to cover all necessary costs.
- (b) When all the preliminary procedures have been complied with, the director shall refer the application to either the windward or leeward planning commission, or both acting jointly, as provided in the Charter. The designated commission, or both commissions if so required by Charter, shall consider and act upon the application by holding a public hearing, published notice of which shall be given in the manner provided by law.

(1975 C.C., c. 2, art. 2, sec. 3.06; Am. 1994, Ord. No. 94-14, sec. 2; Am. 2009, Ord. No. 09-118, sec. 10.)

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Section 2-35. Reserved.

(1975 C.C., c. 2, art. 2, sec. 3.07; Am. 2009, Ord. No. 09-118, sec. 11.)

Section 2-35.1. Urban renewal.

The planning department is hereby determined to be the lead agency in enabling the County to directly exercise its powers as provided for in parts I and II of chapter 53, Hawai'i Revised Statutes. As the lead agency, the planning department shall delegate the responsibilities of the Hawai'i redevelopment agency to the appropriate departments, commissions and agencies to insure that the procedures of compliance are adhered to. (1992, Ord. No. 92-37, sec. 2.)

Article 8. Department of Research and Development.***Section 2-36. Purpose.**

It is the purpose of this article to provide the necessary leadership to anchor the department of research and development's planning, policies, goals and actions in sustainable economic, societal and environmental practices. The adoption and employment of sustainable practices as a framework for business as usual through systematic change processes which shall result in concrete outcomes, changes in multiple functions or portions of the system, and institutionalization of these changes on an on-going basis to address sustainable agriculture; alternative energy, fuel and waste management; ecological education, business development, green housing and buildings; and protection of biodiversity.

(2007, Ord. No. 07-161, sec. 1.)

Section 2-37. Sustainability Action Committee.

- (a) There shall be designated within the department of research and development a sustainability action committee, which shall sit in an advisory capacity to the director of the department on matters that support a sustainable economy, society and environment and are within the department's purview to include energy, business development, agriculture, tourism, film, community development, and other related subjects. The department shall provide support service to the committee.
- (b) Membership and term. The committee shall be composed of five members, who shall be appointed by the mayor and confirmed by the council. Any member of the committee may be removed upon recommendation of the mayor and the approval of the council. Members shall serve a term of five years. However, for the initial appointment of members, one member shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years. In addition to the five members, the director or the director's designee will serve as an ex-officio member of the committee.

*Editor's Note: Article 8 was repealed in its entirety and replaced by Ordinance 07-161.

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- (c) The members shall be broadly representative of the County and shall be selected on the basis of their knowledge, expertise, proven innovative and technical skills and ability to network and source cutting edge technologies, with interests in one or more of the following areas: agriculture, business, energy, tourism, community, economics, planning, architectural design, community facilitation and Hawaiian culture.
- (d) No member shall be eligible for a second appointment to the committee prior to the expiration of two years, provided that members appointed for a term of one year or two years shall be eligible to succeed themselves for an additional term.
- (e) No member whose term has expired shall continue to serve on the commission, except that if no successor has been appointed and confirmed, the member shall continue to serve for ninety days or until a successor is appointed and confirmed, whichever comes first.
- (f) Any vacancy occurring in the committee shall be filled for the unexpired term.
- (g) Not more than a bare majority of the members shall belong to the same political party.
- (h) Members shall receive no compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties. Necessary expenses maybe paid in advance as per diem allowance pursuant to chapter 2, article 16 of the Hawai‘i County Code.
- (i) A chairperson shall be elected from its membership annually.
- (j) The affirmative vote of a majority of those members present shall be necessary to make any action valid.
- (k) The committee shall have the power to establish its rules of procedure necessary for the conduct of its business, which rules shall contain the time and place of all regular meetings, and which shall specify that a quorum shall be a majority of the members to which the committee is entitled.
- (l) No person shall, by reason of occupation alone, be barred from serving as a member of this committee.
- (m) The council shall act to confirm or reject any appointment made to the committee by the mayor within forty-five days after receiving notice of the appointment from the mayor. If the council does not confirm or reject any such appointment within forty-five days, the appointee shall be deemed to have been confirmed.

(2007, Ord. No. 07-161, sec. 1.)

Section 2-37.1. Duties of the committee.

- (a) The sustainability action committee shall make recommendations and support the department’s integration of planning and implementation of sustainable principles in its work with communities, businesses and other agencies.
- (b) The sustainability action committee shall support and make recommendations to:
 - (1) Raise awareness of what the term sustainability represents and the guiding principles of sustainability;
 - (2) Conduct environmental scans to assess current conditions as they relate to the guiding principles of sustainability;
 - (3) Identify a vision for sustainability and recommend solutions; and
 - (4) Support the development of sustainability actions plans.
- (c) The sustainability action committee shall support, monitor and comment on the department’s efforts to effectuate sustainable planning, policies, programs, projects and operations.

(2007, Ord. No. 07-161, sec. 1.)

Section 2-37.2. Guidelines for committee recommendations.

- (a) The sustainability action committee shall apply guiding principles of sustainability as a framework for identification of issues, research and innovative actions. These principles shall include:
 - (1) Reduced dependence upon fossil fuels, extracted underground metals and minerals;
 - (2) Reduced dependence on chemicals and other manufactured substances that can accumulate in nature;

- (3) The gift is not exempted by subsection (d) from reporting requirements under this subsection.
- (b) The report shall cover the period from June 1 of the preceding calendar year through May 31 of the year of the report.
- (c) The gifts disclosure statement shall contain the following information:
- (1) A description of the gift;
 - (2) A good faith estimate of the value of the gift;
 - (3) The date the gift was received; and
 - (4) The name of the person, business entity, or organization from whom, or on behalf of whom, the gift was received.
- (d) Excluded from the reporting requirements of this section are the following:
- (1) Gifts received by will or intestate succession;
 - (2) Gifts received by way of distribution of any inter vivos or testamentary trust established by a spouse or ancestor;
 - (3) Gifts from a spouse, fiancé, fiancée, any relative within four degrees of consanguinity or the spouse, fiancé, or fiancée of such a relative. A gift from any such person is a reportable gift if the person is acting as an agent or intermediary for any person not covered by this paragraph;
 - (4) Political campaign contributions that comply with state law;
 - (5) Anything available to or distributed to the public generally without regard to the official status of the recipient;
 - (6) Gifts that, within thirty days after receipt, are returned to the giver or delivered to a public body or to a bona fide educational or charitable organization without the donation being claimed as a charitable contribution for tax purposes; and
 - (7) Exchanges of approximately equal value on holidays, birthday, or special occasions.
- (e) Failure of an officer or employee to file a gifts disclosure statement as required by this section shall be a violation of this article.
- (1995, Ord. No. 95-21, sec. 2; Am. 2002, Ord. No. 02-109, secs. 6 and 7.)

Section 2-91.6. Confidential information.

No officer or employee shall disclose information which by law or practice is not available to the public and which the officer or employee acquires in the course of the officer's or employee's official duties, or use the information for the officer's or employee's personal gain or for the benefit of anyone.

(1995, Ord. No. 95-21, sec. 2; Am. 2002, Ord. No. 02-109, secs. 6 and 8.)

Article 16. Travel and Other Expenses.

Section 2-92. Entitlement.

All officers and employees of the County, including members of boards, committees and commissions, shall be entitled to travel and other necessary expenses connected with the performance of their official duties in accordance with the provisions of this section and subject to procedures prescribed by the director of finance and approved by the mayor.

(1980, Ord. No. 520, sec. 1.)

Section 2-93. Travel status.

Personnel shall be considered to be on travel status only during the time they are conducting official business away from their regular place of business and while traveling to and from the place at which such business is regularly transacted.

(1980, Ord. No. 520, sec. 1.)

Section 2-94. Travel authorization.

- (a) All in-State travel for employees of the executive branch shall be approved by the mayor; except that the prosecuting attorney is authorized to approve in-State travel for employees of the prosecuting attorney’s department. Likewise, all in-State travel for employees of the legislative branch shall be approved by the council chairman. The authority to approve such travel may be delegated.
 - (b) For out-of-State travel, a written request shall be prepared and shall be approved by the mayor for members of the executive branch and the council chairman for employees of the legislative branch. A travel itinerary shall be attached to the request. The authority to approve such travel may be delegated. A copy of the approved request must be attached to the requisition for air transportation.
 - (c) The department head shall assure that travel is necessary, that funds are available, and that expenses to be incurred are proper and reasonable under the circumstances.
 - (d) Travel for training purposes shall also conform with the training policy administered by the department of human resources.
- (1980, Ord. No. 520, sec. 1; Am. 1981, Ord. No. 744, sec. 1; Am. 1993, Ord. No. 93-51, sec. 1; Am. 2009, Ord. No. 09-105, sec. 5.)

Section 2-95. Overnight travel expenses.

A traveler may accept either of the following methods of payment for personal expenses incident to overnight travel.

- (a) The actual cost of lodging, meals (including tips) and laundry over the entire period of travel, supported by receipts and/or affidavit; or
- (b) Per diem allowance for overnight travel at rates equal to the highest allowance for such expenses payable to any County employee in a bargaining unit; provided that in the case of official travel time involving a fraction of a day, the allowable claim shall be in terms of quarter-day periods, with the quarter-day periods measured from midnight.
- (c) Per diem allowance for less than a full day shall be payable only for travel to other islands. For nonovernight travel within the County, employees shall be entitled to meal allowance and other allowed expenses.

(1980, Ord. No. 520, sec. 1; Am. 1980, Ord. No. 557, sec. 1; Am. 1981, Ord. No. 744, sec. 1.)

Section 2-96. Meal allowance for nonovernight travel.

- (a) Except as modified by subsection (b) of section 2-98, meal allowance (including tax and tips) for nonovernight travel (not covered by collective bargaining agreements) shall not exceed the following rates:

Breakfast.....	\$ 5
Lunch.....	8
Dinner.....	15

Breakfast will be allowed when travel time begins before 6:00 a.m. Lunch will be allowed for travelers when travel time begins before 11:00 a.m. and ends after 1:00 p.m. Dinner will be allowed for travelers when travel time begins before 6:00 p.m. and ends after 8:00 p.m.

- (b) Meal allowance for nonovernight travel shall be payable for travel that extends beyond the boundaries of the adjacent geographic district from the geographic district where an employee’s baseyard, station, or usual place of work is located; provided that members of the council, boards, commissions, and committees may incur meal expense regardless of district travel requirements. For purposes of this section, the geographic districts are: Puna; South Hilo; North Hilo; Hamakua; North Kohala; South Kohala; North Kona; South Kona; and Ka‘u.

Article 17. Public Records Fee Schedule.

Section 2-103. Administered by clerk.

The provisions of this section shall be administered by the clerk. The clerk shall be authorized to determine the specific organizations and agencies which shall be exempt from the payment of fees for public records and charges for publications, and to determine the specific records or publications for which no fees or charges shall be required.

(1975 C.C., c. 2, art. 10, sec. 6.05; Am. 1977, Ord. No. 329, sec. 1.)

Section 2-104. Fees for copies of public records.

Except as otherwise provided, a copy or extract of any public document or record which is open to inspection of the public shall be furnished to any person applying for the same by the public officer having custody or control thereof pursuant to the following schedule of fees:

- (a) Duplicated copy of any record (by duplicating machines, including, but not limited to, microfilm printer, Thermofax, Verifax, Xerox, Offset, Mimeograph, etc.):
 - For the first page of each document or record\$1.00
 - Each additional page or copy thereof..... .10
- (b) Abstract of information from public record:
 - First page..... 1.00
 - Each additional page..... .10
- (c) Ordinances, resolutions and chapters of the Hawai'i County Code:
 - 1 -- 20 pages 1.00
 - 21 -- 50 pages 2.00
 - 51 -- 100 pages 5.00
 - 101 -- 250 pages 8.00
 - 251 -- 500 pages 20.00
 - 501 and over pages..... 30.00
- (d) Typewritten copy of any record:
 - Per page or fraction thereof..... 1.00
- (e) Copy of street map, plan, diagram:
 - Sheet sizes over 8½" x 13" to 10" x 15" 1.00
 - Sheet sizes over 10" x 15" to 22" x 36" 2.00
 - Larger than 22" x 36" size; per square foot50
- (f) Photograph:
 - For use of negative only..... 2.00
- (g) County clerk's Certificate of Voter Registration 2.00
- (h) Voter Registration List (in printed forms as may be available):
 - For each State representative district 12.00 per list
 - For each State senatorial district 24.00 per list
 - For each precinct:
 - First page 2.00
 - Each additional page..... .10
- (i) Certified statement attesting to veracity of information obtained from public records:
 - Per 100 words of statement or fraction thereof..... 1.00
- (j) Certification by public officer or employees as to correctness (or in attestation that document is a true copy) of any document, including maps, plans and diagrams:
 - Per page..... 1.00

(k) Hawai‘i County Code (includes zoning annexes and traffic schedules).....	200.00
Semiannual supplements	25.00
Zoning Annexes.....	20.00
Semiannual supplements.....	10.00
Traffic Schedules.....	8.00
Semiannual supplements.....	4.00
Compact discs of the above are available upon request at the time of purchase.	
When compact discs are requested exclusive of the above:	
Hawai‘i County Code	20.00
Zoning Annexes.....	5.00
Traffic Schedules.....	5.00
Semiannual supplements	5.00
(l) Hawai‘i County Charter.....	3.00
(m) Charges for real property tax records and tax searches. Duplicated copy of the real property assessment rolls or tax rolls from computer tape files. Requester provides blank tape.	
Per computer tape listing	500.00
Real property tax searches shall be conducted and statements furnished to persons requesting this service upon the payment of a fee; provided however, the fee will not be applicable to an owner or lessee making an inquiry concerning such person’s own property or property leased to such person; further provided, that this search be limited to the records of the current tax year. Tax searches will include preparation of statements of title history, assessment information, taxes due, and other similar record searches.	
Per hour or fraction thereof.....	15.00
Minimum charge.....	15.00
Duplicated copy of any record pertinent to the field history sheets, notice of assessment, transfer sheets, exemption claims, tax bills, tax ledgers, and tax clearances.	
For the first page of a specific tax key.....	1.00
Each additional page or copy thereof10
(n) Building permit monthly printouts	1.00 per page
(1975 C.C., c. 2, art. 10, sec. 6.01; Am. 1977, Ord. No. 329, sec. 1; Am. 1980, Ord. No. 650, sec. 1; Am. 1983, Ord. No. 848, sec. 1; Am. 1983, Ord. No. 83-31, sec 1; Am. 1983, Ord. No. 83-33, sec. 1; Am. 1988, Ord. No. 88-52, sec. 1; Am. 1988, Ord. No. 88-181, sec. 1; Am. 1990, Ord. No. 90-89, sec. 1, Am. 2005, Ord. No. 05-101, sec. 1.)	

Section 2-105. Charges for publications.

- (a) Charges for publications shall be based on cost, including reproduction costs, mailing and other handling charges attributable to making the publication available to the public; except that reasonable charges in excess of cost may be made for copies of records to be used for commercial purposes.
 - (b) The term “publication” refers to copies of documents which are reproduced on a volume basis for general distribution and shall include, but not be limited to, such items as: County Charter, ordinances, engineering and construction standards, directories, manuals, and handbooks. The term “publications” shall not apply to resolutions or bills pending final adoption or enactment into ordinance by the County council.
- (1975 C.C., c. 2, art. 10, sec. 6.02; Am. 1977, Ord. No. 329, sec. 1; Am. 1983, Ord. No. 848, sec. 2.)

Section 2-106. Applicability.

The fees established in this article shall have no application to the furnishing of copies or extracts of public documents or records for which fees have been established by statutory provisions where such statutory provisions have not been superseded.

(1975 C.C., c. 2, art. 10, sec. 6.03.)

Article 35. Geothermal Asset Fund.**Section 2-176. Creation of fund.**

- (a) Pursuant to section 10-12, Hawai'i County Charter, a special fund to be known as the geothermal asset fund is created.
 - (b) The Geothermal asset fund shall be funded by payments made by Puna Geothermal Venture, a Hawai'i Partnership, its successors or assigns and the State of Hawai'i for the purpose of compensating persons impacted by geothermal energy development activities pursuant to the provisions incorporated in Geothermal Resource Permit No. 2.
 - (c) Payments from the asset fund shall be administered and expended in accordance with rules, regulations, and procedures developed for that purpose and adopted by the windward planning commission in accordance with chapter 91, Hawai'i Revised Statutes.
 - (d) Expenses incurred by the windward planning commission such as administrative costs related to geothermal resource permits, geothermal development compliance activity, and processing of claims against the asset fund shall not be charged to the asset fund.
 - (e) All interest and earnings accrued from the money and assets deposited in the asset fund shall be expended for the purposes for which this fund has been created.
 - (f) No claim made pursuant to this section will be deemed a claim against the county, nor will the payment of any claim be construed as an admission of fault by the county or its officers, employees or agents.
 - (g) The denial of any claim made under this Geothermal Asset Fund, in whole or in part, shall not prevent the claimant from pursuing any other remedy at law against the geothermal permittee and State of Hawai'i.
- (1995, Ord. No. 95-74, sec. 1; Am. 2009, Ord. No. 09-118, sec. 12.)

Article 36. Geothermal Relocation and Community Benefits Program.**Section 2-177. Establishment.**

The planning department is hereby authorized to establish a geothermal relocation and community benefits program for the relocation of owner-occupants residing near the Puna Geothermal Venture's plant and who want to be permanently relocated, and to fund expenditures for the benefit of Lower Puna, as defined herein, including, but not limited to, road improvements, water infrastructure development, land acquisition, parks and recreational facility needs, civil defense and mass transit improvements.

(1996, Ord. No. 96-2, sec. 1; Am. 2008, Ord. No. 08-37, sec. 1.)

Section 2-178. Purchase and sale of affected properties.

Notwithstanding any other provision of this Code, the planning director is hereby authorized to purchase the affected properties by negotiation for not more than one hundred thirty percent of the assessed value, as determined by the real property tax division of the department of finance and dispose of the affected properties by public auction or pursuant to article 19 of chapter 2, with the exception of the requirement for council resolution found in section 2-111(1).

(1996, Ord. No. 96-2, sec. 1; Am. 2008, Ord. No. 08-37, sec. 1.)

Section 2-179. Creation of geothermal relocation and community benefits fund.

Pursuant to section 10-12, Hawai'i County Charter, the special fund known as the geothermal relocation revolving fund is hereby renamed the geothermal relocation and community benefits fund. This fund shall be administered by the planning department.

(1996, Ord. No. 96-2, sec. 1; Am. 1998, Ord. No. 98-25, sec. 1; Am. 2008, Ord. No. 08-37, sec. 1.)

Section 2-180. Funding.

The geothermal relocation and community benefits program shall be funded by proceeds from the following sources:

- (1) Geothermal royalties received from the department of land and natural resources.
- (2) Proceeds from the sale of properties purchased under this program.
- (3) Rental fees from any of the properties purchased under this program.

(1996, Ord. No. 96-2, sec. 1; Am. 2008, Ord. No. 08-37, sec. 1.)

Section 2-181. Expenditures from fund.

The proceeds from the fund shall be used for the necessary expenses in administering and carrying out the purposes of the geothermal relocation and community benefits program. A minimum balance of \$1,000,000 shall be maintained in the fund for expenditures relating to geothermal relocation. Expenditures relating to the geothermal relocation and community benefits program include, but are not limited to:

- (1) The costs of any necessary appraisals required under this program;
- (2) The payment of necessary fees and expenses;
- (3) The costs for the purchase of an affected dwelling and property in accordance with this chapter, if necessary;
- (4) The costs necessary to dispose of or rent affected dwelling and property; and
- (5) Expenditures for public purposes including road improvement, water infrastructure, land acquisition, parks and recreational facility needs, civil defense, and mass transit improvements.

(A) Funds shall be expended in Lower Puna, which is defined as extending from Hawaiian Paradise Park subdivision to Kalapana and including Orchidland Estates, Ainaloa, Hawaiian Beaches, Hawaiian Shores, Kapoho, Pāhoa, Nānāwale, Leilani Estates, and other communities proximate to Pāhoa.

(B) Expenditures under this subsection shall be made in accordance with appropriations adopted by the Hawai'i County Council after receiving recommendations from the planning director.

(1996, Ord. No. 96-2, sec. 1; Am. 2008, Ord. No. 08-37, sec. 1.)

Section 2-182. Promulgation authority.

The planning director is authorized to promulgate rules and regulations for implementation of the relocation program.

(1996, Ord. No. 96-2, sec. 1.)

Article 37. Family Violence Advisory Commission.**Section 2-183. Organization.**

There shall be a commission composed of a minimum of nine but not to exceed fifteen members who shall be appointed by the mayor and may be removed by the mayor. The commission shall:

- (1) Prevent and reduce family violence in the County of Hawai'i by addressing island-wide issues and ramifications of family violence.
- (2) Promote public awareness and education about family violence in the County of Hawai'i.
- (3) To act to improve upon services offered to victims and their families.
- (4) Promote and facilitate inter-agency training on the dynamics of family violence.
- (5) Identify community concerns and assist with the study and investigation of resources, activities and political attitudes in the community that would assist the commission to address family violence.
- (6) Enhance communication, promote cooperation and coordinate services between member agencies.
- (7) Offer judicial and inter-agency training to provide the impetus for preventive measures and education directed at the community-at-large with emphasis on our children and youth.

(1997, Ord. No. 97-111, sec. 1.)

Chapter 6**BUSINESSES****Article 1. Cemeteries.****Section 6-1. Prohibition.**

No cemetery shall be established, nor shall the area of any existing cemetery be enlarged or extended without the approval of the council, evidenced by a resolution.

(1975 C.C., c. 4, art. 1, sec. 1.)

Section 6-2. Application.

(a) Any person requesting that the council pass a resolution establishing, enlarging or extending a cemetery shall submit with the person's application:

- (1) A certificate of approval by the State department of health of the proposed cemetery site or extension as evidence of compliance with its regulations.
- (2) A complete description of the land included within the proposed cemetery site or extension.
- (3) A map or plan showing the proposed project.
- (4) Evidence of approval relative to noncontamination of water services by the department of water supply.
- (5) A deposit of \$100 to cover cost of publication of notices and other expenses that may be incurred in connection with the application.
- (6) An abstract or certificate of title of the proposed cemetery site or extension.

(1975 C.C., c. 4, art. 1, sec. 2.)

Section 6-3. Referral to planning commission.

Before final action is taken by the council, the application and related maps and documents will be referred to either the windward or leeward planning commission, or both acting jointly, as provided in the Charter. The designated planning commission, or joint commission, shall:

- (1) Study the proposed project in relation to any zoning ordinances, statutes, general plan, and policies and rules and regulations of the planning commission.
- (2) Conduct a public hearing on the application, pursuant to provisions governing public hearings under this Code.
- (3) Submit its recommendation to the council.

(1975 C.C., c. 4, art. 1, sec. 3; Am. 2009, Ord. No. 09-118, sec. 13.)

Section 6-4. Other requirements.

No cemetery shall be located on land which is not owned in fee simple. The section of a proposed location which is set aside for interment shall be free of any financial encumbrance. After the approval of a proposed location, it shall be unlawful to encumber any section thereof which is set aside for interment. Lands which are transferred to the County by State executive order for the establishment, enlargement, or extension of any cemetery shall be exempt from the conditions of this section.

(1974, Ord. No. 64, sec. 1; 1975 C.C., c. 4, art. 1, sec. 4.)

Section 6-5. Penalty.

Any person convicted of violating sections 6-1 and 6-4 of this article shall be punished by a fine not exceeding \$500.

(1975 C.C., c. 4, art. 1, sec. 5.)

Section 6-6. County plots; fee; dimensions.

For each County owned cemetery plot sold at the Alae Cemetery, the director of the department of parks and recreation of the County shall collect a fee established by duly promulgated rules of the department, exclusive of the cost of digging and covering the plot. Each cemetery plot shall not exceed nine feet in length and four feet in width.

(1975 C.C., c. 4, art. 1, sec. 6; Am. 1996, Ord. No. 96-22, sec. 2.)

Section 6-7. Cemetery fund.

The moneys collected under section 6-6 shall be deposited with the County finance director in a cemetery fund. All moneys deposited in the cemetery fund shall be expended for the improvement, maintenance, and upkeep of Alae Cemetery.

(1975 C.C., c. 4, art. 1, sec. 7.)

Article 2. Dance Halls.**Section 6-8. Definition.**

- (a) A "public dance house" or "hall" within the meaning of this article is any house, hall, building, or room used for public dancing, for admission to which fees are charged or collected, whether directly for tickets or indirectly in any manner by way of cover charges, fees for partners, or other charges of any nature, or in which female dancing partners receive or have agreed to receive compensation.
- (b) Church halls, club houses, or halls which are occasionally used for dances, at which no compensation is paid or agreed to be paid to any female dancing partners, are not included within the meaning of this article.
- (c) A license fee of \$1 shall be paid to the County finance director for each day or night when dances are held in such church halls, club houses, or halls to which admission charges or fees are collected.

(1975 C.C., c. 4, art. 2, sec. 1.)

Section 6-9. License.

It shall be unlawful for any person to keep or conduct a public dance house or hall in the County, unless licensed to do so.

(1975 C.C., c. 4, art. 2, sec. 2.)

Section 6-10. License application.

- (a) Any person desiring to keep or conduct a public dance house or hall in the County shall make an application in writing, verified under oath, to the County finance director, which shall set forth:
 - (1) The full name and address of the applicant, if an individual, or, if a firm, corporation, or club, the full name and address of the principal officers, including the full name and address of the person who is to be responsible for the conduct of dances or hall.
 - (2) The application of the occupant.
 - (3) A brief description of the place and the location of the public dance house or hall for which a license is desired.
 - (4) The full name and address of the owner, or of the person or persons in control of the premises.
 - (5) The term for which the applicant desires a license.

Section 6-23. Penalties.

Any person who violates any of the provisions of this article, or who operates or assists in the operation of a public dance house or hall without a license, shall be punished by a fine not exceeding \$500.

In the event any licensee or any owner of any public dance house or hall is convicted of any misdemeanor under this article, then in addition to the above penalty, the judge or district magistrate in imposing sentence may suspend or revoke the license of such person and may prescribe any period not more than one year during which such person may be prohibited from obtaining any license under this article; further, the judge or district magistrate may suspend the use of such public dance house or hall for dances for any period of time not exceeding one year.

(1975 C.C., c. 4, art. 2, sec. 16.)

Section 6-24. Revocation of license.

- (a) The County finance director may revoke any license issued under this article upon a proper showing made to him that any of the conditions of the license have been violated by its holder or any of his servants, agents or employees; or that there has been rowdyism, fights or intoxicating liquor furnished or consumed in and upon the premises, dance house or hall for which a license has been issued.
- (b) After a license has been issued as provided herein and if the County finance director finds that any false statement had been knowingly made in any application, he shall revoke such license.

(1975 C.C., c. 4, art. 2, sec. 17.)

Article 3. Mobile Homes.**Section 6-25. Definitions.**

- (1) "Mobile home" means any vehicle or similar portable structure having no foundation other than wheels, jacks or blocks and so designed or constructed as to permit occupancy for dwelling or sleeping purposes.
- (2) "Mobile home park" means any plot of ground upon which two or more mobile homes occupied for dwelling or sleeping purposes are located regardless of whether or not a charge is made for such accommodation.
- (3) "Persons" means any natural individual, firm, trust, partnership, association or corporation.

(1975 C.C., c. 4, art. 4, secs. 1—1.03.)

Section 6-26. License.

It shall be unlawful for any person to maintain or operate a mobile home park within the County, unless such person first obtains a license.

(1975 C.C., c. 4, art. 4, sec. 2.)

Section 6-27. License application; initial; transfer.

- (a) Application for an initial mobile home park license shall be filed with and issued by either the windward or leeward planning commission, or both acting jointly, as provided in the Charter. The application shall be in writing, signed by the applicant and shall include the following:
 - (1) The name and address of the applicant;
 - (2) The location and legal description of the mobile home park; and
 - (3) Such further information as may be requested by the designated planning commission, or joint commission, to enable it to determine if the proposed park will be compatible with existing and proposed land uses and complies with all legal requirements.

- (b) If the applicant is of good moral character, and the proposed mobile home park will, when constructed or altered in accordance with such plans and specifications, be in compliance with all provisions of this article and all other applicable statutes, ordinances, and regulations, the designated planning commission, or joint commission, may approve the application, and upon completion of the park according to the plans shall issue the license. A ruling by the joint commission shall require the affirmative vote of a majority of the combined membership of both commissions.
- (c) Upon application in writing for transfer of a license, the designated planning commission, or joint commission, shall issue a transfer if the transferee is of good moral character.
(1975 C.C., c. 4, art. 4, secs. 3-3.02; Am. 2009, Ord. No. 09-118, sec. 14.)

Section 6-28. Conformity with other laws.

All mobile homes shall conform to the County building code, and the public health housing code (chapter 2 of the State public health regulations),* except:

- (1) When parked in a licensed mobile home park;
- (2) When occupied for dwelling or sleeping purposes outside of a licensed mobile home park for less than thirty days in any one location.

(1975 C.C., c. 4, art. 4, sec. 4.)

* **Editor’s Note:** The public health regulations of the department of health relating to housing have been repealed.

Article 4. Miscellaneous Business Licenses.

Section 6-29. County business licenses.

The director of finance shall issue County licenses to businesses as required by chapter 445, Hawai‘i Revised Statutes, as amended, except as provided in section 6-30 of this article.

(1989, Ord. No. 89-41, sec. 2.)

Section 6-30. Elimination of business licenses.

The following businesses are not required to obtain an annual County license or to pay an annual County license fee:

- (1) The sale of beef or pork.
- (2) The manufacture of food products.
- (3) The operation of a laundry.
- (4) The keeping of a lodging or tenement house, hotel, boarding house or restaurant.
- (5) The production, processing or preparation of milk.
- (6) The sale of tobacco, cigars, and cigarettes.
- (7) The carrying of freight and baggage.
- (8) The carrying of passengers.

(1989, Ord. No. 89-41, sec. 2.)

Article 5. Licensing of Auctioneers.

Section 6-31. Purpose.

The purpose of this article is to provide for a licensing mechanism for auctioneers which was eliminated by Act 232 of the 1992 State Legislature, but which is still required in the Federal Bankruptcy Court.

(1995, Ord. No. 95-140, sec. 1.)

Section 6-32. Definitions.

“Auction” means a sale, offering for sale or exposing for sale to the highest bidder of any goods, wares, merchandise or other personal property in an auction room.

Tree	Tax Map Key and Location	Owner
20. 'Ōhi'a Lehua <i>Metrosideros polymorpha</i>	4-4-14:01 Kalōpā State Park	State of Hawai'i
21. Koa <i>Acacia koa</i>	4-4-14:01 Kalōpā State Park	State of Hawai'i
22. 'Ōhi'a Lehua <i>Metrosideros polymorpha</i>	4-4-14:01 Kalōpā State Park	State of Hawai'i
23. Grove of Mangoes <i>Mangifera indica</i>	1-3-08 Pohoiki Road	County of Hawai'i
24. Chinese Weeping Banyan	2-2-28:08 Kīlauea Ave.	State of Hawai'i
25. Grove of Monkeypod Trees	2-2-04:35 Kamehameha Ave. and Pauahi St.	County of Hawai'i
26. Grove of Monkeypod Trees	2-2-04:56 Kamehameha Ave. and Pauahi St.	County of Hawai'i
27. Gardenia Remyi	2-3-29:02 Waianuenue Ave.	County of Hawai'i
28. Terminalia chebula	2-3-01:2 Kamehameha Avenue	County of Hawai'i
29. Grove of Mangoes *	1-4-3, 4, 5, & 28 Government Beach Road	County of Hawai'i
30. 'Ōhi'a	1-5-1:56 Ka'ohe Homesteads, Pāhoa	Robert E. O'Neill
31. Brazilian Fern Tree <i>Schizolobium parahyba</i>	7-5-1:114 Moeauoa 1, North Kona	Gwendolyn C. Hobbs
32. Moreton Bay Fig <i>Ficus macrophylla</i>	7-5-6:12 Portion of Kailua Village, North Kona	Burgess, Inc.
33. Valencia Orange (Vancouver) <i>Citrus sinensis</i>	8-1-9:1 Kaawaloa, South Kona	Margaret Schattauer

(1984, Ord. No. 84-53, sec. 1; Am. 1989, Ord. No. 89-102, sec. 1; Am. 1991, Ord. No. 91-140, sec. 2; Am. 1993, Ord. No. 93-8, sec. 1; Am. 1999, Ord. No. 99-27, sec. 1; Am. 2000, Ord. No. 00-121, sec. 1; Am. 2002, Ord. No. 02-123, sec. 1; Am. 2003, Ord. No. 03-145, sec. 1; Am. 2005, Ord. No. 05-158, sec. 1; Am. 2006, Ord. No. 06-26, sec. 2; Am. 2006, Ord. No. 06-135, sec. 1; Am. 2006, Ord. No. 06-136, sec. 1; Am. 2007, Ord. No. 07-124, sec. 1; Am. 2007, Ord. No. 07-125, sec. 1; Am. 2007, Ord. No. 07-126, sec. 1.)

* **Editor's Note:** Ordinance 93-8, that added this grove of trees to the list, was amended by ordinance 06-26.

Article 11. Neighborhood Watch Signs.

Section 14-66. Purpose.

The purpose of this article is to provide assistance to communities which have organized a neighborhood watch program aimed at crime prevention and to encourage the formation of neighborhood watch programs by other communities by establishing the Neighborhood Watch Program under the County police department and authorizing the construction and installation of neighborhood watch signs at appropriate locations on public property.

(1987, Ord. No. 87-118, sec. 1.)

Section 14-67. Definitions.

- (a) As used in this article:
- (1) “Chief of police” means the chief of police of the County.
 - (2) “Neighborhood watch program” means a program established in accordance with the County police department’s neighborhood security watch program.
 - (3) “Neighborhood watch sign” means a sign constructed and installed at the direction of the police department and pursuant to the provisions of this article.
 - (4) “Public property” means any curbstone, lamppost, pole, parking meter, bridge, street sign, or traffic light located on public property. Public utility poles are excluded from this definition.
- (1987, Ord. No. 87-118, sec. 1; Am. 2001, Ord. No. 01-108, sec. 4.)

Section 14-68. Powers and duties.

Pursuant to the provisions of this article, the chief of police is authorized to:

- (a) Determine, with the assistance of the director of public works or the director’s duly authorized representative, the number and appropriate location of all neighborhood watch signs.
 - (b) Cause to be constructed and installed on public property, signs indicating that the area is protected by a neighborhood watch.
 - (c) Remove or cause to be removed, neighborhood watch signs located in neighborhoods where the neighborhood watch program has terminated.
- (1987, Ord. No. 87-118, sec. 1; Am. 2001, Ord. No. 01-108, sec. 1.)

Section 14-69. Application for approval.

- (a) Any person wishing to have a neighborhood watch sign placed in the person’s neighborhood shall submit an application to the chief of police. The application must identify:
- (1) The geographical boundaries of the neighborhood for which the application is being made.
 - (2) The number of homes situated within the boundaries of the designated neighborhood.
 - (3) The names, addresses, and phone numbers of each block captain and area coordinator.
 - (4) The number of homes participating in the neighborhood watch program.
- (b) No application for the construction and installation of signs shall be approved by the chief of police unless sixty percent of the homes within the boundaries of the designated neighborhood participate in the neighborhood watch program.
- (1987, Ord. No. 87-118, sec. 1.)

Section 14-70. Rules.

The chief of police is authorized to adopt rules pursuant to chapter 91, Hawaii Revised Statutes, as are necessary to implement, administer, and enforce the provisions of this article.

(1987, Ord. No. 87-118, sec. 1.)

Article 12. Official Bulletin Board.**Section 14-71. Official bulletin board established; purpose.**

There shall be an official bulletin board of the Hawaii County building for the posting of council and committee agendas and public notices of meetings of the County of Hawaii. This bulletin board is established in compliance with the provisions of article XIII, Hawaii County Charter.

(1994, Ord. No. 94-43, sec. 1; Am. 2006, Ord. No. 06-140, sec. 2; Am. 2009, Ord. No. 09-148, sec. 2.)

Section 14-72. Official bulletin board location.

The official bulletin board of the Hawai'i County building at 25 Aupuni Street, Hilo, Hawai'i shall be located within the exterior covered walkway of the Hawai'i County building, immediately adjacent to its main entrance and shall be conspicuously displayed and identified by the words "public notices" appearing thereon. (1994, Ord. No. 94-43, sec. 1; Am. 2006, Ord. No. 06-140, sec. 2; Am. 2009, Ord. No. 09-148, sec. 3.)

Section 14-73. Official bulletin board custodian.

Each agency and department of the County of Hawai'i shall be responsible for the posting and removal of their agendas and notices on the official bulletin board. (1994, Ord. No. 94-43, sec. 1; Am. 2006, Ord. No. 06-140, sec. 2.)

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HAWAII COUNTY CODE

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Article 8. Naming of Facilities.

Section 15-65.	Purpose.
Section 15-66.	Definitions.
Section 15-67.	Naming of recreational facilities.
Section 15-68.	Procedure for naming parks and recreational facilities.
Section 15-68.1.	Parks and recreational facility schedule.

Article 9. Farmers Markets.

Section 15-69.	Intent.
Section 15-70.	Director to establish time limits.
Section 15-71.	Site map.
Section 15-72.	Designated areas.
Section 15-73.	Permit; fee.

Article 10. Municipal Golf Course Funds.

Section 15-74.	Creation.
Section 15-75.	Purpose.
Section 15-76.	Administration.

Article 11. Dog Parks.

Section 15-77.	Purpose.
Section 15-78.	Definitions.
Section 15-79.	Applicability
Section 15-80.	Designation and regulation of dog parks.
Section 15-81.	Liability; responsibility of handler.
Section 15-82.	No Alcohol, Drug Use, Or Food Shall Be Allowed in Dog Parks.
Section 15-83.	Noise-producing devices prohibited.
Section 15-84.	Current dog vaccinations required.
Section 15-85.	Handler's responsibilities; control of dogs.
Section 15-86.	Dog behavior.
Section 15-87.	Dog park entry requirements; fees.
Section 15-88.	Violation of regulations; penalties.
Section 15-89.	Dog park facility schedule.
Section 15-90.	Severability.

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Section 15-70. Director to establish time limits.

The director may establish reasonable limitations on the duration and frequency of any farmers market activities that may be allowed.

(1993, Ord. No. 93-97, sec. 1.)

Section 15-71. Site map.

The department may apportion and/or delineate the area within the County park as the facility where the farmers market activity is allowed. The department shall provide a map of the farmers market site clearly delineating all farmers market spaces reserved for the exclusive use of any person granted a permit.

(1993, Ord. No. 93-97, sec. 1.)

Section 15-72. Designated areas.

The following are authorized designated areas:

- (a) Waimea.
- (b) Kona.
- (c) Honokaa County Park Complex.

(1993, Ord. No. 93-97, sec. 1.)

Section 15-73. Permit; fee.

- (a) All responsible persons, eighteen years of age or older, shall be allowed to secure a permit on their own to sell their products and wares grown, produced or made on the island of Hawai'i in any of the designated farmers market sites subject to policies, rules and regulations established by the director. Permits shall be issued on a first-come, first-served basis and shall be based upon a fee of \$5 per day. Each permit shall identify the permittee, the specific market space and site and the date(s) of said permit.
- (b) No permit shall be issued for more than five consecutive days, nor shall any person be granted a permit for more than fifteen days in any given calendar month. The holder of a farmers market permit shall, upon request, show the permit to any law enforcement officer, park caretaker, or any personnel of the department or any administrator or manager contracted by the department therefor.
- (c) Permit fees may be used by the department to enter into a purchase of services contract with a nonprofit organization for the administration and management of a farmers market program and/or site.

(1993, Ord. No. 93-97, sec. 1.)

Article 10. Municipal Golf Course Funds.**Section 15-74. Creation.**

There is created and established special funds to be known as the "municipal golf course funds."

(1995, Ord. No. 95-53, sec. 1.)

Section 15-75. Purpose.

All income generated from each municipal golf course shall be deposited into its respective, individual municipal golf course fund to be expended by the department solely for the operation, maintenance and improvement of that particular municipal golf course.

(1995, Ord. No. 95-53, sec. 1.)

Section 15-76. Administration.

The director shall be responsible for the administration of all municipal golf course funds in accordance with prescribed laws and procedures applicable to the expenditure of county funds.

(1995, Ord. No. 95-53, sec. 1.)

Article 11. Dog Parks.

Section 15-77. Purpose.

The purpose of this article is to create a policy for establishing County park areas to be used exclusively by dogs and their handlers.

(2009, Ord. No. 09-113, sec. 1.)

Section 15-78. Definitions.

For purposes of this article:

“Adult dog” means a dog over twelve months of age.

“Dangerous dog” means any dog that, without provocation, attacks a person or animal. A dog’s breed shall not be considered in determining whether or not it is dangerous.

“Dog park” means an enclosed area within a County park that has been designated for use as an off-leash dog area or a park for the exclusive use of dogs and their handlers, and listed in the facility schedule in this article.

“Enforcement Officer” means a police officer or animal control officer.

“Handler” means the person who brought the dog to the dog park and is responsible for the dog. The handler shall either be the owner of the dog or a responsible person that has been permitted by the owner to bring the dog to the dog park.

“Mobility device” means a device used by individuals with mobility impairment for the purpose of locomotion. A mobility device may be powered by the individual or some other source.

“Off-leash area” means the fenced, secured section where the dog is allowed to exercise and train without a leash.

“On-leash area” means any area not included inside the fenced and secured dog park section, the transition areas between the park, or a handler’s vehicle and the off-leash area.

“Puppy” means a dog between birth and twelve months of age.

“Shared-use or multi-use park” means a park that has playground equipment, an athletic playing field, or any other use that attracts children and also has a designated dog park on the same property.

(2009, Ord. No. 09-113, sec. 1.)

Section 15-79. Applicability

This article applies to any County-owned and designated dog park or any portion of a multi-use park where an area is designated as a dog park, and is appropriately fenced and signed. Only areas listed in the facility schedule of this article shall be authorized as County dog parks. The provisions of Hawai‘i Revised Statutes section 663-9, regarding dog owner liability and Hawai‘i County Code, chapter 4, as it relates to dogs, are applicable to all users of designated dog parks.

(2009, Ord. No. 09-113, sec. 1.)

Section 15-80. Designation and regulation of dog parks.

(a) The director, with the approval of the council, may designate any County park as a shared-use park and allocate an area as an off-leash area for dogs, or authorize a location exclusively for a dog park.

(1) In designating County parks for the exclusive use of dogs and their handlers or portions of county parks or areas therein as a shared-use park with an off-leash area, the director shall consider the park’s size, location, and frequency of use by members of the public, as well as the primary, actual, or designed use of each park or area.

(2) The director shall post signs that notify the public of such off-leash or on-leash areas for dogs and describe or map the park or park areas so designated.

(3) Areas for off-leash dogs shall be appropriately fenced.

- (b) If practicable, the director may designate a separate, fenced, and secure section within a dog park to accommodate dogs that weigh twenty pounds or less. In addition, the director may also designate a play and training section for the protection of puppies that shall be similarly segregated and secure from other areas of the dog park.
- (c) The director shall adopt rules pertaining to dog parks.
(2009, Ord. No. 09-113, sec. 1.)

Section 15-81. Liability; responsibility of handler.

- (a) The handler shall be responsible for all actions, behavior, injuries, or damage caused by its dogs while on County park property.
- (b) The handler shall be responsible for removing any feces, vomit or other waste matter produced by its dogs from the park and depositing it in an appropriate container.
- (c) The handler shall keep its dogs on a leash no longer than six feet in length when entering the park and moving the dogs into the off-leash area.
- (d) When in the off-leash area, the handler shall control its dogs by sound or voice command.
- (e) The handlers shall closely supervise minor children that accompany them to the dog park.
- (f) The County is not liable for any injury or harm to any person or dog incurred or caused by any other person or dog entering or remaining in the on-leash or off-leash park. The provisions of Hawai'i Revised Statutes section 663-9, regarding dog owner liability and Hawai'i County Code, chapter 4, as it relates to dogs, are applicable to all users of designated dog parks.
- (g) The director has the right to deny any person or dog access to any or all dog parks in accordance with administrative rules of the department of parks and recreation.
(2009, Ord. No. 09-113, sec. 1.)

Section 15-82. No Alcohol, Drug Use, Or Food Shall Be Allowed in Dog Parks.

- (a) Alcohol and/or drug use is prohibited in dog parks at all times and the handler shall not be under the influence of alcohol or drugs while escorting, transiting, or training a dog in a dog park subject to the provisions of this article as well as other State and County codes for violations.
- (b) Absolutely no food, including dog food or treats, shall be allowed in the off-leash area.
(2009, Ord. No. 09-113, sec. 1.)

Section 15-83. Noise-producing devices prohibited.

- (a) Due to the need for each handler to keep its dog under voice and sound control within the dog park, the use of any noise-producing devices including radios, television sets, musical instruments, boom boxes, electric generating plants, or other equipment driven by motors or engines is prohibited in a dog park or in a shared-use park where a designated area for a dog park exists, or at the discretion of the director.
- (b) This section shall not prohibit the use of equipment for law enforcement or custodial maintenance purposes, or the use of mobility devices in a dog park.
(2009, Ord. No. 09-113, sec. 1.)

Section 15-84. Current dog vaccinations required.

- (a) To protect all dogs using a dog park, each handler shall keep its dog's vaccination current and provide documentation of such to enforcement officers, upon request. Documentation shall consist of medical records, vaccine certificates, and/or receipts. Each dog shall have required vaccinations against common infectious diseases, be free of internal parasites, and be treated for ticks and other external parasites before entering a dog park.

- (b) Required vaccinations:
 - (1) Distemper virus
 - (2) Infectious Canine Hepatitis
 - (3) Leptospirosis
 - (4) Parvo virus
 - (c) Recommended, but non-essential vaccinations:
 - (1) Parinfluenza
 - (2) Bordetella
- (2009, Ord. No. 09-113, sec. 1.)

Section 15-85. Handler’s responsibilities; control of dogs.

- (a) Any dog transiting to and from the handler’s vehicle or outside the designated off-leash area shall be on a leash no longer than six feet.
- (b) The handler shall carry a leash no longer than six feet for each dog in its care in the off-leash area.
- (c) The handler shall not bring more than two dogs into the off-leash area at any one time.
- (d) To prevent injury, the handler shall remove pinch or choke collars from the dog when it is in the off-leash area.
- (e) For health and safety reasons:
 - (1) A handler shall not bring a puppy under the age of sixteen weeks into any dog park.
 - (2) Female dogs in estrus shall be prohibited from entering any on-leash or off-leash parks.
 - (3) When any dog is in the off-leash area, the handler shall remain in the off-leash area to supervise its dogs, and keep the dogs within view and under verbal, sound, or signal control at all times.
 - (4) Each handler in the off-leash section shall be at least eighteen years of age. Minor children entering the off-leash section shall be accompanied by an adult.
 - (5) All dogs shall have a valid dog license tag attached to the dog’s collar while in the dog park.
 - (6) The handler shall comply with all other dog park rules, as established by the director and posted in an easily visible location of each dog park.

(2009, Ord. No. 09-113, sec. 1.)

Section 15-86. Dog behavior.

- (a) The handler shall ensure that its dogs demonstrate appropriate social interaction at all times toward people and other dogs.
- (b) Dogs displaying aggressive behavior toward people or other dogs shall be immediately leashed and removed from the off-leash area, out of the dog park, and any other portion of the County park.
- (c) The provisions and penalties set forth in chapter 4, article 4, section 4-31, Regulation of dangerous dogs, are applicable to this article. In addition to the penalty provisions set forth in that section, any enforcement officer may also issue a trespass notice against the handler of any dog that is dangerous or vicious toward any other dog or person.

(2009, Ord. No. 09-113, sec. 1.)

Section 15-87. Dog park entry requirements; fees.

- (a) Each dog entering a dog park shall have a dog license tag pursuant to Hawai‘i County Code, chapter 4, article 3. The dog license tag shall be attached to the dog’s collar, and such collar shall remain on the dog at all times while in the dog park or moving to or from the dog park.

- (b) Each dog entering a dog park shall wear an individual dog park entry tag indicating that the annual dog park entry fee has been paid to the County or the County’s designated representative. Payment of the annual dog park entry fee entitles the handler to a single, colorized dog park entry tag applicable only to the dog to whom it was issued. The dog park entry tag shall be colored by calendar year. There shall be a one month’s grace period (January) during which time a dog may still have the dog park entry tag for the previous calendar year. The dog park entry tag allows the authorized dog to enter any county dog park unless the handler has been issued a trespass notice against personally entering a dog park or against that particular dog.
 - (c) Dog park entry tag fees:
 - (1) Each puppy.....\$5
(No pictures shall be required. Includes the administrative fee.)
 - (2) Initial adult dog park entry application, per dog.....\$25
(Initial application shall include pictures of both sides and the face of the dog. Includes the administrative fee.)
 - (3) Renewal fee for an adult dog, per dog.....\$10
(Does not require additional pictures or an additional dog license tag for identification purposes. Includes the administrative fee.)
 - (4) Administrative fee.....\$5
 - (d) If the ownership of the dog changes, the new owner shall complete an application, have new dog pictures taken, and pay the administrative fee to the County or the County’s designated representative to transfer ownership of the dog and its dog park entry tag.
 - (e) All fees shall be paid to the County of Hawai‘i within thirty days and deposited in the general fund of the County of Hawai‘i.
- (2009, Ord. No. 09-113, sec. 1.)

Section 15-88. Violation of regulations; penalties.

- (a) Each separate violation of the provisions of this article is a violation and upon conviction, shall be punished by a fine not to exceed \$1,000. Conduct that is proscribed under Hawai‘i County Code, chapter 4, article 4, as it relates to dogs, shall be enforced under that chapter.
 - (b) Failure to have a current dog license tag on the dog’s collar when entering a dog park constitutes a violation of this article.
 - (c) Failure to have a current dog park entry tag on the dog’s collar when entering a dog park constitutes a violation of this article. In addition to any penalty, the owner shall pay the dog park entry tag fee for that calendar year.
 - (d) Failure to maintain current vaccinations for a dog entering a dog park constitutes a violation of this article. Medical records, vaccination certificates, and/or receipts showing current vaccination shall be provided by the handler upon request of the enforcement officer.
 - (e) All fines collected under this article shall be deposited within thirty days into the general fund of the County of Hawai‘i.
 - (f) A one-year, no-trespassing notice against a person or dog may be issued by an enforcement officer for any violation of this article or any violation of posted park rules. A court of competent jurisdiction may extend the no-trespass period of time beyond one year for any violation of any section this article.
- (2009, Ord. No. 09-113, sec. 1.)

Section 15-89. Dog park facility schedule.

All dog parks shall be named by ordinance and added to the following facilities schedule:

Dog Parks

Hāmākua

Hilo

Ka‘ū

Kohala

Kona

Puna

(2009, Ord. No. 09-113, sec. 1.)

Section 15-90. Severability.

If any provision of this article is held invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this article.

(2009, Ord. No. 09-113, sec. 1.)

Chapter 16

PLANNING

Article 1. General Plan

Section 16-1. The County of Hawai'i general plan.

- (a) That certain planning code known and designated as "County of Hawai'i general plan," as adopted on December 5, 1971, by the council of the County of Hawai'i, is hereby adopted by reference, subject to later amendments by ordinance, and may be cited as the "general plan."*
- (b) A copy of the general plan and amendments shall be available for public inspection at the planning department.

(1975 C.C., c. 7, art. 1, sec. 1; Am. 2006, Ord. No. 06-153, sec. 1; Am. 2007, Ord. No. 07-70, secs. 2, 3 and 4; Am 2008, Ord. No. 08-98, sec 2; Am. 2009, Ord. No. 09-150, sec. 2, Ord. No. 09-161, secs. 1, 2, 3 and 4.)

* **Editor's Note:** A 2005 edition of the general plan was adopted by Ordinance 05-25. Ordinance 05-25 was subsequently amended by Ordinance 06-153, Ordinance 07-70, Ordinance 09-150, & Ordinance 09-161.

Article 2. Community Development Plans

Section 16-2. Adoption of community development plans.

The community development plans listed below are adopted and incorporated by reference. A copy of the plans and amendments shall be available for public inspection at the planning department.

KONA. The document identified as "Mapping the Future: Kona Community Development Plan Volume 1" is adopted by reference subject to later amendments by ordinance, and may be cited as the "Kona CDP." The planning area for the Kona CDP encompasses the judicial districts of North and South Kona.

NORTH KOHALA. The document identified as "North Kohala Community Development Plan" is adopted by reference subject to later amendments by ordinance, and may be cited as the "North Kohala CDP." The planning area for the North Kohala CDP encompasses the judicial district of North Kohala.

PUNA. The document identified as "Puna Community Development Plan" is adopted by reference subject to later amendments by ordinance, and may be cited as the "Puna CDP." The planning area for the Puna CDP encompasses the judicial district of Puna and the Volcano Census Designated Place that includes the Volcano Golf Course subdivision in the district of Ka'u.

SOUTH KOHALA. The document identified as "South Kohala Community Development Plan" is adopted by reference subject to later amendments by ordinance, and may be cited as the "South Kohala CDP." The planning area for the South Kohala CDP encompasses the judicial district of South Kohala. (2008, Ord. No. 08-98, sec. 3; Am. 2008, Ord. No. 08-116, sec. 2; Am. 2008, Ord. No. 08-131, sec. 2; Am. 2008, Ord. No. 08-151, sec. 2; Am. 2008, Ord. No. 08-159, sec. 2.)

Section 16-3. Review and amendment.

A comprehensive review of the community development plans shall commence within ten years from the date of adoption.

(2008, Ord. No. 08-98, sec. 3.)

Article 3. CDP Action Committees

Section 16-4. CDP action committees.

- (a) A community development plan (CDP) action committee shall succeed each CDP steering committee upon adoption of a community development plan.
- (b) The purpose of the CDP action committee is to be a proactive, community-based steward of the plan's implementation and update.

- (c) The planning department shall administer the CDP action committees and be responsible for developing a selection process for committee members and establishing rules of procedure, as needed.

(2008, Ord. No. 08-98, sec. 4.)

Section 16-5. Membership and tenure.

- (a) The CDP action committee shall consist of nine members. All members shall have a primary residence in the area covered by the CDP. The members shall be appointed by the mayor and approved by the County council. Prior service as a member of a CDP steering committee shall not disqualify an individual from serving on the CDP action committee.
- (b) The members shall serve staggered terms of four years. Upon the initial appointment of the committee, three members shall serve for a term of two years, three members for a term of three years, and three members for a term of four years. When the term of a member expires, the member shall continue to serve until a successor is appointed. Members whose terms expire may not be reappointed for at least two years, however, members appointed for one year or less may be reappointed for an additional term without the passage of two years' time.
- (c) The membership should reflect a broad cross-section of the community. The community development plan may specify more detailed selection criteria consistent with this objective.
- (d) A chairperson shall be elected from its membership annually.
- (e) Except as provided for in this section, the committee shall be governed by the County Charter, section 13-4.

(2008, Ord. No. 08-98, sec 4.)

Section 16-6. Duties and responsibilities of the CDP action committees.

The duties and responsibilities of the committee are:

- (1) Provide ongoing guidance and advocacy to advance implementation of the CDP goals, objectives, policies, and actions;
- (2) Broaden community awareness of the CDP and build partnerships, as appropriate, with governmental and community-based organizations to implement CDP policies and actions;
- (3) Take into consideration statewide objectives and legislation for long-term and sustainable plans for the island as a whole;
- (4) Provide timely recommendations to the County on priorities relating to the County operational budget and the CIP budget and program;
- (5) Receive briefings, as requested, from the planning department on pending and approved permit applications involving property located within the planning area, and on other issues related to the CDP;
- (6) Receive briefings from other County agencies, as requested, on priority actions identified in the CDP, which briefings may be integrated and consolidated by the mayor's office or the planning department into a plan of action for the forthcoming year and a status report on the current year's plan of action;
- (7) Monitor the progress and effectiveness of the CDP including the need for CDP revisions based on emerging statewide plans, new technologies, innovative ideas, or changing conditions;
- (8) Review and make recommendations on interim amendments to the CDP;
- (9) Serve as the steering committee, as set forth in the general plan, in any comprehensive update of the CDP;
- (10) Provide recommendations to amend the general plan; and
- (11) Carry out other duties specified in the CDP and/or in agreement with the planning department.

(2008, Ord. No. 08-98, sec. 4.)

Section 18-87. Pulling trailer or transporting freight prohibited.

No school bus shall, when being used for the transportation of pupils, be operated or driven with any trailer or other vehicle attached thereto, nor shall any school bus transport freight other than the school books and other school material carried by pupils while carrying school children.
(1975 C.C., c. 5, art. 4, sec. 3.05.)

Division 4. Inspections.**Section 18-88. Inspection of vehicles; issuance of certificate.**

The County director of finance or the director of finance's duly authorized subordinate, which shall include any official vehicle inspection station, shall, before any passenger license is issued to the bus, inspect the bus for which a license is requested, and if such person finds the bus to be in good serviceable and safe condition for the safe transportation of passengers, such person shall deliver to the applicant therefor a certificate setting forth the fact that the bus has been inspected and found to be safe for the transportation of pupils.

(1975 C.C., c. 5, art. 4, sec. 4.01; Am. 2008, Ord. No. 08-107, sec. 17.)

Section 18-89. Monthly inspection required; certificate of inspection.

- (a) Any vehicle used for the transportation of school children shall be subject to a thorough inspection monthly, by the County department of finance or any official inspection station so designated and authorized by the director of finance. When a vehicle has been inspected and found to be in a satisfactory operating condition, the department or inspection station shall issue a certificate of inspection, which certificate shall include a check list printed on the reverse side, certifying as to the equipment and mechanisms checked, and certifying to the adequacy and safety of the vehicle and equipment.
- (b) No vehicle without a certificate of inspection shall be used and no claims for the transportation of school children shall be paid unless accompanied by a certificate of inspection. A copy of the certificate shall be submitted each month to the district superintendent, Hawai'i island schools.

(1975 C.C., c. 5, art. 4, sec. 4.02; Am. 2008, Ord. No. 08-107, sec. 18.)

Article 4. Public Transit System.**Division 1. Island-Wide Fare Structure.****Section 18-90. Fares.**

Every person using the mass transit service owned, maintained or operated by the County shall be charged the fares set out in the following schedules:

- (a) Hilo-Hāmākua-Waimea-Kohala-Kona.
For one-way travel within each zone set out in fare schedule A, a base cash fare of 75 cents will be collected. For one-way travel between any two zones, the cash fare to be collected is set out in fare schedule A in section 18-92.
- (b) Hilo-Puna-Ka'ū.
For one-way travel within each zone set out in fare schedule B, a base cash fare of 75 cents will be collected. For one-way travel between any two zones, the fare to be collected is set out in fare schedule B in section 18-92.
- (c) Fare prepayment discount.
All tickets for travel between the points set out in above schedules can be prepurchased at a discount of ten percent off the scheduled cash fare. The monthly bus pass fare plan shall be based upon individual issuance of bus passes for travel within and between designated zones set out in the above schedules upon payment of the designated monthly bus fares to the mass transit agency. The ten percent discount in this paragraph shall not apply to the demand response fare.

- (d) Fare prepayment discount for senior citizens, handicapped persons and students.
All tickets for travel by senior citizens, handicapped persons and students, between the points set out in the above schedules, can be prepurchased at a discount of thirty-three and one-third percent off the scheduled cash fare. The monthly bus pass fare plan shall be based upon individual issuance of bus passes for travel within and between designated zones set out in the above schedules upon payment of the designated monthly bus fares to the mass transit agency. The ten percent discount in paragraph (c) shall not apply to prepaid tickets and monthly bus passes purchased pursuant to this paragraph. The thirty-three and one-third percent discount in this paragraph shall not apply to the demand response fare.
- (e) Circuit fares.
For same day round-trip travel discount based on the regular one-way fare, the circuit fare to be collected is set out in schedule C in section 18-92.
- (f) Shared-ride fares.
Shared-ride program coupons may be purchased by the public through the mass transit agency and its designated coupon sales outlets in accordance with the following schedule:

Coupon Price

5 coupon book	\$15	(\$3 per coupon)
10 coupon book	\$25	(\$2.50 per coupon)
15 coupon book	\$30	(\$2 per coupon)

For one-way travel limited to a maximum of nine miles under the shared-ride program the fare to be collected is set out in fare schedule D in section 18-92.

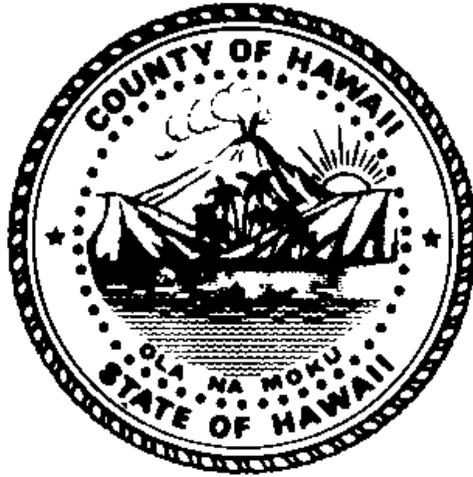
- (g) Promotional fares.
 - (1) The purpose of this subsection is to provide lower bus fares when a new route or service is provided or to boost ridership on established routes.
 - (2) The transit administrator may establish fares on a temporary basis for a period not to exceed ninety calendar days for bus routes and services.
- (h) Island-wide transportation free zone.
 - (1) The purpose of this subsection is to provide the public with a transportation alternative to the private automobile. The provision of an effective public transportation system for the residents of the County of Hawai‘i will produce economic, social and lifestyle benefits for the residents of Hawai‘i County. The distances residents must travel for work, medical, education, and social needs will be alleviated by providing public transportation at no cost to the user.
 - (2) The County of Hawai‘i shall be designated a transportation kōkua zone. Riders boarding and alighting any regularly scheduled bus route operated by the County of Hawai‘i or its designee shall ride free of charge.
 - (3) The transportation kōkua zone shall not apply to County contracted shared-ride taxi services, County operated curb to curb van services, or County operated non-scheduled bus services.
 - (4) The County wide transportation kōkua zone shall terminate on June 30, 2011.
 - (5) Within one year of the kōkua zone’s effective date, and again not later than ninety days prior to June 30, 2011, the transit administrator shall report to the Hawai‘i County council on the impact of its implementation.

(1986, Ord. No. 86-15, sec. 2; Am. 1990, Ord. No. 90-37, sec. 7, Ord. No. 90-91, sec. 1; Am. 2004, Ord. No. 04-141, sec. 1; Am. 2005, Ord. No. 05-151, sec. 1; Am 2007, Ord. No. 07-141, sec. 2; Am. 2009, Ord. No. 09-160, sec. 2.)

THE HAWAI‘I COUNTY CODE

1983 (2005 Edition, as amended)

Updated to include: **Supplement 9 (1-2010)**
Contains ordinances effective through: **12-31-09**



A CODIFICATION OF THE GENERAL ORDINANCES
OF THE COUNTY OF HAWAI‘I
STATE OF HAWAI‘I

Office of the County Clerk
County of Hawai‘i
25 Aupuni Street
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Volume 2

Chapter 23**SUBDIVISIONS****Article 1. General Provisions.****Section 23-1. Title.**

This chapter may be cited as the subdivision control code.
(1975 C.C., c. 9, art. 1, sec. 1.)

Section 23-2. Scope of chapter.

As authorized by section 62-34(7),* Hawai‘i Revised Statutes, as amended, and applicable ordinances, all subdivision plats and all streets or ways within the County created for the purpose of partitioning land shall be approved by the director in accordance with this chapter.
(1975 C.C., c. 9, art. 1, sec. 2.)

* **Editor’s Note:** Hawai‘i Revised Statutes chapter 62 has been repealed and superseded by chapter 46.

Section 23-3. Definitions.

Whenever used in this chapter, the following words and phrases, unless the context otherwise requires, shall be defined as indicated:

- (1) “Alley” means a narrow street through a block primarily for access by service vehicles to the back or side of properties fronting on another street.
- (2) “Arterial” means a street of considerable continuity, which is primarily a traffic artery for intercommunication between or through large areas.
- (3) “Building line” means a line on a plat indicating the limit beyond which buildings or structures may not be erected.
- (4) “Bureau of conveyances” means a bureau in the department of land and natural resources, State of Hawai‘i, where subdivisions meeting the requirements of this chapter may be filed.
- (5) “City of Hilo” means that portion of the district of South Hilo, County of Hawai‘i, which is described as follows: Bounded on the south by the district of Puna; bounded on the west by the districts of Ka‘ū and North Hilo; on the north by the ahupua‘a of Paukaa in the district of South Hilo; and on the east by the sea.
- (6) “Conforming” means compliance with the requirements of the applicable zoning district, including minimum building site area and minimum dimensions.
- (7) “Consolidation” means the combining of two or more lots into one lot.
- (8) “County general plan” means the plan adopted by the County for the guidance of growth and improvement of the County, including modifications or refinements which may be made from time to time.
- (9) “Cul-de-sac” and “dead-end street” mean a street with only one end open to traffic.
- (10) “Director” means the planning director of the County.
- (11) “Director of transportation” means the director of the State department of transportation.
- (12) “District engineer” means the district engineer of the division of highways of the State department of transportation for the County.
- (13) “Easement” means a grant of the right to use a strip of land for specific purposes.
- (14) “Engineer” means a person duly registered as a professional civil engineer in the State.
- (15) (A) “Lot” means a parcel of land intended as a unit for transfer of ownership or for development.

- (B) “Reversed corner lot” means a corner lot, the side street line of which is substantially a continuation of the front lot line of the first lot to its rear.
- (C) “Reversed frontage lot” means a lot situated between an existing or proposed arterial street and a minor street with frontage and access being derived from the minor street.
- (D) “Through lot” means a lot having a frontage on two parallel or approximately parallel streets other than alleys and access being derived from either of the two streets.
- (16) “Manager” means the manager of the department of water supply of the County.
- (17) “Parkway” means a road, street or highway that provides a traffic artery which provides for movement of traffic in opposite directions on either side of a dividing island or medial strip and is designated for through traffic.
- (18) “Pedestrian way” means a public right-of-way through a block between lots for pedestrian traffic, which may also be used as a utility easement.
- (19) “Person” means an individual, firm, partnership, corporation, company, association, syndicate, or any legal entity, including any trustee, receiver, assignee, or other similar representative thereof.
- (20) “Plat” means the map or drawing on which the subdivider’s plan of subdivision is presented and which he submits for approval.
- (21) “Pre-existing lot” means a specific area of land that will be treated as a legal lot of record based on criteria set forth in this chapter.
- (22) “Reserve strip” means a nonaccess reservation, placed under public control with conditions approved by the director, along rear property lines of reverse frontage lots.
- (23) “Resort subdivision” means land which: (A) is within a resort area as designated in the County general plan document or on the Land Use Pattern Allocation Guide (LUPAG) Map; (B) is zoned resort-hotel by the zoning code; or (C) is adjacent to land described in (A) or (B) and whose only ingress and egress is through land described in (A) or (B).
- (24) “Right-of-way” means the area between property boundary lines for use as a street or as a drainage or utility easement.
- (25) “Roadway” means the portion of a street right-of-way developed for vehicular traffic.
- (26) “Sanitary engineer” means the sanitary engineer of the State department of health for the County.
- (27) “Sidewalk” means a surfaced walkway for pedestrian traffic.
- (28) (A) “Street” means the entire width between the boundary lines of every public way provided for public use, for vehicular and pedestrian traffic, and the placement of utilities, and includes a road, boulevard, highway, land, place, avenue, lane, court, or alley.
 - (B) “Business or industrial street” means a street providing primary access to business or industrial lots.
 - (C) “Collector street” means a street supplementary to the arterial street system which is a means of intercommunication between this system and smaller areas, and which may be used to some extent for through traffic and to some extent for access to abutting properties.
 - (D) “Half street” means a portion of the width of a street, usually along the edge of a subdivision, where the remaining portion of the street is to be provided in another subdivision.
 - (E) “Marginal access street” or “service road” means a minor street, parallel and adjacent to an arterial, providing access to abutting properties, but protected from through traffic.
 - (F) “Minor street” means a street intended exclusively for access to abutting property.
 - (G) “Private street” means a street providing primary access to land, retained in private ownership.
- (29) “Street plug” means a reservation for street purposes, placed under public control under conditions approved by the director, for the extension of streets from a subdivision into adjacent lands that may be subdivided in the future.

- (30) “Subdivided land” means improved or unimproved land or lands divided into two or more lots, parcels, sites, or other divisions of land for the purpose, whether immediate or future, of sale, lease, rental, transfer of title to or interest in, any or all such parcels, includes re-subdivision, and when appropriate to the context, relates to the process of subdividing of the land or territory subdivided. Easements for the purpose of road and utilities shall not be construed as subdivided land.
- (31) “Subdivider” means a person or any combination of persons who cause land to be divided into a subdivision.
- (32) “Surveyor” means a person duly registered as a professional land surveyor in the State.
(1975 C.C., c. 9, art. 1, sec. 3; Am. 1974, Ord. No. 66, secs. 1 and 2; Am. 1992, Ord. No. 92-138, sec. 2; Am. 2001, Ord. No. 01-108, sec. 8; Am. 2002, Ord. No. 02-110, sec. 2; Am. 2009, Ord. No. 09-118, sec. 15.)

Section 23-4. Penalty.

Any person violating or failing to comply with the provisions of this chapter shall be sentenced by a fine not exceeding \$500. The continuance of any such violation after conviction shall be deemed a new offense for each day of such continuance.
(1975 C.C., c. 9, art. 1, sec. 4.)

Section 23-5. Appeals.

Any person aggrieved by the decision of the director in the administration or application of this chapter, may, within thirty days after the director’s decision, appeal the decision to the board of appeals. The board of appeals may affirm the decision of the director, or it may reverse, modify or remand the decision if the decision is:

- (a) In violation of this chapter or other applicable law; or
- (b) Clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; or
- (c) Arbitrary, or capricious, or characterized by an abuse of discretion or clearly unwarranted exercise of discretion.

The board of appeals shall adopt rules pursuant to chapter 91, Hawai‘i Revised Statutes, necessary for the purposes of this section.
(1982, Ord. No. 748, sec. 1; Am. 1999, Ord. No. 99-111, sec. 2.)

Article 2. Administration.

Division 1. General Provisions.

Section 23-6. Applicability of State and County general plans.

This chapter shall be applied and administered within the framework of the County general plan which is a long range, comprehensive, general plan prepared or being prepared to guide the overall future development of the County. The County general plan includes that portion of the State’s general plan that applies to the County, or such lesser portion thereof as the County may adopt, together with those comprehensive or general plans for sections of the County which may be adopted as amendments to or portions of the County general plan.
(1975 C.C., c. 9, art. 2, sec. 1.)

Section 23-7. Applicability to consolidation or resubdivision action.

The requirements and standards of this chapter shall not apply to consolidation and resubdivision action resulting in the creation of the same or fewer number of lots than that which existed prior to the consolidation/resubdivision action; provided that the director, upon conferring with the director of public works and manager of the department of water supply, may require necessary improvements to further the public welfare and safety.
(1974, Ord. No. 66, sec. 5; Am. 2001, Ord. No. 01-108, sec. 1.)

Section 23-8. Issuance of building permits; Zoning Code.

No building permit shall be issued for any building to be erected on any lot within the area covered by any proposed subdivision unless the requirements of the Zoning Code are met.
(1975 C.C., c. 9, art. 3, sec. 1.)

Section 23-9. Permits for installation of service utilities; subdivision approval.

The department of public works shall not issue a permit to cut a curb, tap a sewer line, or install any lighting or sewer facilities and the department of water supply shall not issue a permit to tap a water line or install any water facilities in the area covered by a proposed subdivision until such subdivision has been approved as required by the provisions of this chapter.
(1975 C.C., c. 9, art. 3, sec. 2.)

Section 23-10. Acceptance of highways; compliance with chapter.

The council shall not take over, receive by dedication, do any repair or construction work upon streets or pavements, water lines, street lighting systems, sewer lines, or in any way accept as public highways any street in any subdivision opened or platted in the County after December 21, 1966, except upon full compliance with the provisions of this chapter.
(1975 C.C., c. 9, art. 3, sec. 3.)

Section 23-11. Public utility or public rights-of-way subdivisions.

The requirements, including lot sizes, and standards of this chapter shall not be applicable to public utility or public rights-of-way subdivisions and their remnant parcels; provided that the director upon conferring with the director of public works and manager of the department of water supply may require necessary improvements to further the public welfare and safety.
(1974, Ord. No. 66, sec. 4; Am. 2001, Ord. No. 01-108, sec. 1.)

Section 23-12. Submission of application and plans; filing.

- (a) A person desiring to subdivide land or desiring to partition land by creation of a street within the County shall submit an application for subdivision and preliminary and final plans and documents for approval as provided in this chapter and State law.
- (b) No subdivision plat may be filed with the bureau of conveyances or land court until submitted to and approved by the director.
(1975 C.C., c. 9, art. 2, sec. 2; Am. 1992, Ord. No. 92-138, sec. 3.)

Section 23-13. Large scale developments.

The director may make exceptions to this chapter where a plan and program for a complete community, a neighborhood unit, a large-scale shopping center, large industrial area development, or large agricultural area development provides adequate public spaces and improvements for the circulation, recreation, light, air, and service needs of the tract when fully developed and populated and covenants or other legal provisions are provided to assure conformity to and achievement of the plan.
(1975 C.C., c. 9, art. 3, sec. 4.)

Division 2. Variances.**Section 23-14. Variances.**

Variances from the provisions of this chapter may be granted; provided, that a variance shall not allow the introduction of a use not otherwise permitted within the district; and provided further that a variance shall not primarily effectuate relief from applicable density limitations.
(1982, Ord. No. 763, sec. 1.)

- (2) When it is in conformance with other provisions of this chapter; and
- (3) When the director is shown clear evidence that the adjoining parcels will be developed and that dedication of the other half will be made when the adjoining property is subdivided.
- (b) Whenever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within the tract.
- (c) Reserve strips and street plugs may be required to preserve the objectives of a half street. (1975 C.C., c. 9, art. 2, sec. 4.03(H).)

Section 23-48. Cul-de-sacs.

- (a) A cul-de-sac shall be as short as possible and shall not be more than six hundred feet in length nor serve more than eighteen lots; provided that longer streets may be approved by the director when unusual conditions exist.
- (b) All cul-de-sacs shall terminate with a circular turn-around of forty-five feet radius, except that a T-turn-around or other suitable turn-around may be permitted, if in the opinion of the director, this type of turn-around meets the requirements of the situation. (1975 C.C., c. 9, art. 2, sec. 4.03(I).)

Section 23-49. Street names.

No street name shall be used which may duplicate or may be confused with the name of an existing street in the County, provided that identical or similar names may be used to name extensions of existing streets. Street names shall conform to the adopted policy of the County and shall be subject to the approval of either the windward or leeward planning commission, or both acting jointly, as provided in the Charter, and shall further require adoption by the council. (1975 C.C., c. 9, art. 2, sec. 4.03(J); Am. 1984, Ord. No. 84-68, sec. 2; Am. 2009, Ord. No. 09-118, sec. 16.)

Section 23-50. Grades and curves.

- (a) A grade of a street shall be a reasonable minimum but in no case be less than one-half of one percent and shall not exceed seven percent on major arterials, eight percent on secondary arterials, ten percent on collector streets, or twelve percent on any other street. No grade shall be less than one-half of one percent at the gutter. Vertical and horizontal curves shall be so designed as to give nonpassing distance visibility in conformance with the following minimum requirements:

Classification	Vertical Curve	Horizontal Curve
Primary arterial	500 feet	500 feet
Secondary arterial	500 feet	500 feet
Business or industrial street	500 feet	500 feet
Collector street	300 feet	300 feet
Minor street	300 feet	300 feet
Cul-de-sac	100 feet	200 feet

- (b) Variations from the required grades or curves may be permitted by the director and the director of public works where advisable to meet unusual conditions and the director of public works may specify additional standards accordingly. (1975 C.C., c. 9, art. 2, sec. 4.03(K); Am. 2001, Ord. No. 01-108, sec. 1.)

Section 23-51. Protection from existing or proposed arterial streets.

Where a subdivision abuts or contains an existing or proposed arterial street, the director may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a nonaccess

reservation along the rear property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(1975 C.C., c. 9, art. 2, sec. 4.03(L).)

Section 23-52. Alleys.

Alleys shall have a minimum width of twenty feet in districts designated commercial and industrial in chapter 25, Zoning Code, unless adequate permanent provisions for access to off-street parking and loading facilities approved by the director have been provided. At street and alley intersections, ten feet corner radii shall be required.

(1975 C.C., c. 9, art. 2, sec. 4.03(M).)

Section 23-53. Private streets.

No private street or alley shall be approved unless they are improved as specified under article 6, division 2 of this chapter.

(1975 C.C., c. 9, art 2, sec. 4.03(N).)

Division 5. Utilities.

Section 23-54. Utilities location within streets and State highways.

- (a) In general, all utilities shall be located within the street width, and government owned water mains shall be located in the paved areas, except that water mains of a suburban water system may be located as designated in the area between the edge of pavement and the property line when approved by the director of public works and manager. Where practicable, sewer mains shall be located in the paved area between curbs.
- (b) On State highways, all utilities shall be located in the area between the edge of pavement and the property line. Where practicable, a minimum distance of six feet shall be maintained between the edge of pavement and the location of the utilities. Utilities may be permitted to cross the highway on a line perpendicular to the centerline of the highway. Under certain conditions the utility may be permitted to deviate from the normal line but in no case shall the angle between the utility and a line perpendicular to the centerline exceed forty-five degrees.

(1975 C.C., c. 9, art. 2, sec. 4.09(A) and (B); Am. 2001, Ord. No. 01-108, sec. 1.)

Section 23-55. Location of utilities within street impractical; alternative.

If in the opinion of the director, the director of public works and manager, the most suitable and reasonable location for any of the utilities, such as sewers, storm drains, water and gas pipes, electric and telephone pole lines and conduits, which are likely to be required within a subdivision for the service thereof or for the service of areas in the surrounding territory, does not lie wholly within the street width, the director may require provisions to be made for the location of such utilities on routes elsewhere than within said street width. The subdivider shall designate the required area for all such utility locations outside of the street width and shall deliver a proper easement or right-of-way for the area.

(1975 C.C., c. 9, art. 2, sec. 4.09(C); Am. 2001, Ord. No. 01-108, sec. 1.)

Section 23-56. Easements for utilities; size; conveyance.

- (a) Easements or rights-of-way for sewers, storm drains and government owned water facilities shall be fifteen feet in width and centered on rear or side lot lines except for guy-wire tie-back easements, which shall be three feet wide by twenty feet long along lot lines at change of direction points of easements, except that this width may be modified where the director of public works or the manager, whichever is appropriate, finds that a greater or lesser width is necessary or satisfactory for the purpose of the use of the area.

Division 9. Air Conditioning.

- Section 24-130. Air-conditioning equipment defined.
- Section 24-131. Standards applicable.
- Section 24-132. Compliance required; sale and use.

Article 7. Operation of Vehicles.

Division 1. Traffic-Control Devices.

- Section 24-133. Stop signs described; compliance; designated.
- Section 24-134. Procedure for entering stop intersections.
- Section 24-135. Speed, turn lane, passing, and other regulatory signs described.
- Section 24-136. Parking, bus stops, loading signs described.
- Section 24-137. Yield sign described; compliance.
- Section 24-138. Procedure for entering yield intersections.
- Section 24-139. Warning signs described.
- Section 24-140. Warning signs required for the protection of working men.
- Section 24-141. Warning signs required for livestock movement.
- Section 24-142. Signs required at through streets.
- Section 24-143. One-way streets designated.
- Section 24-144. Markings specified.
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Section 24-18. Motor vehicle tax; minimum tax; penalties for delinquency.

- (a) The minimum tax assessed under section 24-17 shall in no case be less than \$6.
 - (b) Effective July 1, 2009, any vehicle weight tax imposed by section 24-17 for any year and not paid when due, shall become delinquent and a penalty of \$8 for vehicles taxed at the passenger car rate and \$20 for vehicles taxed at the commercial vehicle rate shall be added to, and become a part of, the tax collected.
- (1979, Ord. No. 396, sec. 1; Am. 1982, Ord. No. 795, sec. 1; Am. 2009, Ord. No. 09-73, sec. 2.)

Section 24-19. Vehicle registration fees.

- (a) The fee for issuance for a new series of number plates for vehicles shall be \$5.
- (b) The fee for issuance of a tag or emblem for a vehicle, upon payment of the applicable tax, in any year shall be 50 cents.
- (c) The fee for replacement of a lost or mutilated number plate or plates, tag, or emblem, shall be as follows:
 - (1) Number plates, \$5.
 - (2) Tag or emblem, 50 cents.
- (d) The transfer of ownership fee for issuance of a new certificate of ownership shall be \$5.
- (e) The transfer fee for issuance of a new certificate of registration on a trailer shall be \$5.
- (f) The fee for dealer correction for each instance of correction of the registration record shall be \$5.
- (g) The fee for duplicate certificate of registration or certificate of ownership shall be \$5.
- (h) A fee of \$1 per certificate of registration shall be assessed and collected annually together with other applicable vehicle taxes and fees, to be used for highway beautification and disposal of abandoned vehicles.
- (i) An annual fee of \$12 per vehicle shall be charged for each vehicle registration, which shall be paid at the same time as the motor vehicle tax paid pursuant to section 24-17 of this chapter. The proceeds from this fee shall be allocated to establish a fund for the towing, removal, disposal and recycling of abandoned or discarded automobiles and automobile parts, and such fund entitled "vehicle disposal fund" is hereby established.
- (j) An annual County registration fee of \$5 per vehicle shall be charged for each vehicle registration, which shall be paid at the same time as the motor vehicle tax paid pursuant to section 24-17 of this chapter.
- (k) Any person who is totally disabled due to injuries received while on duty with the armed forces of the United States may apply for an exemption from subsections (a), (b), (h), (i), and (j) of this section, for a single noncommercial vehicle, subject to proof of total service related disability from the Veterans Administration and approval by the director of finance.

(1979, Ord. No. 396, sec. 1; Am. 1982, Ord. No. 730, sec. 1; Am. 1982, Ord. No. 817, sec. 1; Am. 1985, Ord. No. 85-59, sec. 1; Am. 1989, Ord. No. 89-51, sec. 1; Am. 1994, Ord. No. 94-46, sec. 2; Am. 2002, Ord. No. 02-90, sec. 2; Am. 2003, Ord. No. 03-32, sec. 2; Am. 2004, Ord. No. 04-8, sec. 3.)

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Section 24-20. Motor vehicle driver's permit and license fees.

The following fees are established for the application and renewal of motor vehicle instruction permits and driver's licenses:

- (a) Application for instruction permit, \$10.
 - (b) Application for driver's license or out-of-state transfer:
 - (1) Application for driver's license (not chargeable if applicant presents evidence of having paid to Hawai'i County the application for instruction permit fee), \$1.
 - (2) Application for out-of-state transfer with a valid out-of-state license, \$4.
 - (c) Reinstatement fee (payable upon the restoration of any license which has been suspended), \$50.
 - (d) Driver's license valid for one year, \$5.
 - (e) Renewal of driver's license valid for one year, \$5.
 - (f) Driver's license valid for two years, \$10.
 - (g) Renewal of driver's license valid for two years, \$10.
 - (h) Driver's license valid for four years, \$20.
 - (i) Renewal of driver's license valid for four years, \$20.
 - (j) Driver's license valid for eight years, \$40.
 - (k) Renewal of driver's license valid for eight years, \$40.
 - (l) Reactivation fee for each thirty-day period after the ninety-day grace period for renewal within one year of expiration, \$5.
 - (m) Duplicate license/permit, \$6.
 - (n) Road test fees (categories 1, 2, and 3), \$10; (category 4), \$50.
 - (o) Written test fee, \$1.
 - (p) Oral examination fee, \$10.
 - (q) Provisional license valid until age nineteen, \$5 per year.
 - (r) Request for verification of license status, \$10.
- (1975 C.C., c. 2, art. 10, sec. 8.01; Am. 1977, Ord. No. 315, sec. 1; Am. 1982, Ord. No. 798, sec. 1; Am. 1994, Ord. No. 94-88, sec. 1; Am. 1998, Ord. No. 98-10, sec. 1, Am. 2005, Ord. No. 05-163, sec. 2; Am. 2009, Ord. No. 09-83, sec. 2.)

Section 24-21. Motor vehicle driver's license examination fees.

The following fees are established for the examination of drivers applying for a driver's license:

- (a) Written examination fee, \$1.
 - (b) Oral examination fee (applicable to those requesting an oral examination, either for an instruction permit or for a license renewal in categories 1—3), \$10.
 - (c) Fees for commercial driver's licenses will be collected pursuant to the provisions of State law.
- (1975 C.C., c. 2, art. 10, sec. 8.01; Am. 1977, Ord. No. 315, sec. 1; Am. 1994, Ord. No. 94-88, sec. 2.)

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Section 24-149. Maximum speed limit.

(a) The following maximum speed limit shall be in effect except where a special speed limit has been enacted:

(1) Twenty miles per hour.

In any school zone, the beginning of which is demarcated by a school speed limit sign supplemented with a flashing speed limit sign beacon, and the end of which is demarcated by an end school zone or standard speed limit sign.

(2) Twenty-five miles per hour.

(A) When passing a school site or the grounds thereof, which are contiguous to or located in close proximity to, the highway and posted with the standard "school" warning sign while children are going to be leaving the school during opening or closing hours. This speed limit shall also apply during school recesses when passing any school grounds which are not separated from the highway by a fence or other physical barrier capable of restraining a child, while the grounds within seventy-five feet of the highway are in use by a child, and the highway is posted with the standard "school" warning sign.

(B) During school days for a distance of up to one thousand feet on both sides of a crosswalk designated by the director of public works as a school crossing and posted with the standard "School Crossing."

(C) In a residential district, unless otherwise indicated.

(D) On all roadways within construction zones.

(E) On all highways and streets unless otherwise specified by this chapter.

(3) Thirty miles per hour.

In a business district.

(1975 C.C., c. 6, art. 8, sec. 4; Am. 1973, Ord. No. 4, sec. 1; Am. 1974, Ord. No. 35, sec. 4; Am. 1975, Ord. No. 143, sec. 2; Am. 1980, Ord. No. 551, sec. 2; Am. 1988, Ord. No. 88-143, sec. 1; Am. 1995, Ord. No. 95-25, sec. 4; Am. 1999, Ord. No. 99-65, sec. 4; Am. 2001, Ord. No. 01-108, sec. 1; Am. 2009, Ord. No. 09-135, sec. 2.)

Section 24-150. Speed limits.

Speed limits described in article 10, division 1, and article 11, division 1, shall be effective when appropriate signs giving notice thereof are erected.

(1975 C.C., c. 6, art. 8, sec. 5; Am. 1980, Ord. No. 551, sec. 2; Am. 1999, Ord. No. 99-65, sec. 5.)

Section 24-150.1 Maximum speed limits may be reduced in a residential or a business district.

(a) The director of public works is authorized to approve the reduction of maximum speed limits in residential and business districts in five mile per hour increments to a minimum of 15 miles per hour for any subdivision being developed under chapter 23 of the Hawai'i County Code. The director may reduce speed limits under this section when topographical, geometric and/or physical conditions result in limited sight-distances, vehicle operating restrictions and/or other engineering safety factors that warrant such a reduction.

(b) Speed limits set by the director of public works pursuant to this section may be further changed by the council by ordinance.

(2007, Ord. No. 07-59, sec. 2)

Section 24-151. Minimum speed regulations.

(a) No person shall drive a motor vehicle on a highway at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

- (b) When a speed limit is set at forty or more miles per hour, the driver of a vehicle proceeding on such highway shall not operate the driver’s vehicle at a speed less than fifteen miles per hour below the posted speed limit whenever practicable except when necessary for safe operation.
 - (c) No person shall drive a motor vehicle on a highway at a speed lower than the required minimum speed, if to do so would impede other vehicular traffic. Such person shall pull to the side of the highway wherever safe to do so and stop if necessary to allow other vehicles to pass the slow-moving vehicle.
- (1975 C.C., c. 6, art. 8, sec. 6; Am. 1974, Ord. No. 18, sec. 1; Am. 1980, Ord. No. 551, sec. 2.)

Division 3. Prohibited or Restricted Activities and Vehicles.

Section 24-152. Tampering with vehicles prohibited; exception.

- (a) No person shall, without the consent of the owner or person in charge of a vehicle, climb upon or into any vehicle with the intent to commit any injury thereto or with the intent to commit any crime, whether such vehicle be in motion or at rest.
 - (b) No person, without the consent of the owner or person in charge of a standing unattended vehicle, shall manipulate any of the levers, starting crank, brakes or other devices thereon.
 - (c) An operator of a motor vehicle may, however, release the brakes and move a standing unattended vehicle for the purpose of extricating the operator’s vehicle from a parking location.
 - (d) Any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$250.
- (1975 C.C., c. 3, art. 7, sec. 2.)

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Section 24-181. Indemnification by owner; notice.

- (a) The owner or operator of a golf course which permits golf carts or golf course maintenance vehicles to be driven upon the public thoroughfare shall save harmless and indemnify the County for all loss sustained by the County on account of any suit, judgment, execution, claim or demand whatsoever, by reason of any injury to person or property, including damage to road foundation, surface, or structures, resulting from the operation of such vehicles upon the public thoroughfare.
 - (b) The County shall notify such owner or operator or such person's representative within sixty days after the presentation of any claim or demand, either by suit or otherwise, made against the County on account of the operation of golf carts or golf course maintenance vehicles upon the public thoroughfare.
- (1975 C.C., c. 6, art. 5, sec. 6.)

Section 24-182. Bond requirements; insurance policy.

- (a) The owner and operator of a golf course which permits golf carts or golf course maintenance vehicles to be driven upon the public thoroughfare shall file with the department of public works of the County a continuing bond in the penal sum of \$300,000 issued by the owner or operator and a surety company to be approved by the County corporation counsel and conditioned for the faithful observance of this division and any and all amendments thereto, which shall indemnify and save harmless the County from any and all damages, judgments, costs or expenses which the County may incur or suffer by reason of the operation or use of such vehicles upon the public thoroughfare.
 - (b) A liability insurance policy issued by an insurance company authorized to do business in the State of Hawai'i conforming to this section may be permitted in lieu of a bond.
- (1975 C.C., c. 6, art. 5, sec. 7.)

Section 24-183. Penalty.

Any person violating any of the provisions of this division shall be fined in an amount not exceeding \$250. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as provided in this division.

(1975 C.C., c. 6, art. 5, sec. 8; Am. 1994, Ord. No. 94-103, sec. 3.)

Section 24-184. Application of division.

This division is not to be construed to mean that the County may not require golf course developers to build overpasses or underpasses across public rights-of-way.

(1975 C.C., c. 6, art. 5, sec. 9.)

Division 7. Bicycles.**Section 24-185. Bicycle operation; bike lanes; bike routes.**

- (a) No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.
 - (b) Bike Lanes, Established. The areas designated in schedule 42, section 24-294, once appropriately identified with traffic-control devices, signs, signals, or markings by the director of public works or the director's representative, are established as bicycle lanes.
 - (c) Bike Routes, Established. The areas designated in schedule 43, section 24-295, once appropriately identified with traffic-control devices, signs, signals, or markings by the director of public works or the director's representative, are established as bicycle routes.
- (1975 C.C., c. 6, art. 13, sec. 1; Am. 1982, Ord. No. 789, sec. 1; Am. 2001, Ord. No. 01-108, sec. 1.)

Section 24-186. Parking bicycles without obstructing street or sidewalk.

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian and vehicular traffic.

(1975 C.C., c. 6, art. 13, sec. 2.)

Division 8. Mopeds.**Section 24-186.1. Moped rules.**

- (a) No person shall:
- (1) Operate a moped on any highway or street in the County unless that person is properly wearing protective eyewear.
 - (2) Offer for lease or rent a moped without providing to the operator protective eyewear.
- (b) Every moped shall be certified pursuant to Hawai‘i Revised Statutes section 286-26, certificates of inspection, prior to the issuance of a registration by the director of finance and prior to the transfer of any registration; provided that this requirement shall not apply to any subsequent transfer of registration in a moped that carries a current certificate of inspection.

(1988, Ord. No. 88-84, sec. 3; Am. 2009, Ord. No. 09-119, sec. 2)

Division 9. Pedicabs.**Section 24-186.2. Definition.**

- (a) As used in this article, unless the context clearly requires otherwise:
- (1) “Pedicab” means any multi-wheeled, hooded or unhooded push-cart or rickshaw-type vehicle pulled or propelled by any person, which is used in the movement of passengers.

(1989, Ord. No. 89-22, sec. 2.)

Section 24-186.3. Use of pedicabs prohibited.

No person shall use or operate a pedicab or other like vehicle on, upon, or across any public street, highway, or thoroughfare.

(1989, Ord. No. 89-22, sec. 2.)

Section 24-186.4. Penalty.

A person who violates the provisions of this division shall upon conviction be punished by a fine not to exceed \$500.

(1989, Ord. No. 89-22, sec. 2.)

Article 8. Parking, Standing and Stopping.**Division 1. Parking Regulations.****Section 24-187. Parking restricted.**

No person shall stop, park, or leave standing any motor vehicle, whether attended or unattended, upon the paved or main traveled part of the highway in the County except in those areas lawfully designated for parking.

(1975 C.C., c. 6, art. 15, sec. 1.)

Section 24-188. Removal of illegally stopped vehicle.

- (a) Whenever any police officer finds a motor vehicle in violation of section 24-187, the officer is authorized to move the vehicle or require the driver or other person in charge of the vehicle to move the vehicle to a position where the vehicle will not obstruct traffic or off the primary lanes of vehicular travel.
 - (b) Upon the inability of the officer to move the vehicle and after the driver or owner refuses or is unable to comply with the request to move the vehicle, or where the driver cannot be located in the immediate area, the officer may cause the vehicle to be towed away at the registered owner or driver's expense.
 - (c) Whenever any police officer finds a vehicle unattended upon any bridge or causeway or in any tunnel where the stopped vehicle constitutes an obstruction to traffic, the officer is authorized to provide for the removal of the vehicle to the nearest garage or other place of safety.
- (1975 C.C., c. 6, art. 15, sec. 2; Am. 1977, Ord. No. 325, sec. 1.)

Section 24-189. Stopping, standing, or parking in certain areas prohibited.

- (a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or a special traffic-control device, no person shall stop, stand, or park a vehicle:
 - (1) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - (2) On the sidewalk;
 - (3) Within an intersection except where designated by parking stalls;
 - (4) On a crosswalk;
 - (5) Within or along any safety zone where special signs are erected prohibiting parking;
 - (6) Alongside or opposite any street, excavation, or obstruction when stopping, standing, or parking would obstruct traffic;
 - (7) Upon any bridge or other elevated structure upon a highway, within a highway tunnel;
 - (8) At any place where special signs or markings prohibit stopping; or
 - (9) The areas described in schedule 34, section 24-286 are designated as no stopping, standing or parking zones, and appropriate signs or marking giving notice thereof shall be erected.
- (1975 C.C., c. 6, art. 15, sec. 3; Am. 1996, Ord. No. 96-41, sec. 7.)

Section 24-190. Picking up or discharging passengers.

- (a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
 - (1) In front of or within four feet of a public or private driveway or within a distance up to seventy-five feet of a public or private driveway when appropriate signs or markings are installed;
 - (2) Within fifteen feet of a fire hydrant;
 - (3) Within thirty feet of a crosswalk or within a distance up to seventy-five feet of a crosswalk when appropriate signs or markings are installed;
 - (4) Within thirty feet of an intersection or within a distance up to seventy-five feet of an intersection when appropriate signs or markings are installed;
 - (5) Within twenty feet of a driveway entrance to any fire station and on the side of the street opposite the entrance to any fire station within seventy-five feet of such entrance when properly marked;
 - (6) Within seventy-five feet upon the approach to any traffic-control signal except where designated by a parking stall;
 - (7) At any place where special signs or markings prohibit standing;
 - (8) Except where otherwise specifically provided for by ordinance applicable to driveways located upon the following streets, in front of or within thirty feet of any driveway located on Aupuni and Pauahi Streets in the City of Hilo; or
 - (9) Within the turnaround area of a dead-end street, when special signs are erected.

- (b) The department of public works shall indicate by signs or by markings painted upon the curbs the areas within which parking has been prohibited by this division.
(1975 C.C., c. 6, art. 15, sec. 3; Am. 1977, Ord. No. 332, sec. 2; Am. 1978, Ord. No. 350, sec. 1; Am. 1997, Ord. No. 97-50, sec. 1.)

Section 24-191. Loading or unloading of passengers or merchandise in certain areas.

- (a) Except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or a special traffic-control device, no person shall park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers at any place where official signs or markings prohibit parking.
- (b) No person shall move a vehicle not lawfully under such person’s control into any prohibited area as described in this section or away from a curb at a distance as is unlawful.
(1975 C.C., c. 6, art. 15, sec. 3; Am. 1996, Ord. No. 96-41, sec. 8.)

Section 24-192. Parking not to obstruct traffic.

No person shall park any vehicle:

- (a) On any street designated as “no parking on pavement zone” in a manner or under such condition that any portion of the vehicle extends over any portion of the roadway. The areas described in schedule 27 are designated as “no parking on pavement zones” and appropriate signs or markings giving notice thereof shall be erected, or
- (b) Upon a street, other than an alley, in a manner or under such condition as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic.
(1975 C.C., c. 6, art. 15, sec. 4; Am. 1996, Ord. No. 96-41, sec. 9.)

Section 24-193. Parking in alleys.

No person shall park a vehicle within an alley leaving less than ten feet of the width of the roadway available for the free movement of vehicular traffic. No person shall stop, stand, or park a vehicle within an alley in a position as to block the driveway entrance to any abutting property.
(1975 C.C., c. 6, art. 15, sec. 5.)

Section 24-194. Parking for displaying, washing, and repairing vehicle; prohibited.

- (a) No person shall park a vehicle upon any highway:
 - (1) For the purpose of washing, polishing, greasing, or repairing such vehicle except for repairs necessitated by an emergency.
- (1975 C.C., c. 6, art. 15, sec. 6; Am. 1978, Ord. No. 335, sec. 1; Am. 1984, Ord. No. 84-73, sec. 2; Am. 1996, Ord. No. 96-122, sec. 1.)

Section 24-195. Time-limit parking zones.

- (a) When official signs are erected giving notice thereof, no person shall stop, stand, or park a vehicle for a period of time longer than that indicated on the signs, between the hours indicated on the signs, on any day except Sundays and public holidays, upon any street or portions thereof within the County.
- (b) The council may, by resolution, dispense with the enforcement of subsection (a) for a specified time in any specified time-limit parking zone for purposes of studying parking policy.
- (c) The areas of streets, described in schedules 30 through 33, sections 24-282 through 24-285 are designated as time-limit parking zones when appropriate signs or markings giving notice thereof are erected.
(1975 C.C., c. 6, art. 15, sec. 7; Am. 2002, Ord. No. 02-119, sec. 3.)

Section 24-196. No-parking zones.

- (a) When official signs or markings give notice thereof, no person shall stop, stand, or park a vehicle any longer than is reasonably necessary to take on or discharge passengers or freight upon any street or portions thereof within the County.

- (c) No person shall stop, stand or park any vehicle, other than a taxicab with a valid road taxi stand permit, in a road taxi stand when the road taxi stand has been officially designated and appropriately signed.
 - (d) The areas described in schedule 23.1, section 24-275.1 are designated as road taxi stands, when appropriate signs and markings giving notice thereof are erected.
- (1975 C.C., c. 6, art. 16, sec. 4; Am. 1991, Ord. No. 91-95, sec. 1.)

Section 24-212.1. Standing in active loading and unloading zones.

- (a) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious loading or unloading of passengers or for the expeditious unloading and delivery or pickup and loading of materials in any place marked as an active loading and unloading zone during hours when the regulations applicable to such active loading and unloading are effective, and then only for a period not to exceed fifteen minutes.
 - (b) The streets described in schedule 36.01, section 24-288.01, are designated as active loading and unloading zones when appropriate signs or markings giving notice thereof are erected.
 - (c) When the provisions of this section are not in effect, vehicles may park in active loading and unloading zones unless otherwise prohibited by this chapter.
- (1995, Ord. No. 95-142, sec. 2; Am. 2000, Ord. No. 00-11, sec. 2; Am. 2009, Ord. No. 09-123, sec. 2.)

Division 4. Parking Meters.

Subdivision 1. Meter Zones.

Section 24-213. Parking meter zones.

- (a) All parking meter zones shall be designated by an ordinance adopted upon two readings by the council.
 - (b) The areas described in schedules 37 through 40, sections 24-289 through 24-292 are designated as parking meter zones and shall be utilized for parking within the time limits and at the monetary rates noted in those schedules.
- (1975 C.C., c. 6, art. 17, sec. 1; Am. 1982, Ord. No. 776, sec. 4.)

Section 24-214. Installation of parking meters.

- (a) The County traffic engineer shall install parking meters in the parking meter zones as provided in this chapter upon the curb immediately adjacent to each designated parking space. The meters shall be capable of being operated automatically or manually upon the deposit of a coin or coins of United States currency as specified on the meters.
 - (b) Each parking meter shall be so designed and constructed so that, upon the expiration of the time period registered by the deposit of one or more coins, it will indicate by an appropriate signal that the lawful parking meter period has expired, and during this period of time and prior to the expiration thereof, will indicate the interval of time which remains of the period.
 - (c) Each parking meter shall bear thereon a legend indicating the days and hours when the requirement to deposit coins shall apply, the value of the coins to be deposited, and the limited period of time for which parking is lawfully permitted in the parking meter zone in which the meter is located.
- (1975 C.C., c. 6, art. 17, sec. 2; Am. 1983, Ord. No. 83-32, sec. 1.)

Section 24-215. Parking meter spaces.

- (a) The County traffic engineer shall designate the parking space adjacent to each parking meter for which the meter is to be used by appropriate markings upon the curb or the pavement of the street. Parking meter spaces so designated shall be of appropriate length and width so as to be accessible from the traffic lanes of the street.

- (b) No person shall park a vehicle in any designated parking meter space during the restricted or regulated time applicable to the parking meter zone in which the meter is located, so that any part of the vehicle occupies more than one such space or protrudes beyond the markings designating the space, except that a vehicle which is of a size too large to be parked within a single designated parking meter zone shall be permitted to occupy two adjoining parking meter spaces when coins shall have been deposited in the parking meter for each space so occupied as required in this chapter for the parking of other vehicles in such space.

(1975 C.C., c. 6, art. 17, sec. 3.)

Section 24-216. Deposit of coins; time limits.

- (a) No person shall park a vehicle in any parking space alongside of which a parking meter has been installed during the regulated time applicable to the parking meter zone in which the meter is located unless a coin or coins of United States currency of the appropriate denomination shall have been deposited therein, or shall have been previously deposited therein for an unexpired interval of time.
- (b) No person shall permit a vehicle within such person's control to be parked in any parking meter space during the regulated time applicable to the parking meter zone in which the meter is located while the parking meter for such space indicates by signal that the lawful parking time in the space has expired. This subsection shall not apply to the act of parking or the necessary time which is required to deposit immediately thereafter a coin or coins in the meter.
- (c) No person shall park a vehicle in any parking meter space for a consecutive period of time longer than that limited period of time for which parking is lawfully permitted in the parking meter zone in which the meter is located, irrespective of the number or value of the coins deposited in the meter.
- (d) The provisions of this section shall not relieve any person from the duty to observe other and more restrictive provisions of this chapter prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

(1975 C.C., c. 6, art. 17, sec. 4; 1975, Am. 1995, Ord. No. 95-150, sec. 2; Am. 2002, Ord. No. 02-57, sec. 1.)

Section 24-216.1. Repealed.

(1995, Ord. No. 95-150, sec. 3; Am. 1996, Ord. No. 96-99, sec. 1; Am. 2002, Ord. No. 02-57, sec. 2.)

Section 24-217. Hours of operation; exceptions.

- (a) The provisions of section 24-216 shall be in effect between the hours of 8:00 a.m. and 4:00 p.m. on each day, except Sundays and public holidays.
- (b) Whenever seventy-five consecutive days have passed without a traffic fatality in this County, the chief of police may dispense with the enforcement of section 24-216 for one full day, other than Saturday, such date to be designated by the chief and be given reasonable circulation throughout the County.
- (c) The council may, by resolution, dispense with the enforcement of section 24-216 for a specified time, in any specified parking meter zone, to accommodate any special event, convention, parade, or other similar activity.

(1975 C.C., c. 6, art. 17, sec. 8; Am. 1995, Ord. No. 95-150, sec. 4; Am. 2002, Ord. No. 02-57, sec. 3.)

Section 24-218. Use of slugs prohibited.

No person shall deposit or attempt to deposit in any parking meter any slug, button, or any other device or substance as substitutes for coins of United States currency.

(1975 C.C., c. 6, art. 17, sec. 5.)

Chapter 24**VEHICLES AND TRAFFIC****TRAFFIC SCHEDULES****Division 1. Speed Limits.****Section 24-253. Schedule 1. 10 mile per hour limit.**

A speed limit of ten miles per hour is established as set forth in this schedule upon the streets or portions of streets as follows:

- (a) Hāmākua
 - (1) Banyan Street.
 - (2) Ilima Street.
 - (3) Kamani Street, Pīkake Street to its terminus.
 - (4) Kawila Street.
 - (5) Nienie Place.
 - (6) ‘Ōhai Street, Pīkake Street to its terminus.
 - (7) Ulu Street.
 - (8) Wiliwili Street.
 - (b) North Hilo
 - (c) South Hilo
 - (1) Lihiwai Street, the one-way portion, between Keliipio Place and the unnamed roadway to the pier and lighthouse.
 - (d) Ka‘u
 - (e) Kohala
 - (f) Kona
 - (1) Nāpō‘opo‘o Beach Road, from the Hikiau Heiau to the Kahauloa Houselots Road.
 - (g) Puna
 - (1) ‘Opihikao-Kamā‘ili Road, between points 2.8 and 3.0 miles makai of Route 130.
- (1996, Ord. No. 96-163, sec. 2; Am. 1999, Ord. No. 99-135, sec. 1; Am. 2001, Ord. No. 01-96, sec.1.)

Section 24-253.1. Schedule 1.1. 15 mile per hour limit.

A speed limit of fifteen miles per hour is established as set forth in this schedule upon the streets or portions of streets as follows:

- (a) Hāmākua
 - (1) Kika Street.
 - (2) Koa Street.
 - (3) Koniaka Place.
 - (4) Maile Street.
 - (5) Milo Street.
 - (6) Naupaka Street.
 - (7) ‘Ōhai Street, Pakalana Street to its terminus.
 - (8) Pōhākea Road, from a point 2.4 miles mauka of the Old Māmalahoa Highway to the terminus of the paved portion, all trucks over one ton.
 - (9) Rickard Place.
 - (10) Wailana Place.

- (b) North Hilo
 - (1) Kapehu Camp Subdivision, North Hilo:
 - (A) Kaalau Street.
 - (B) Ko‘i Loop.
 - (C) Ko‘i Place.
 - (c) South Hilo
 - (1) ‘Amauulu Road, Wainaku Street to a point two hundred twenty feet mauka of Waimalino Lane.
 - (2) Hāla‘i Street, Haili Street to its terminus.
 - (3) Hina Street.
 - (4) Kohola Street, from Kīlauea Avenue to ‘Iolani Street.
 - (5) Kole Street, Kekūanō‘a Street to Kohola Street.
 - (6) Leimana Street.
 - (7) Maiko Street, ‘Ō‘io Street to Manini Street.
 - (8) Malia Street.
 - (9) Manini Street, Kekūanaō‘a Street to Kohola Street.
 - (10) North ‘Iwa‘iwa Street, from Kaūmana Drive to its terminus.
 - (11) ‘Ō‘io Street, Kohola Street to Maiko Street.
 - (12) ‘Ōma‘o Street, from Kaūmana Drive to a point six hundred sixty feet in the southeasterly direction.
 - (13) Pi‘ihonua Road, from a point .7 mile northwest of the terminus of Waiānuenue Avenue at the southern terminus of Bridge 25-2 to its western terminus.
 - (d) Ka‘ū
 - (e) Kohala
 - (f) Kona
 - (1) Ali‘i Drive, from Palani Road to Walua Road (vicinity of Kona Hilton Hotel).
 - (2) Hōnaunau Beach Road.
 - (3) Old Māmalahoa Highway, Kaloko Drive to Onaona Drive.
 - (4) Miloli‘i Access Road, from a point four miles west of State Highway Route 11 to its southern terminus in Miloli‘i Village.
 - (5) Palani Road, from Kuakini Highway to Ali‘i Drive.
 - (6) Walua Road, Wikolia Street to Sunset Drive.
 - (g) Puna
 - (1) Ka‘ohe Homestead Road, from Route 130 for a distance of .5 mile.
 - (2) Maluhia Road.
- (1996, Ord. No. 96-163, sec. 2; Am. 1996, Ord. 96-145, sec. 1; Am. 1997, Ord. No. 97-11, sec. 1; Am. 1999, Ord. No. 99-65, sec. 6; Ord. No. 99-85, sec. 1; Am. 2001, Ord. No. 01-62, sec.1; Ord. No. 01-119, sec. 1; Am. 2008, Ord. No. 08-43, sec. 1; Ord. No. 08-99, sec. 1; Am. 2009, Ord. No. 09-108, sec. 2, Ord. No. 09-147, sec. 2.)

Section 24-254. Schedule 2. 20 mile per hour limit.

A speed limit of twenty miles per hour is established as set forth in this schedule upon the streets or portions of streets as follows:

- (a) Hāmākua
 - (1) Old Honoka‘a-Waipi‘o Road, from its intersection with the State Highway (FAS 240) on the Honoka‘a side of Kukuihaele Village to the Waipi‘o Valley Lookout.
 - (2) Kamani Place, Pakalana Street to its terminus.
 - (3) Mauna Loa Street.
- (b) North Hilo
- (c) South Hilo
 - (1) Aipuni Street.
 - (2) ‘Alae Street, between Laimana Street and Hāla‘i Street.

- (3) Anderton Camp Road in Pāpa‘ikou, from the Māmalahoa Highway for a distance of 1,700 feet in the mauka direction.
- (4) Hilo Country Club Drive.
- (5) Hōkū Street.
- (d) Ka‘u
- (e) Kohala
 - (1) Hōkū‘ula Road.
 - (2) Iwikuamo‘o Drive.
 - (3) Keiki Place.
 - (4) Konokohau Road.
 - (5) Kupunahine Street.
 - (6) Kupunakane Street.
 - (7) Laelae Road.
 - (8) East Makuahine Street
 - (9) West Makuahine Street.
 - (10) Makuakane Street.
 - (11) Mo‘opuna Place.
 - (12) Spencer Road.
- (f) Kona
 - (1) Kealakea Street in the school zone fronting Kealakehe Elementary School, from a point five hundred ninety feet north of Palani Road and extending one thousand six hundred forty feet in the northerly direction while speed limit sign beacons are flashing.
 - (2) Lono Kona Subdivision, North Kona:
 - (A) Ala Onaona Street.
 - (B) Alahou Street.
 - (C) Alaka‘i Street.
 - (D) Alanoe Place.
 - (E) Kalawa Street.
 - (F) Lamaokeola Street.
 - (3) Middle Ke‘ei Road, from Nāpō‘opo‘o Road to the Māmalahoa Highway.
 - (4) Painted Church Road, Middle Ke‘ei Road to Ke Ala O Keawe Road.
 - (5) Pu‘uhonua Road, from the Kahauloa Houselots Road to the City of Refuge.
 - (6) Walua Road, Akoni Drive to Kuakini Highway.
- (g) Puna
 - (1) Haa Place.
 - (2) Haa Street.
 - (3) Kaiewe Place.
 - (4) Kea‘au Loop, from the access road serving the new Kea‘au Self Help Subdivision to Route 11.
 - (5) North Oshiro Road, from Route 11 to Komo Street.

(1996, Ord. No. 96-163, sec. 2; Am. 1996, Ord. No. 96-139, sec. 1; Am. 1997, Ord. No. 97-119, sec. 1; Am. 2005, Ord. No. 05-148, sec.1; Am. 2009, Ord. No. 09-133, sec. 2; Ord. No. 09-137, sec. 2.)

Section 24-255. Schedule 3. 25 mile per hour limit.

A speed limit of twenty-five miles per hour is established as set forth in this schedule upon streets or portions of streets as follows:

- (a) Hāmākua
 - (1) Āhualoa Homestead Road.
 - (2) Lehua Street in Honoka‘a, from the junction of Lehua and Plumeria Streets to Māmane Street.
 - (3) Māmalahoa Highway (Āhualoa Road), from Honoka‘a to the Hawai‘i Belt Road at Waimea.

- (4) Pakalana Street in Honoka‘a, from a point four hundred feet mauka of Kukui Street to Māmane Street.
- (5) Plumeria Street in Honoka‘a, from Hawai‘i Belt Road entrance to Lehua Street.
- (6) Pōhākea Road, from the Old Māmalahoa Highway to the terminus of the paved portion.
- (b) North Hilo
 - (1) Laupāhoehoe Beach Road access road.
 - (2) Old Government Main Road in ‘O‘ōkala, North Hilo, between the 29.4 and 30.5 mile markers of the Hawai‘i Belt Road, Route 19, for a distance of one and six-tenths miles.
- (c) South Hilo
 - (1) Ainaola Drive, from Malaai Road to its terminus in the mauka direction.
 - (2) Akolea Road, from Haleloke Street to Kaūmana Drive.
 - (3) ‘Alae Point Subdivision, South Hilo:
 - (A) Kahoa Street.
 - (B) Makakai Place.
 - (C) Nahala Street.
 - (4) Aupuni Street, Kīlauea Avenue to Pauahi Street.
 - (5) Banyan Drive.
 - (6) Banyan Way, from Kalaniana‘ole Avenue to Banyan Drive.
 - (7) Chin Chuck Road, beginning at a point 1.6 miles west of the Hawai‘i Belt Road and extending .7 mile in the westerly direction to the end of the paved section of Chin Chuck Road.
 - (8) Hualālai Villa, on the following streets:
 - (A) Hale Nani Place.
 - (B) Hale Nani Street.
 - (9) Kaiwiki Road, beginning at a point 0.6 mile mauka of the Old Hawai‘i Belt Road and extending to its mauka terminus.
 - (10) All streets within the area bounded by Kamehameha Avenue, Ponahawai Street, Kino‘ole Street, and Wailuku Drive.
 - (11) Kūkūau Street, from Komohana Street to Kapi‘olani Street.
 - (12) Lanakila Homes area, all streets.
 - (13) Lihiwai Street, from Kamehameha Avenue to the unnamed roadway into the pier and lighthouse.
 - (14) Māmalahoa Highway in Papa‘ikou, from Yoshiyama Store to Kalaniana‘ole School.
 - (15) Mohouli Subdivision in Waiākea, South Hilo:
 - (A) Hilina‘i Street.
 - (B) Hoopuni Street.
 - (C) Iloko Street.
 - (D) Kumukoa Street, from Mohouli Street northwestward (Hāmākua) to its terminus.
 - (E) Popolo Street, from Mohouli Street northwestward (Hāmākua) to its terminus.
 - (16) Waiānuenu Avenue, from Hala‘i Street to Bayfront Highway.
 - (17) Wainaku Street.
 - (18) Wiliwili Street, from Kaūmana Drive to Uluwai Street.
- (d) Ka‘u
 - (1) Kamā‘oa Road, from Route 11 to a point 0.4 mile west.
 - (2) Nā‘ālehu Subdivision, Third Series, in Nā‘ālehu, Ka‘u:
 - (A) Kilika Street, from Kukui Road to ‘Ōhai Road.
 - (B) Kukui Road, from Māmalahoa Highway to ‘Ōhai Road.
 - (C) Lokelani Street, from Kukui Road to ‘Ōhai Road.
 - (D) Melia Street, from Kukui Road to Milo Road.
 - (E) Milo Road, from Melia Street to Kukui Road.
 - (F) Nahele Street, from Kukui Road to ‘Ōhai Road.
 - (G) ‘Ōhai Road, from Kukui Road to Māmalahoa Highway.
 - (H) Opukea Street, from Kukui Road to ‘Ōhai Road.

- (3) Nā‘ālehu Subdivision, Fourth Series, in Nā‘ālehu, Ka‘u:
 - (A) Maia Street, from Niu Road to Pohā Street.
 - (B) Niu Road, from Pohā Street to Māmalahoa Highway.
 - (C) Pohā Street, from Niu Road to Maia Street.
- (4) Pāhala Village, Ka‘ū:
 - (A) Hala Street.
 - (B) Hapu Street.
 - (C) Hau Street.
 - (D) Hīnano Street.
 - (E) Huapala Street.
 - (F) Pīkake Street.
 - (G) Ilima Street.
 - (H) Kamani Street from Pīkake Street to a point approximately two hundred fifty feet east of Koali Street.
 - (I) Kaumahana Street.
 - (J) Kou Street.
 - (K) Lehua Street.
 - (L) Maile Street from Kamani Street to the Pāhala Community Clubhouse.
 - (M) ‘Ōhia Street.
 - (N) Pakalana Street.
 - (O) Puahala Street.
 - (P) Pumeli Street.
- (e) Kohala
 - (1) Paniolo Avenue, from Waikoloa Road to Paniolo Place.
 - (2) Puakō Beach Road, from a point five hundred feet makai of the Rubbish Dump Road southerly to its terminus.
- (f) Kona
 - (1) Hualālai Road, North Kona, from Ali‘i Drive to the Old Māmalahoa Highway.
 - (2) Kealakaa Street.
 - (3) Keanalehu Drive.
 - (4) Keauhou Bay Resort area, North Kona:
 - (A) ‘Ehukai Street.
 - (B) Hōlua Road.
 - (C) Kamehameha III Road, makai of Ali‘i Drive.
 - (D) Unnamed south access road (Access Road B) from Ali‘i Drive into the Keauhou Bay area.
 - (E) The cul-de-sac street off Kamehameha III Road in Area 5.
 - (5) Konawaena School Road, from Māmalahoa Highway to the school.
 - (6) Kuakini Highway, beginning at a point four hundred feet south of Hualālai Road to its terminus at the Old Kona Airport.
 - (7) Māmalahoa Highway, from the terminus of the State Highway in Honalo to a point five thousand one hundred feet in the southerly direction.
 - (8) Manawale‘a Street.
 - (9) Miloli‘i Access Road, from State Highway Route 11 to a point four miles in the westerly direction.
 - (10) Nāpō‘opo‘o Road.
 - (11) Palani Road, from Queen Ka‘ahumanu Highway to Kuakini Highway.
- (g) Puna
 - (1) Ainaloa Boulevard, from Highway 130 to Stardust Drive.
 - (2) Alaula Street.
 - (3) Ali‘i ‘Ānela Street.
 - (4) Ali‘i Kāne Street, from Hawai‘i Belt Road to a point 0.6 miles in the southerly direction.

- (5) Ali‘i Koa Street.
 - (6) Anuheha Street.
 - (7) Huina Road, beginning at a point 0.8 mile west of Volcano Highway and extending 1.6 miles to Luhi Road.
 - (8) Hāpu‘u Road, from Nānāwale Boulevard to Maui Road.
 - (9) Haunani Road, Old Volcano Highway to its terminus.
 - (10) Kēhau Road, from Nānāwale Boulevard to Maui Road.
 - (11) Kukui Camp Road, from the Hawai‘i Belt Road to its terminus.
 - (12) Mokuna Street.
 - (13) North Ala Road, Route 11 to Huina Road.
 - (14) North Glenwood Road, from Route 11 to a point 2.2 miles in the westerly direction.
 - (15) North Kulani Road, Route 11 to Pacific Paradise Gardens Subdivision.
 - (16) Old Volcano Highway, in Volcano Village.
 - (17) Old Volcano Road.
 - (18) Old Volcano Road in Kea‘au Village, from its intersection with Highway 11, approximately 0.2 mile north of Mile Post 8, and extending in a northerly direction to its intersection with Kea‘au Loop Road, in the vicinity of Mile Post 7.
 - (19) ‘Opihikao-Kamā‘ili Road, between points 1.1 and 2.8 miles makai of Route 130.
 - (20) ‘Opihikao-Kamā‘ili Road, between a point 3 miles makai of Route 130 and Route 137.
 - (21) Pa Ali‘i Street.
 - (22) Pāhoa Road, from a point 0.75 miles Pāhoa of Kahakai Boulevard to the Kapoho-Pāhoa-Kalapana Road junction.
 - (23) Pāhoa Solid Waste Disposal Road, known as the Pāhoa By Pass Road, for its entire length.
 - (24) Pohoiki Road, between a point 1.55 miles makai of Route 132 and Route 137.
 - (25) South Kopua Road.
 - (26) South Kūlani Road.
 - (27) Wright Road, in Volcano Village.
- (1996, Ord. No. 96-163, sec. 2; Am. 1996, Ord. No. 96-145, sec. 2; Am. 1997, Ord. No. 97-2, sec. 2; Ord. No. 97-76, sec. 1; Ord. No. 97-94, sec. 1; Ord. No. 97-97, sec. 1; Am. 1998, Ord. No. 98-131, secs. 1, 2; Am. 1999, Ord. No. 99-65, secs. 7, 8; Ord. No. 99-85, sec. 2; Ord. No. 99-135, sec. 2; Am. 2000, Ord. No. 00-39, sec. 1; Am. 2001, Ord. No. 01-62, sec. 2; Ord. No. 01-96, sec. 2; Am. 2008, Ord. No. 08-63, sec. 2; Am. 2009, Ord. No. 09-24, sec. 1; Ord. No. 09-61, sec. 1; Ord. No. 09-95, sec. 1; Ord. No. 09-98, sec. 1; Ord. No. 09-99, sec. 1; Ord. No. 09-130, sec. 2; Ord. No. 09-134, sec. 2.)

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Section 24-256. Schedule 4. 30 mile per hour limit.

A speed limit of thirty miles per hour is established as set forth in this schedule upon the streets or portions of streets following:

- (a) Hāmākua
 - (1) Mauna Kea Road, from a point 2.46 miles north of the Saddle Road intersection to Hale Pōhaku.
- (b) North Hilo
- (c) South Hilo
 - (1) Hoaka Road, Ainaola Drive to Malaai Road.
 - (2) Kalanianaʻole Street, James Kealoha Park Access Road to Leleiwi Street.
 - (3) Kīlauea Avenue from Ponahawai Street to Lono Street.
 - (4) Lama Street, Kanoelehua Street to Railroad Avenue.
 - (5) Leilani Street, from Kanoelehua Avenue to Kekūanaōʻa Street.
 - (6) Makalika Street, Kanoelehua Street to Railroad Avenue.
 - (7) Māmaki Street, Stainback Highway to Awa Street.
- (d) Kaʻū
 - (1) Kamāʻoa Road, from a point 0.4 mile west of Route 11 for a distance of 2.6 miles towards South Point Road.
- (e) Kohala
 - (1) Māmalahoa Highway in Waimea, from Lindsey Road to a point five thousand five hundred feet in the Honokaʻa direction, in the vicinity of Fukushima Store.
 - (2) Kawaihae Road (FAP Route 19), Māmalahoa Highway to the beginning of the State Highway.
- (f) Kona
 - (1) Aliʻi Drive, from Wālua Road (vicinity of Kona Hilton Hotel) to Kamehameha III Road in Keauhou.
 - (2) Māmalahoa Highway, from Honokōhau (Palani) Junction to the Keauhou Junction.
 - (3) Māmalahoa Highway, from a point five thousand one hundred feet in the southerly direction from the terminus of the State Highway in Honalo to the beginning of the State Highway in Captain Cook.

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- (g) Puna
- (1) Huina Road, Volcano Highway to a point 0.8 mile west.
 - (2) Kalapana Beach Road, from a point 2.35 miles north of the Kapoho-Kumukahi intersection to the Kaimū-Pāhoa-Kapoho intersection.
 - (3) Kalapana-Kapoho Beach Road, from a point 2.35 miles south of the Kapoho-Kumukahi intersection to the National Park boundary.
 - (4) North Kūlani Road, Pacific Paradise Gardens Subdivision to Ihope Road.
 - (5) Pāhoa Road, from Kahakai Boulevard for a distance of 0.75 mile in the Pāhoa direction.
- (1996, Ord. No. 96-163, sec. 2; Am. 1997, Ord. No. 97-76, sec. 2; Am. 1997, Ord. No. 97-97, sec. 2; Am. 1998, Ord. No. 98-131, secs. 3, 4; Am. 2003, Ord. No. 03-95, sec. 1; Am. 2008, Ord. No. 08-63, sec. 1; Am. 2009, Ord. No. 09-96, sec. 1.)

Section 24-257. Schedule 5. 35 mile per hour limit.

A speed limit of thirty-five miles per hour is established as set forth in this schedule upon the streets or portions of streets as follows:

- (a) Hāmākua
- (b) North Hilo
- (c) South Hilo
 - (1) Ainako Avenue.
 - (2) Ainaola Drive, from Kawaihāni Street to Māla‘ai Road.
 - (3) ‘Ākōlea Road, from Waiānuenu Avenue to Haleloke Street.
 - (4) Chin Chuck Road, Hawai‘i Belt Road to a point 1.6 miles west.
 - (5) Haihai Street.
 - (6) Haleloke Street.
 - (7) ‘Iwalani Street, between Kawaihāni Street and Puainako Street.
 - (8) Kaiwiki Road, beginning at the Old Hawai‘i Belt Road and extending a distance of 0.6 mile in the mauka direction.
 - (9) Kalaniana‘ole Street, from Kamehameha Avenue to James Kealoha Park Access Road.
 - (10) Kamehameha Avenue, from Ponahawai Street to Route 19, in the vicinity of the old Hilo Iron Works.
 - (11) Kaūmana Drive.
 - (12) Kawaihāni Street, from mauka terminus to Kino‘ole Street.
 - (13) Kāwili Street between Kino‘ole Street and Puainako Street.
 - (14) Kekūanaō‘a Street.
 - (15) Kīlauea Avenue, from Lono Street to Hale Manu Drive.
 - (16) Kino‘ole Street, from Haihai Street to Ponahawai Street.
 - (17) Komohana Street, from Ainaola Drive to Puainako Street.
 - (18) Komohana Street, between Ponahawai Street and Waiānuenu Avenue.
 - (19) Kūkūau Street, from Komohana Street to its mauka terminus.
 - (20) Kumuko‘a Street, from Mohouli Street to Lanikāula Street.
 - (21) Lanikāula Street, from Kumuko‘a Street to Kanoelehua Avenue.
 - (22) Māmalahoa Highway, from its junction with the Hawai‘i Belt Road at Andrade Camp Road toward Hilo to its junction with the Hawai‘i Belt Road at Pāpā‘ikou in the vicinity of Kalaniana‘ole School.
 - (23) Manono Street, from Kamehameha Avenue to Kāwili Street.
 - (24) Mohouli Street, from Komohana Street to Kino‘ole Street.
 - (25) Mohouli Street, Uluwai Street to Kaūmana Drive.
 - (26) Pauahi Street, from Kamehameha Avenue to Kīlauea Avenue.
 - (27) Puainako Street Extension, from five hundred eighty-four feet east of Wilder Road to western terminus.

- (28) Railroad Avenue, from a point eight hundred forty feet south of Kūkila Street to its southern terminus.
 - (29) Saddle Road, from Country Club Drive to the 18.8 mile point.
 - (30) Stainback Highway, Route 11 to a point eight hundred ninety feet west of the Pana‘ewa Zoo access road.
 - (31) Waiānuenu Avenue, from mauka terminus to Hāla‘i Street.
 - (d) Ka‘u
 - (1) South Point Road.
 - (e) Kohala
 - (1) Māmalahoa Highway in Waimea from Lindsey Road to a point four thousand feet in the Kona direction.
 - (2) Mānā Road, from Māmalahoa Highway for a distance of two thousand two hundred feet.
 - (3) Paniolo Avenue from Paniolo Place to its terminus.
 - (4) Puakō Beach Road, from the Queen Ka‘ahumanu Highway to a point five hundred feet makai of the Rubbish Dump Road.
 - (5) Waikoloa Road, beginning at ‘Auwaiakeakua Gulch Bridge and extending 1.1 miles in the mauka direction.
 - (f) Kona
 - (1) Ali‘i Drive, from the Kamehameha III Road intersection southerly to its terminus.
 - (2) Hina-Lani Street, Māmalahoa Highway (Route 190) to ‘Anini Street.
 - (3) Hiona Street.
 - (4) Ka‘iminani Drive, Queen Ka‘ahumanu Highway to Lau‘i Street.
 - (5) Ka‘iminani Drive, .75 mile east of Lau‘i Street to Route 190.
 - (6) Kaloko Drive, from the Hawai‘i Belt Road (Route 190) to a point .5 mile in the easterly direction.
 - (7) Kamehameha III Road, from Kuakini Highway to Ali‘i Drive.
 - (8) Kuakini Highway, from a point five hundred feet south (mauka) of the Ala Keanawai intersection to a point four hundred feet south of Hualālai Road.
 - (9) Palani Road, from FASC Route 180 (Hōlualoa Road) to Queen Ka‘ahumanu Highway.
 - (g) Puna
 - (1) South Glenwood Road, from Route 11, to a point 0.86 mile in the southeasterly direction.
 - (2) Hāpu‘u Road, from Maui Road to its northern terminus.
 - (3) Kahakai Boulevard, from Pūnāwai Street to its terminus at the makai end.
 - (4) Kēhau Road, from Maui Road to its northern terminus.
 - (5) North Kūlani Road, Ihope Road to Stainback Highway.
 - (6) Leilani Estates Avenue.
 - (7) Nānāwale Boulevard.
 - (8) ‘Opihikao-Kamā‘ili Road, between Route 130 and a point 1.1 miles in the makai direction.
 - (9) Pohoiki Road, between Route 132 and a point 1.55 miles in the makai direction.
 - (10) Route 132, from Route 130 to the Pohoiki Road Junction.
- (1996, Ord. No. 96-163, sec. 2; Am. 1997, Ord. No. 97-2, sec. 1; Ord. No. 97-94, sec. 2; Ord. No. 97-96, sec. 1; Am. 1998, Ord. No. 98-42, sec. 1; Ord. No. 98-101, sec. 1; Am. 1999, Ord. No. 99-84, sec. 1; Ord. No. 99-135, sec. 3; Am. 2000, Ord. No. 00-39, sec. 2; Ord. No. 00-96, secs. 1 and 2; Am. 2001, Ord. No. 01-62, sec. 3; Am. 2003, Ord. No. 03-8, secs. 1 and 2; Am. 2003, Ord. No. 03-95, sec. 2; Am. 2009, Ord. No. 09-12, sec. 1.)

Section 24-258. Schedule 6. Reserved.

* **Editor's Note:** Since this schedule duplicated schedule 5, the streets listed under this schedule were moved to schedule 5.

- (7) Kahaopea Street, Ohuohu Street intersection, all approaches.
 - (8) Kalanikoa Street, Kuawa Street intersection, all approaches.
 - (9) Entering Kamokuna Street from Laehala Street.
 - (10) Entering Kamokuna Street from the unnamed road which passes through James Kealoha Park.
 - (11) Keliipio Place, at Lihikai Street.
 - (12) Entering Keōkea Loop Road from Apapane Road.
 - (13) Komohana Street, Kawaihā Street intersection, all approaches.
 - (14) Kūkūau Street, both approaches to Kapi‘olani Street.
 - (15) Kūkūau Street, both approaches to Kino‘ole Street.
 - (16) Kūkūau Street, both approaches to Komohana Street.
 - (17) Kūkūau Street, both approaches to Mohouli Street.
 - (18) Kūkūau Street, both approaches to Ululani Street.
 - (19) Entering Laimana Street from ‘Alae Street.
 - (20) Entering Lanihuli Street from Lei Street.
 - (21) The unnamed roadway into the pier and lighthouse, at Lihikai Street.
 - (22) Entering Manulele Street from Oliana Street.
 - (23) Entering Mikokoī Street from Awela Street.
 - (24) Ohuohu Street, Ho‘ohua Street intersection, all approaches.
 - (25) Entering Pōhaku Street from Kūkila Street.
 - (26) Entering Ponahawai Street from Punahoa Street.
 - (27) Pua Avenue, Desha Avenue intersection, all approaches.
 - (28) Haili Street, Kapi‘olani Street intersection, all approaches.
- (d) Ka‘ū
- (e) Kohala
- (1) Hi‘iaka Street, southwest approach to Hale Ali‘i Street and ‘Āinahua Alanui Street.
 - (2) Entering Hōkū‘ula Road from Lindsey Road.
 - (3) Entering Kamoā Road from Serrao Road.
 - (4) Entering Kamuela-Kawaihā Road from Kawaihā Park Road at Kohala.
 - (5) At the Puako-Kawaihā-Rockefeller junction, entering the Hāpuna Bay Access Road (Hawai‘i Project No. G-3257-01-60) at South Kohala, from the Old Puakō-Kawaihā Road, moving in the Kawaihā direction, except on right turn movement when such movement may be made with care to avoid collision.
- (f) Kona
- (1) Entering the intersection of Ali‘i Drive and Hualālai Road from both approaches of Ali‘i Drive and the mauka approach of Hualālai Road.
 - (2) Konalani Street into Ala Keanawai at Kailua-Kona.
 - (3) Kuakini Highway, Kaiwi Street intersection, all approaches, except the right-turn lane on Kuakini Highway northbound approach to Kaiwi Street which shall be a yield condition.
 - (4) Kuakini Highway, Makala Boulevard intersection, all approaches.
 - (5) Entering the intersection of Palani Road and Ali‘i Drive from the northern approach of Ali‘i Drive (from the direction of Kailua Wharf).
 - (6) Entering the intersection of Palani Road and Kuakini Highway from both approaches of Kuakini Highway and the makai approach of Palani Road.
 - (7) Pualani Street/Wikolia Street intersection, all approaches.
 - (8) Middle Ke‘ei Road, Painted Church Road intersection, all approaches.
 - (9) Ali‘i Drive, Kaleiopapa Street intersection, all approaches.
 - (10) Ali‘i Drive, Lunapule Road intersection, all approaches.
 - (11) Ali‘i Drive, Royal Poinciana Drive intersection, all approaches.
 - (12) Kaiwi Street, Luhia Street intersection, all approaches.
- (g) Puna
- (1) Entering Ali‘i Papa Street from Huaka‘i Street.
 - (2) Entering Anuheā Street from Ali‘i Papa Street.

- (3) Entering Anuheha Street from Anuheha Place.
 - (4) Entering Anuheha Street from Puolani Street.
 - (5) Entering Anuheha Street from Wohi Place.
 - (6) Entering the Kahakai Boulevard-Pūnāwai Street intersection from the northeastern leg of Kahakai Boulevard and from Pūnāwai Street, the southwestern leg of the intersection.
 - (7) Kalapana to Honolulu Landing Beach Road entering Kapoho to Kapoho Lighthouse Road (ER8(8)).
 - (8) The westerly leg, Kalapana towards Pāhoa lane, of the Pāhoa-Kalapana Road at the triangular intersection between the Kapoho-Kalapana Coastal Road and Pāhoa-Kalapana Road.
 - (9) Kaniahiku Houselots:
 - (A) Entering Halelo Place from Mako Way.
 - (B) Entering Halelo Place from Naele Road.
 - (10) Kaniahiku Subdivision:
 - (A) Entering Kaulani Road from Kaulalau Road.
 - (B) Entering Kaulalau Road from Pū'āla'a Road.
 - (11) Entering Ka'ohē Homestead Road from Cemetery Road.
 - (12) Entering the Kapoho-Kalapana Coastal Road from the eastern leg of the Pāhoa-Kalapana Road at the triangular intersection between the Kapoho-Kalapana Coastal Road and the Pāhoa-Kalapana Road.
 - (13) Kapoho Lighthouse Road (portion of ER8(1)), entering the Kalapana to Honolulu Landing Beach Road.
 - (14) Entering Kea'au Loop from Ha'a Street. When posted, drivers of vehicles shall stop at the intersection of Ha'a Street and Kea'au Loop.
 - (15) Entering the Kurtistown Homestead Road (Post Office Road) intersection from the 13-Mile Road (Filipino Graveyard Road) in Kurtistown, Puna, Hawai'i.
 - (16) Nānāwale Boulevard, Kēhau Road intersection, all approaches.
 - (17) Entering 'Ōla'a New Tract Road from Peck Road.
- (1996, Ord. No. 96-163, sec. 2; Am. 1996, Ord. No. 96-145, sec 3; Am. 1999, Ord. No. 99-65, secs. 9, 10; Am. 2000, Ord. No. 00-38, sec. 1; Ord. No. 00-49, sec. 1; Ord. No. 00-71, sec. 1; Am. 2001, Ord. No. 01-85, sec. 1; Ord. No. 01-96, sec. 3; Am. 2002, Ord. No. 02-46, sec. 1; Ord. No. 02-47, secs. 1 and 2; Ord. No. 02-55, sec. 1; Am. 2006, Ord. No. 06-131, sec. 1; Am. 2008, Ord. No. 08-44, sec. 1; Ord. No. 08-61, sec. 1; Ord. No. 08-62, secs. 1 & 2; Ord. No. 08-122, sec. 1; Am. 2009, Ord. No 09-31, sec. 1; Ord. No. 09-120, sec. 2; Ord. No. 09-136, sec. 2.)

Section 24-265. Schedule 13. Yield locations.

When properly sign posted, vehicles shall yield right-of-way at the following locations:

- (a) Hāmākua
 - (1) Ka'āpahu Road, east approach to Kalōpā Gulch Bridge, No. 44-7, eight hundred thirty-five feet northwest of Ho'o Kahua Road.
 - (2) Ka'āpahu Road, east approach to Kalōpā Gulch Bridge No. 44-7, one thousand two hundred twenty-seven feet northwest of Ho'o Kahua Road.
 - (3) Pōhākea Homestead Road, makai bound at the narrow bridge (bridge number 43-5), located 1.6 miles west of State Highway 19.
- (b) North Hilo
 - (1) Kihalani Homestead Road, mauka bound lane; the right turn from Old Māmalahoa Highway.
- (c) South Hilo
 - (1) Akolea Road, southbound approach to bridge adjacent to parcels identified by Tax Map Key Numbers (3) 2-5-006:130, 2-5-047:002, 2-5-056:041, and 2-5-056:043.
 - (2) Haihai Street, westbound, the right-turn lane to Ainaola Drive.
 - (3) Kāhoa Street, northwest approach to Bridge No. 26-5.
 - (4) Kīlauea Avenue, north bound, at Bridge No. 22-7, approaching Haihai Street.

- (5) Waiānuenu Avenue, westbound, the through lane intersecting the extension of Lele Street near Carvalho Park.
 - (6) Kaʻiulani Street at southbound approach to Bridge No. 23-3.
 - (d) Kaʻū
 - (e) Kohala
 - (1) Kaʻauhuhu Homestead Road, southbound approach to bridge crossing North Kohala Ditch adjacent to parcels identified by TMK Nos. (3) 5-5-002:007, 013, 054 and 125.
 - (2) Route 19, northwest bound, the right turn lane to Lindsey Road.
 - (f) Kona
 - (1) Kuakini Highway, northbound, the right-turn lane to Kaiwi Street.
 - (g) Puna
 - (1) Huina Road, eastbound approach at the Luhi Road intersection.
 - (2) Mahiʻai Road, northeast approach at the Amaumau Road intersection.
- (2000, Ord. No. 00-87, sec. 2; Ord. No. 00-130, sec. 1; Am. 2001, Ord. 01-85, sec. 2; Am. 2002, Ord. No. 02-87, sec. 1; Am. 2003, Ord. No. 03-53, sec. 1; Am. 2004, Ord. No. 04-125, sec. 1; Am. 2007, Ord. No. 07-118, sec. 1; Am. 2008, Ord. No. 08-45, sec. 1; Ord. No. 08-132, sec. 1; Am. 2009, Ord. No. 09-97, sec. 1; Ord. No. 09-109, sec. 2; Ord. No. 09-136, sec. 3.)

Section 24-266. Schedule 14. Through streets.

When properly sign posted, the following streets or portions of streets are designated as through streets:

- (a) Hāmākua
 - (1) Ilima Street.
 - (2) Lehua Street, from Māmane Street to Pakalana Street.
 - (3) Maile Street.
 - (4) ʻŌhiʻa Street, except at Māmane Street.
 - (5) Pakalana Street, from Māmane Street to the Hawaiʻi Belt Road.
 - (6) Pīkake Street.
- (b) North Hilo
 - (1) Kīlau Homestead Road in Laupāhoehoe.
- (c) South Hilo
 - (1) Akea Street, except at Kaunaloa and Haihai Streets.
 - (2) Ainako Avenue, from Kaūmana Drive to Waiānuenu Avenue.
 - (3) Ainaola Drive, from Kawailani to its end in a westerly direction.
 - (4) Alohalani Drive, except at Haihai Street and Kaunaloa Street.
 - (5) ʻAmauulu Road, from Wainaku Avenue to its end.
 - (6) Andrews Avenue.
 - (7) Baker Avenue, Kalanianaʻole Street to its southern terminus, except at Desha Avenue.
 - (8) Banyan Drive, except at Lihiwai Street and Kamehameha Avenue.
 - (9) Bishop Street, from Kamehameha Avenue to Waiolama Canal.
 - (10) Haihai Street, from Kinoʻole Street to the Ainaola Drive.
 - (11) Haili Street, from Kinoʻole Street to Hālaʻi Street.
 - (12) Hālaʻi Street, from Hālaʻi Hill to Waiānuenu Avenue, except at Haili Street from a southerly (Puna) direction and at Punahale Street from a northerly (Hāmākua) direction.
 - (13) Hale Nani Street, from Kapiʻolani Street westerly to its end.
 - (14) Heahea Street, from Ainaola Drive to its southern terminus.
 - (15) Hema Street, except at Kapiʻolani Street.
 - (16) Hīnano Street, except at Piʻilani, Kekūanaōʻa and Lanikāula Streets.
 - (17) Hōkū Street, from Kīlauea Avenue to Kinoʻole Street.
 - (18) Holomua Street, from Kāwili Street to Makaʻala Street.
 - (19) Hookano Street, from Kupulau Road to Hoʻolauleʻa Street.
 - (20) Hualālai Street, from Kīlauea Avenue to Kinoʻole Street.
 - (21) Ioana Street, from Wilder Road to its eastern terminus.
 - (22) ʻIolani Street.

- (23) Ipuka Street.
- (24) Ka'akepa Street, from Pepe'ekeo Street to its mauka terminus except at the Hawai'i Belt Road.
- (25) Kahaopea Street, except at Kino'ole, Kīlauea and Kanoielehua Streets.
- (26) Kainehe Street, from Kamehameha Avenue to Aalapuna Street.
- (27) Ka'iulani Street, from Waiānuenu Avenue to its end.
- (28) Kaiwiki Road, from Māmalahoa Highway to its end.
- (29) Kalaniana'ole Street, from Kamehameha Avenue to its end.
- (30) Kalanikoa Street, from Lanikāula Street to Pi'ilani Street, except at Kekūanaō'a Street.
- (31) Kamehameha Avenue, from Wailuku Drive to Kalaniana'ole Street, except entering intersection with Waiānuenu Avenue from a northerly (Pu'u'eo) direction.
- (32) Kapaka Street, except at Haihai Street.
- (33) Kapi'olani Street, from Ponahawai Street to its end in a southeasterly direction.
- (34) Ka'uhane Avenue.
- (35) Kaūmana Drive, from Hilo Country Club Road to Waiānuenu Avenue.
- (36) Kaunaloa Street.
- (37) Kawailani Street, from Kino'ole Street to its end in the mauka direction, except at Komohana Street.
- (38) Kāwili Street, from Kanoielehua Avenue to Kīlauea Avenue, except at Manono Street.
- (39) Keawe Street, from Pu'u'eo Street to Kīlauea Avenue, except at Wailuku Drive.
- (40) Kekūanaō'a Street, from Kīlauea Avenue to Kanoielehua Avenue.
- (41) Keo Street, from Wilder Road to its eastern terminus.
- (42) Kīlauea Avenue, from Haili Street to Haihai Street, except at Mamo Street.
- (43) Kilikina Street, from Ainako Avenue to its terminus.
- (44) Kilohana Street, from Kamehameha Avenue to Banyan Drive.
- (45) Kino'ole Street, from Waiānuenu Avenue to Haihai Street.
- (46) Komohana Street, from Kawailani Street to Waiānuenu Avenue.
- (47) Kūkūau Street, from Kīlauea Avenue to its southern terminus, except at Kino'ole Street, Ululani Street, Kapi'olani Street, Komohana Street, and Mohouli Street.
- (48) Kula'imano Road, from the Old Māmalahoa Highway to its mauka terminus except at the Hawai'i Belt Road.
- (49) Kumula Street, from the west intersection with Kulala Street and looping with Kulala Street, except at the Kula'imano Homestead Road.
- (50) Kumula Street, except at Ka'akepa Street and at the mauka intersection with Kulala Street.
- (51) Lahaina Street, except at Ainako Avenue and Kaūmana Drive.
- (52) Lama Street, except at its intersection with the Hawai'i Belt Road.
- (53) Lanikāula Street, from Kīlauea Avenue to Kanoielehua Avenue, except at Manono Street.
- (54) Laukapu Street, except at Kekūanaō'a and Lanikāula Streets.
- (55) Loloa Drive, from Hawai'i Belt Road westerly to its end.
- (56) Maka'ala Street, from Kāwili Street to Kanoielehua Avenue.
- (57) Makahana Street, from Kula'imano Road to Pepe'ekeo Street.
- (58) Makalika Street, except at its intersection with the Hawai'i Belt Road.
- (59) Mamo Street, from Kamehameha Avenue to Kino'ole Street, except at Keawe Street.
- (60) Manono Street, from Kamehameha Avenue to Kāwili Street, except at Kekūanaō'a Street and Lanikāula Street.
- (61) Mikioi Street, except at Paipai and No'eau Streets.
- (62) Mililani Street, except at Kekūanaō'a Street, Lanikāula Street, and Pi'ilani Street.
- (63) Mohouli Street, from Kīlauea Avenue to Kaūmana Drive, except at Kino'ole Street, and Komohana Street.
- (64) Nēnē Street.

Section 24-274. Schedule 22. Prohibited U-turn areas.

The following are designated as prohibited U-turn areas when appropriate signs or markings giving notice thereof shall be erected:

- (a) Hāmākua
- (b) North Hilo
- (c) South Hilo
- (d) Ka'ū
- (e) Kohala
- (f) Kona
- (g) Puna

(1996, Ord. No. 96-163, sec. 2.)

Section 24-274.1. Schedule 22.1. Traffic signal systems.

Traffic signal systems are hereby authorized as set forth in this schedule at the streets and intersections described as follows:

- (a) Hāmākua
- (b) North Hilo
- (c) South Hilo
 - (1) Ainaola Drive/Haihai Street.
 - (2) Kamehameha Avenue/Pauahi Street.
 - (3) Kaūmana Drive/Ainako Avenue.
 - (4) Kāwili Street/Kapi'olani Street.
 - (5) Keawe Street/Haili Street.
 - (6) Keawe Street/Mamo Street.
 - (7) Kekūanā'oa Street/Manono Street.
 - (8) Kīlauea Avenue/Aupuni Street.
 - (9) Kīlauea Avenue/Kawailani Street.
 - (10) Kīlauea Avenue/Kāwili Street.
 - (11) Kīlauea Avenue/Kekūanā'oa Street.
 - (12) Kīlauea Avenue/Lanikāula Street.
 - (13) Kīlauea Avenue/Mohouli Street.
 - (14) Kīlauea Avenue/Pauahi Street/Hualālai Street.
 - (15) Kīlauea Avenue/Ponahawai Street.
 - (16) Kino'ole Street/Haili Street.
 - (17) Kino'ole Street/Hualālai Street.
 - (18) Kino'ole Street/Kamana Street.
 - (19) Kino'ole Street/Kawailani Street.
 - (20) Kino'ole Street/Kāwili Street.
 - (21) Kino'ole Street/Lanikāula Street.
 - (22) Kino'ole Street/Mohouli Street.
 - (23) Kino'ole Street/Ponahawai Street.
 - (24) Komohana Street/Mohouli Street.
 - (25) Komohana Street/Ponahawai Street.
 - (26) Lanikāula Street/Manono Street.
 - (27) Mohouli Street/Kumukoa Street.
 - (28) Ohuohu Street, Mid-Block Crosswalk.
 - (29) Ponahawai Street/Kapi'olani Street.
 - (30) Waiānuenu Avenue/Hilo High and Hilo Intermediate Schools.
 - (31) Waiānuenu Avenue/Ka'iulani Street.
 - (32) Waiānuenu Avenue/Kaūmana Drive/Lele Street.
 - (33) Waiānuenu Avenue/Keawe Street.

- (34) Waiānuenu Avenue/Kino‘ole Street.
- (35) Waiānuenu Avenue/Komohana Street.
- (d) Ka‘ū
- (e) Kohala
 - (1) Highway 19/Pukalani Road.
 - (2) Highway 19E/Kamāmalu Road.
 - (3) Highway 19E/Lindsey Road.
- (f) Kona
 - (1) Ali‘i Drive/Kaleiopapa Road.
 - (2) Ali‘i Highway/Ali‘i Drive.
 - (3) Haleki‘i Street, at mid-block crosswalk, two hundred seventy feet east of Mamao Street.
 - (4) Henry Street/Lanihau Shopping Center.
 - (5) Henry Street/Walmart.
 - (6) Kamehameha III Road/Ali‘i Highway.
 - (7) Kamehameha III Road at Hill Haven Subdivision.
 - (8) Kuakini Highway/Hanama Street.
 - (9) Kuakini Highway/Henry Street.
 - (10) Kuakini Highway/Hualālai Road.
 - (11) Kuakini Highway/Kalani Street.
 - (12) Kuakini Highway/Palani Road.
 - (13) Makala Boulevard, at the Kona Commons Driveway, one thousand one hundred fifteen feet southwest of Queen Ka‘ahumanu Highway.
 - (14) Makala Boulevard, at the Kona Commons Driveway, one thousand five hundred twenty-five feet southwest of Queen Ka‘ahumanu Highway.
 - (15) Makala Boulevard/Luhia Street.
 - (16) Palani Road/Henry Street.
 - (17) Palani Road/Lanihau Shopping Center.
 - (18) Route 11/Haleki‘i Street.
 - (19) Route 11/Konawaena Elementary School Road.
 - (20) Route 11/Konawaena School Road.
- (g) Puna

(1996, Ord. No. 96-163, sec. 2; Am. 1997, Ord. No. 97-112, sec. 1; Am. 2000, Ord. No. 00-86, secs. 1--3, Ord. No. 00-123, sec. 1; Am. 2002, Ord. No. 02-83, sec. 1; Am. 2003, Ord. No. 03-164, sec. 1; Am. 2009, Ord. No. 09-28, sec. 1; Ord. No. 09-29, sec. 1; Ord. No. 09-67, sec. 1; Ord. No. 09-68, sec. 1; Ord. No. 09-110, sec. 2; Ord. No. 09-111, sec. 2; Ord. No. 09-112, sec. 2.)

Division 3. Bus Stops and Public Road Taxi Stands.

Section 24-275. Schedule 23. Bus stop locations.

When signs or markings are provided, bus stops in the County shall be located at the following locations, and no person shall stop, stand, or park a vehicle therein:

- (a) Hāmākua
- (b) North Hilo
- (c) South Hilo
 - (1) Banyan Drive, both sides, beginning from the Naniloa Hotel driveway and extending in the mauka direction for a distance of one hundred thirty feet from 6:00 a.m. to 6:00 p.m., Monday through Saturday.
 - (2) Fronting the Hilo Bus Terminal Building at Mo‘oheau Park for a distance of eighty feet.
 - (3) Hualālai Street, Hāmākua side, beginning from a point three hundred twenty-seven feet mauka of Kino‘ole Street and extending eighty feet in the mauka direction.
 - (4) Hualālai Street, Puna side, beginning at a point thirty feet makai of Kapi‘olani Street and extending sixty feet in the makai direction between the hours of 2:30 p.m. and 3:30 p.m. on school days only.

- (105) Lanikāula Street, Puna side, from the entrance gate to Schultz Siding for a distance of forty feet toward Railroad Avenue and one hundred fifty feet toward Kanoelehua Avenue.
- (106) Lanikāula Street, Puna side, between the 'U' of the driveway fronting the University of Hawai'i - Hilo College Administration Building.
- (107) Lehua Street, Hāmākua side, from Pu'u'eo Street to Wainaku Avenue.
- (108) Lei Street, makai side.
- (109) Lele Street, makai side between Punahale Street and Kaūmana Drive.
- (110) Maiko Street.
- (111) Māmalahoa Highway in Pāpa'ikou, makai side, from a point two hundred twenty feet Hāmākua of Anderton Camp Road to the entrance of Kalaniana'ole School.
- (112) Māmalahoa Highway, makai side, beginning at a point three hundred seventy-five feet north of the Pāpa'ikou Transfer Station access road and extending five hundred twelve feet in the northerly direction to the unnamed government roadway.
- (113) Manini Street.
- (114) Manono Street, beginning at a point five hundred feet north of Leilani Street and extending seven hundred twenty feet in the northerly direction.
- (115) Manono Street, Hāmākua side, from Kamehameha Avenue to Pi'ilani Street.
- (116) Manono Street, Puna side, between the entrance and exit of the Civic Auditorium.
- (117) Mauna Kea Street, makai side.
- (118) Mauna Loa Street, makai side.
- (119) Mohala Place, Hāmākua side, for its entire length.
- (120) Mohouli Street, both sides, beginning at a point one hundred eighty-two feet northeast of Kino'ole Street and extending four hundred eighty-five feet in the southwesterly direction.
- (121) Mohouli Street, Hāmākua side, beginning at Kīlauea Avenue and extending one hundred fifty-five feet in the mauka direction.
- (122) Nawahi Lane, Puna side.
- (123) 'Ōhai Street, Hāmākua side, from Pu'u'eo Street to Wainaku Avenue.
- (124) Ohuohu Street, Puainako Street to Maka'ala Street.
- (125) Pana'ewa Street, makai side.
- (126) Pauahi Street, Hāmākua side, from Kamehameha Avenue for a distance of two hundred fifty feet in the mauka direction, and from a point two hundred thirty feet makai of Aupuni Street to Kīlauea Avenue.
- (127) Pauahi Street, Puna side, from Kamehameha Avenue for a distance of two hundred fifty feet in the mauka direction.
- (128) Pi'ihonua Road, both sides, beginning from the northern terminus of Bridge 25-1, extending .5 mile in the northwesterly direction.
- (129) Ponahawai Street, from Kino'ole Street to a point seventy-five feet mauka of Ululani Street.
- (130) Ponahawai Street, on the Hāmākua side, beginning at Kapi'olani Street and extending one hundred fifty-two feet in the mauka direction.
- (131) Ponahawai Street, Puna side, beginning at a point three hundred feet makai of Kino'ole Street and extending five hundred thirteen feet in the makai direction.
- (132) Punahoa Street, makai side, Ponahawai Street to Mamo Street.
- (133) Punahoa Street, makai side, beginning from a point sixty-nine feet Hāmākua of Mamo Street and extending seventy-eight feet in the Hāmākua direction.
- (134) Punahoa Street, makai side, beginning from point two hundred sixty-seven feet Hāmākua of Mamo Street to Furneaux Lane.
- (135) Punahoa Street, mauka side, Ponahawai Street to Furneaux Lane.

- (136) Pu‘u‘eo Street, makai side, beginning at a point one hundred twenty feet Puna of ‘Ōhai Street and extending in the Hāmākua direction for a distance of one hundred fifty feet Hāmākua of ‘Ōhai Street.
 - (137) Pu‘u‘eo Street, makai side, from ‘Iliahi Street to Kauila Street.
 - (138) Railroad Avenue, west side, beginning at a point one hundred seventy-five feet north of Kūkila Street and extending four hundred seventy-four feet in the southerly direction.
 - (139) Shipman Street, beginning at a point two hundred ten feet east of Keawe Street and extending forty feet in the easterly direction towards Kamehameha Avenue.
 - (140) Uhu Street.
 - (141) Ululani Street, makai side, beginning at a point five hundred two feet Hāmākua of Kūkūau Street and extending two hundred eighty-five feet in the Hāmākua direction.
 - (142) Ululani Street, mauka side, between Waiānuenu Avenue and Wailoa Street.
 - (143) Waiānuenu Avenue, both sides, from the mauka access to Rainbow Drive to Waiiau Street.
 - (144) Waiānuenu Avenue, from Kaūmana Drive to Hāla‘i Street.
 - (145) Waiānuenu Avenue, from Keawe Street to a point one hundred feet mauka of Ululani Street.
 - (146) Waiānuenu Avenue, Hāmākua side, beginning at a point one hundred three feet mauka of Ululani Street, and extending in the mauka direction for a distance of three hundred ninety-three feet.
 - (147) Waiānuenu Avenue, Hāmākua side, beginning at a point one thousand three hundred twenty feet west of Ka‘iulani Street and extending seven hundred fifty six feet in the westerly direction.
 - (148) Waiānuenu Avenue, Puna side, from Kapi‘olani Street for a distance of one hundred feet in the makai direction.
 - (149) Wailuku Drive, Hāmākua side, from Keawe Street to Ka‘iulani Street.
 - (150) Wailuku Drive, Puna side, Kamehameha Avenue to Keawe Street.
 - (151) Wainaku Avenue, mauka side, beginning at Pukihae Bridge No. 1 and extending two hundred forty-five feet in the Puna direction.
 - (152) Wainaku Street, Kaiwiki Road to Ha‘aheo Road.
 - (153) Wainaku Street, makai side, beginning at a point two hundred eighty-two feet north of Lehua Street and extending one hundred eighty feet in the northerly direction.
 - (154) Wilson Street, Puna side.
- (d) Ka‘ū
- (1) Kamani Street, between Pīkake Street and Puahala Street.
 - (2) Kamani Street, south side, from the Ka‘ū Hospital access road and extending mauka for approximately five hundred thirty-five feet to the Old Government Road makai of Maile Street.
 - (3) Maile Street, makai side, in Pāhala, beginning at the access road to the mill located across from Pīkake Street and proceeding for one hundred fifty feet in the southwesterly direction towards Nā‘ālehu.
- (e) Kohala
- (1) Emmalani Street, both sides, for its entire length.
 - (2) Honomakua Road at Kohala High and Elementary School, from the exit driveway of the school cottage to the makai boundary of the school property.
 - (3) Hulukupuna Street, Kona side, from Emmalani Street for a distance of one hundred twenty-five feet in the makai direction.
 - (4) Ka-Uhiwai Street, west side, for its entire length.
 - (5) Lanikila Street, west side, for its entire length.
 - (6) Lindsey Road, both sides, beginning at Route 19 and extending two hundred fifty feet in the northerly direction, except along the passenger loading zone fronting Parker School.

- (42) Māmalahoa Highway, makai side, beginning at the south prolongation of Kīloa Road and extending one hundred twenty feet in the northerly direction.
 - (43) Manawale‘a Street, both sides.
 - (44) Melelina Street, on the makai side between Nani Kailua Drive and Aloha Kona Drive.
 - (45) Nahenahe Loop, mauka side, beginning at St. Paul Road and extending for one hundred sixty feet in the northerly direction.
 - (46) Nāpō‘opo‘o Beach Road, on the makai side, beginning at the Nāpō‘opo‘o Road intersection and extending to the northern terminus.
 - (47) Nāpō‘opo‘o Beach Road, on the mauka side, beginning at the Nāpō‘opo‘o Road intersection and extending three hundred thirty feet in the northerly direction.
 - (48) An old government lane in Kailua-Kona, located between the Kama‘āina Lodge and the Ocean View Inn.
 - (49) Onipa‘a Street, Le‘ale‘a Street to Kealakehe School parking lot.
 - (50) Palani Road, north side, from a point fifty feet mauka of the Kailua Rubbish Dump Road to a point fifty feet makai of the Kailua Rubbish Dump Road.
 - (51) Sarona Road in Kailua-Kona, both sides.
- (g) Puna
- (1) Hale Pule Loop, from its northernmost intersection with the Volcano Highway to its intersection with Hale Kula Road.
 - (2) Mauka side of the government road in front of Harry K. Brown Park in Kalapana, from the entrance to the parking lot to six hundred feet in the Volcano direction.
 - (3) On the roadway on the ‘Ōla‘a to Kapoho Road from the ‘Ōla‘a boundary of Pāhoa Park to a point four hundred feet on the ‘Ōla‘a side of the Pāhoa Garage.
 - (4) Ka‘ū side of roadway in the vicinity of the old Nakamura Store in Kapoho on both sides of curve of Pāhoa-Kumukahi Lighthouse Road for a distance of eight hundred twenty feet west from a point approximately one thousand one hundred fifty feet northwest of Project marker F.A.P. No. S-4132 and ER-8.
 - (5) Kalapana Beach Road, from the Kapoho-Pāhoa-Kaimū intersection for a distance of two hundred forty feet in the Kapoho direction.
 - (6) Kalapana/Kapoho Beach Road, on the mauka side directly across from Puala‘a Beach Park for a total distance of four hundred thirty feet.
 - (7) Kamā‘ili Road, Kalapana side, from a point five hundred feet mauka of the truck runway ramp to a point three hundred feet makai of the truck runway ramp.
 - (8) Ka‘ohe Homestead Road, east side, from the athletic field driveway and extending southerly to an area just past the County of Hawai‘i Deep Well Site, a distance of one thousand two hundred twenty feet.
 - (9) Ka‘ohe Homestead Road, west side, from the Pāhoa Road to and including the Pāhoa School gym.
 - (10) Kauhale Street, on the west side, beginning at Pāhoa Road and extending two hundred twelve feet in the southerly direction.
 - (11) Kea‘au Civic Center Road, Puna (makai) side.
 - (12) Kea‘au-Pāhoa Road, north side, from Ka‘ohe Homestead Road and extending five hundred fifteen feet to the Sacred Hearts Church driveway.
 - (13) Māmalahoa Highway in Kea‘au, from the Kea‘au Store for a distance of one thousand feet in the volcano direction.
 - (14) Mauka side between Pāhoa town and the school.

- (15) Old Volcano Road, in Kea'au Village, both sides, beginning at a point eighty-two feet northeast of Pili Mua Street and extending nine hundred sixty feet in the northeasterly direction.
- (16) Route 130, east side, beginning at Kahakai Boulevard and extending three hundred fifty feet in the southerly direction toward Pāhoa Village.

(1996, Ord. No. 96-163, sec. 2; Am. 1996, Ord. No. 96-155, sec. 1; Am. 1997, Ord. No. 97-25, sec. 1; Ord. No. 97-28, secs. 1 and 2; Ord. No. 97-58, sec. 1; Ord. No. 97-109, sec. 1; Ord. No. 97-110, sec. 1; Ord. No. 97-123, sec. 1; Ord. No. 97-129, secs. 1 and 2; Am. 1998, Ord. No. 98-31, secs. 1, 2, 3; Ord. No. 98-40, sec. 2; Ord. No. 98-62, sec. 1; Ord. No. 98-73, secs. 1, 2; Ord. No. 98-74, secs. 2, 3, 4 and 5; Ord. No. 98-85, sec. 2; Ord. No. 98-89, secs. 1, 2; Am. 1999, Ord. No. 99-62, sec. 1; Ord. No. 99-84, sec. 3; Ord. No. 99-90, sec. 1; Ord. No. 99-92, secs. 1, 2; Ord. No. 99-128, sec. 1; Ord. No. 99-134, secs. 1--5; Am. 2000, Ord. No. 00-12, sec. 1; Ord. No. 00-29, secs. 1 and 2; Ord. No. 00-79, sec. 4; Ord. No. 00-80, sec. 1; Ord. No. 00-129, sec. 1; Ord. No. 00-130, sec. 2; Am. 2001, Ord. No. 01-8, sec. 1; Ord. No. 01-9, sec. 3; Ord. No. 01-119, sec. 3; Am. 2002, Ord. No. 02-91, sec. 1; Am. 2004, Ord. No. 04-25, secs. 1 and 2; Am. 2008, Ord. 08-174, sec. 1; Am. 2009, Ord. No. 09-22, sec. 1; Ord. No. 09-61, sec. 2, Ord. No. 09-145, sec. 2.)

Section 24-281. Schedule 29. Parking prohibited during certain hours on certain streets; tow-away zone.

When signs are erected giving notice thereof, no person shall stop, stand or park a vehicle between the hours specified herein upon any of the streets or parts of streets as follows:

- (a) Hāmākua
- (b) North Hilo
 - (1) Old Māmalahoa Highway, mauka side, at Pāpa'aloa, beginning at a point two hundred thirty-three feet on the Hilo side of Kaiwilahilahi Bridge for a distance of one hundred fifty-four feet in the Hilo direction from 7:00 a.m. to 5:00 p.m.
- (c) South Hilo
 - (1) 'Alae Street, both sides, from Laimana Street to Hāla'i Street between the hours of 7:15 a.m. to 8:00 a.m. and 2:30 p.m. to 3:30 p.m. on school days.
 - (2) Banyan Drive, east side, beginning at a point nine hundred forty feet east northeast of Lihikai Street and extending five hundred seventy-one feet in the northeasterly direction between the hours of 11:00 p.m. and 5:00 a.m.
 - (3) Banyan Drive, makai side, 9:00 a.m. to 11:00 a.m. on Tuesdays.
 - (4) Banyan Drive, mauka side, 9:00 a.m. to 11:00 a.m. on Thursdays.
 - (5) Banyan Drive, north side, beginning at a point one thousand seventy-eight feet southwest of Lili'uokalani Park Perimeter Road to Lihikai Street between the hours of 11:00 p.m. and 5:00 a.m.
 - (6) Banyan Drive, south side, beginning at Lihikai Street and extending five hundred forty-one feet in the easterly direction between the hours of 11:00 p.m. and 5:00 a.m.
 - (7) Banyan Drive, west side, beginning at a point seven-tenths mile Puna of Lihikai Street and extending seven hundred eighty feet in the southerly direction towards Kamehameha Avenue between the hours of 11:00 p.m. and 5:00 a.m.
 - (8) Banyan Drive, west side, beginning at a point one hundred three feet south of Lili'uokalani Park Perimeter Road and extending five hundred eighty-five feet in the southerly direction between the hours of 11:00 p.m. and 5:00 a.m.
 - (9) Haili Street, Puna side, between Kino'ole Street and Ululani Street from 7:15 a.m. to 8:00 a.m. on school days.
 - (10) Hualālai Street, Puna side, between Ululani Street and the makai side of the St. Joseph School Cafeteria from 7:15 a.m. to 8:00 a.m. on school days; 1:45 p.m. to 2:30 p.m. on Mondays, Tuesdays, Thursdays and Fridays when school is in session; and 12:45 p.m. to 1:30 p.m. on Wednesdays when school is in session.

- (11) Kahoia Street, east side, from a point four hundred twenty-five feet north of Nahala Street and extending five hundred ninety-five feet north from 10:00 p.m. to 5:00 a.m.
- (12) Kalaniana'ole Street, mauka side, from a point one hundred feet west of the Seaside Restaurant driveway and extending two hundred seventeen feet in the easterly direction except between the hours of 5:00 p.m. and 10:00 p.m.
- (13) Kalili Street, from a point one hundred forty-four feet south of Noe Street and extending four hundred forty-three feet in the southerly direction from 11:00 p.m. to 6:00 a.m.
- (14) Kīlauea Avenue, Hāmākua-mauka side, adjacent to the Hilo Hongwanji Temple driveway between the hours of 2:00 p.m. and 5:30 p.m. from Mondays to Fridays and 7:30 a.m. to 12:00 noon on Sundays.
- (15) Lihikai Street, east side, Banyan Drive to Lili'uokalani Park Perimeter Road between the hours of 11:00 p.m. and 5:00 a.m.
- (16) Lili'uokalani Park Perimeter Road, beginning at a point seven hundred twenty-five feet west of Banyan Drive to Lihikai Street between the hours of 11:00 p.m. and 5:00 a.m.
- (17) Mohouli Street, Pu'u'eo side, in front of the children's shelter area for a distance of seventy-five feet mauka of the old driveway into Kapi'olani School from 7:15 a.m. to 8:00 a.m. on school days; 1:45 p.m. to 2:30 p.m. on Mondays, Tuesdays, Thursdays and Fridays when school is in session; and 12:45 p.m. to 1:30 p.m. on Wednesdays when school is in session.
- (18) Mohouli Street, on the Puna side, those three metered stalls mauka of Kīlauea Avenue between 7:00 a.m. and 8:00 a.m. on school days.
- (19) 'Ōhai Street, 4:00 a.m. to 6:00 a.m. on Mondays.
- (20) Pi'ihonua Road, both sides, beginning at the northern terminus of Bridge 25-2 to the southern terminus of Bridge 25-1, between the hours of 6:00 p.m. and 6:00 a.m.
- (21) Pūnāwai Street, between 7:00 a.m. and 8:00 a.m. except Saturdays, Sundays and public holidays.
- (22) Pu'u'eo Street, 4:00 a.m. to 6:00 a.m. on Mondays.
- (23) Waiānuenue Avenue, Hāmākua side, from two hundred forty feet makai of Laimana Street to Kapi'olani Street, between the hours of 7:15 a.m. and 8:00 a.m. on school days.
- (24) Waiānuenue Avenue, Hāmākua side, fronting the Hilo Methodist Church, from 7:00 a.m. to 6:00 p.m. except on Saturdays, Sundays, and holidays.
- (25) Waiānuenue Avenue, north side, from Pūnāwai Street to Hāla'i Street, from 7:15 a.m. to 8:15 a.m. on school days and from 4:00 p.m. to 5:00 p.m. except on Saturdays, Sundays and public holidays.
- (26) Waiānuenue Avenue, Puna side, one stall mauka of the Hilo Union School-Annex crosswalk, from 7:15 a.m. to 8:00 a.m. on school days; 1:45 p.m. to 2:30 p.m. on Mondays, Tuesdays, Thursdays and Fridays when school is in session; and 12:45 p.m. to 1:30 p.m. on Wednesdays when school is in session.
- (27) Waiānuenue Avenue, Puna side, from four hundred five feet makai of Laimana Street and extending one hundred fifty-eight feet towards Kapi'olani Street between the hours of 7:15 a.m. and 5:30 p.m. on school days.
- (28) Waiānuenue Avenue, Puna side, from one hundred feet makai of Laimana Street and extending one hundred sixty-four feet in the makai direction between the hours of 7:15 a.m. and 8:00 a.m. on school days.
- (29) Derby Street, between the hours of 7:00 p.m. to 7:00 a.m.
- (30) Wilson Street, between the hours of 7:00 p.m. to 7:00 a.m.
- (d) Ka'ū
- (e) Kohala
- (f) Kona
 - (1) Alapa Street, Kona Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (2) Eho Street, Kona Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (3) Kaiwi Street, Kona Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.

- (4) Kaleiopapa Street, mauka side, beginning at a point four hundred ten feet north of 'Ehukai Street and extending four hundred ten feet in the northerly direction, at all times, except between 4:00 p.m. to 9:00 p.m. on Tuesdays and Fridays.
 - (5) Kamanu Street, Kaloko Light Industrial Subdivision, from 10:00 p.m. to 5:00 a.m.
 - (6) Kanalani Street, Kaloko Light Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (7) Kauhola Street, Kaloko Light Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (8) Keanalehu Drive, 8:00 a.m. to 3 p.m. on school days.
 - (9) Lawehana Street, Kaloko Light Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (10) Luhia Street, Kona Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (11) Maiau Street, Kaloko Light Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (12) Olowalu Street, Kaloko Light Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (13) Pawai Place, Kona Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (14) Puohulihuli Street, 8:00 a.m. to 3:00 p.m. on school days.
- (g) Puna
- (1) 'Ōla'a to Kapoho Road in Pāhoa, mauka side, in front of the Pāhoa YBA Building, from 2:00 p.m. to 5:30 p.m. on school days except that on Wednesdays when school is in session, no parking shall be allowed from 1:00 p.m. to 5:30 p.m.

The chief of police is authorized to remove, or cause to be removed at the owner's expense, any vehicle left unattended or parked in violation of this section or posted signs.

(1996, Ord. No. 96-163, sec. 2; Am. 1997, Ord. No. 97-57, sec. 1; Ord. No. 97-70, sec. 1; Ord. No. 97-85, sec. 1; Ord. No. 97-129, sec. 3; Am. 1998, Ord. No. 98-32, sec. 1; Ord. No. 98-85, sec. 3; Ord. No. 98-89, sec. 3; Am. 1999, Ord. No. 99-8, sec. 1; Ord. No. 99-14, secs. 1, 2; Am. 2000, Ord. No. 00-10, sec. 1; Ord. No. 00-12, sec. 2; Ord. No. 00-27, sec. 1; Am. 2001, Ord. No. 01-7, sec. 1; Am. 2003, Ord. No. 03-168, secs. 1 and 2; Am. 2006, Ord. No. 06-167, sec. 1; Am. 2009, Ord. No. 09-146, sec. 2.)

Section 24-282.1. Schedule 30.1. 15 minute parking areas.

When signs are erected giving notice thereof, vehicle parking on the following streets and portions of streets is limited to fifteen minutes:

- (a) Hāmākua
- (b) North Hilo
- (c) South Hilo
 - (1) Kīlauea Avenue, mauka side, from a point sixty-four feet Puna of Wilson Street to a point one hundred three feet in the Puna direction, from 7:00 a.m. to 12:00 noon.
- (d) Ka'u
- (e) Kohala
- (f) Kona
- (g) Puna
 - (1) Pāhoa Village Road, south side, from a point three hundred twenty-six feet west of Kauhale Street to a point one hundred seventeen feet in the easterly direction.

(1999, Ord. No. 99-127, sec. 1; Am. 2009, Ord. No. 09-121, sec. 2.)

Section 24-282.2. Schedule 30.2. 36 minute parking areas.

When signs are erected giving notice thereof, vehicle parking on the following streets and portions of streets is limited to thirty-six minutes:

- (a) Hāmākua
- (b) North Hilo
- (c) South Hilo
- (d) Ka'u
- (e) Kohala
- (f) Kona
- (g) Puna

(1996, Ord. No. 96-163, sec. 2; Am. 1999, Ord. No. 99-127, sec. 2.)

Section 24-283. Schedule 31. One hour parking areas.

When signs are erected giving notice thereof, vehicle parking on the following streets and portions of streets is limited to one hour:

- (a) Hāmākua
 - (b) North Hilo
 - (c) South Hilo
 - (1) Keawe Street, from Haili Street to Mamo Street.
 - (2) Kīlauea Avenue, southwest side, beginning from a point thirty-eight feet south of Aupuni Street and extending three hundred twelve feet in the southerly direction, except for those areas designated as No Parking Zones and Freight Loading Zones, between the hours of 8:00 a.m. and 8:00 p.m. from Mondays to Fridays.
 - (d) Ka‘ū
 - (e) Kohala
 - (f) Kona
 - (1) Māmalahoa Highway in Kainaliu, from Okamura Store to the Ka‘ū side of Aloha Theater.
 - (g) Puna
- (1996, Ord. No. 96-163, sec. 2; Am. 1997, Ord. No. 97-109, sec. 2; Am. 2000, Ord. No. 00-89, sec. 3; Am. 2006, Ord. No. 06-167, sec. 2.)

Section 24-284. Schedule 32. Two hour parking areas.

When signs are erected giving notice thereof, vehicle parking on the following streets and portions of streets is limited to two hours:

- (a) Hāmākua
- (b) North Hilo
- (c) South Hilo
 - (1) Aupuni Center public parking two rows of stalls along and adjacent to the northwest (Pauahi Street) and a single row of stalls along and adjacent to the southwest (Kīlauea Avenue) sides of the Aupuni Center building, Monday to Friday (excluding holidays) during the hours of 7:00 a.m. to 5:00 p.m. or as otherwise specified per facility.
 - (2) The old County Building parking lot located at the northeast corner of the Waiānuenu Avenue and Keawe Street intersection.
 - (3) The County parking lot (Kamehameha Parking Lot) along the mauka side of Kamehameha Avenue between Kalākaua Street and Mamo Street.
 - (4) Furneaux Lane, from Kīlauea Avenue to Kamehameha Avenue.
 - (5) Haili Street, on the Hāmākua side, beginning at a point one hundred twenty feet mauka of Kapi‘olani Street and extending one hundred eighty-nine feet in the mauka direction.
 - (6) Haili Street between Kamehameha Avenue and Kino‘ole Street, except for active loading and unloading zone, northwest side, beginning from a point two hundred eleven feet southwest of Kamehameha Avenue and extending twenty feet in the southwesterly direction, as set forth in section 24-288.1 (schedule 36.1. Active loading and unloading zones).
 - (7) Kalākaua Street.
 - (8) Kamehameha Avenue, from Shipman Street to Waiānuenu Avenue.
 - (9) Kamehameha Avenue, from Waiānuenu Avenue to Ponahawai Street, except for applicable bus stops and loading zones during specified times as outlined in chapter 24, article 10, divisions 3 and 6.
 - (10) Kapi‘olani Street in Hilo, from the intersection with Haili Street to the entrance to Homelani Memorial Cemetery between the hours of 8:00 a.m. and 5:00 p.m.
 - (11) Keawe Street, from Wailuku Drive to Haili Street.
 - (12) Kekūanaō‘a Street, those marked parking stalls between Kīlauea Avenue and Honu Street.
 - (13) Kīlauea Avenue, mauka side, from Ponahawai Street to Kūkūau Street.
 - (14) Kīlauea Avenue, both sides, from Haili Street to Ponahawai Street.

- (15) Kīlauea Avenue, makai side, starting one hundred fifteen feet northwest of Kūkūau Street and extending forty-two feet in the Hāmākua direction.
 - (16) Kino‘ole Street, makai side, from Kalākaua Street to a point two hundred seventy-nine feet southeast of Mamo Street; mauka side, from Waiānuenu Avenue to Haili Street.
 - (17) Kino‘ole Street, makai side, the first ten stalls south of Ponahawai Street.
 - (18) Kino‘ole Street, mauka side, between Haili Street and Mamo Street, five marked stalls in front of Farmers’ Exchange.
 - (19) Kino‘ole Street, mauka side, the first six stalls south of Ponahawai Street and Central Fire Station.
 - (20) Kino‘ole Street, mauka side, from Waiānuenu Avenue to Wailuku Drive.
 - (21) Mamo Street, except for active loading and unloading zone access on Wednesdays and Saturdays, as set forth in section 24-288.1, schedule 36.1, active loading and unloading zones.
 - (22) Mohouli Street, Puna side, the last three parking stalls approaching Kīlauea Avenue.
 - (23) Ponahawai Street, Hāmākua side, from Kamehameha Avenue to Kino‘ole Street; Puna side, from Kīlauea Avenue to Kino‘ole Street.
 - (24) Punahoa Street.
 - (25) Shipman Street.
 - (26) Ululani Street, from Haili Street to the Hilo Hotel property.
 - (27) Ululani Street, from Waiānuenu Avenue to Wailuku Drive.
 - (28) Waiānuenu Avenue, from Keawe Street to Kamehameha Avenue.
 - (29) Waiānuenu Avenue, from a point one hundred feet from Ululani Street to Ka‘iulani Street.
 - (30) Wailuku Drive, from Ululani Street to Ka‘iulani Street.
- (d) Ka‘ū
- (e) Kohala
- (f) Kona
- (1) Ali‘i Drive in Kailua-Kona from Palani Road to and including Rueben’s Restaurant from 9:00 a.m. to 6:00 p.m., except on Sundays and holidays.
 - (2) Māmalahoa Highway, both sides, through Kainaliu Town, between the hours of 8:00 a.m. and 5:00 p.m.
 - (3) Palani Road, any marked parking stalls, between Kuakini Highway and Ali‘i Drive, between the hours of 9:00 a.m. and 6:00 p.m., except Sundays and holidays.
- (g) Puna
- (1) Highway 130, north side, beginning at a point one thousand six hundred ten feet west of the Kapoho-Kalapana junction and extending seven hundred forty-five feet in the westerly direction.
- (1996, Ord. No. 96-163, sec. 2; Am. 1997, Ord. No. 97-28, sec. 3; Am. 2000, Ord. No. 00-89, sec. 5; Ord. No. 00-131, secs. 1 and 2; Am. 2003, Ord. No. 03-4, sec. 2; Am. 2008, Ord. No. 08-111, sec. 1; Am. 2009, Ord. No. 09-122, sec. 2.)

Section 24-284.1. Schedule 32.1. 8 hour parking areas.

When signs are erected giving notice thereof, vehicle parking on the following streets and portions of streets is limited to eight hours:

- (a) Hāmākua
 - (b) North Hilo
 - (c) South Hilo
- (1) The County parking lot (Bayfront Parking Lot) along the makai side of Kamehameha Avenue between Kalākaua Street and Mamo Street.
 - (2) Haili Street, Puna side, from Kino‘ole Street, to Ululani Street.
 - (3) Hilo Armory parking lots, mauka and makai.
 - (4) Kamehameha Avenue, from Shipman Street to Wailuku Drive.

- (6) Kamehameha Avenue, mauka side, from a point one hundred fifty feet Puna of Waiānuenu Avenue and extending thirty feet in the Puna direction.
 - (7) Keawe Street, makai side, Puna of Haili Street, twenty-five feet.
 - (8) Keawe Street, makai side, Pu‘u‘eo of Mamo Street, twenty-five feet.
 - (9) Keawe Street, mauka side, beginning at a point fifty-six feet Puna of Kalākaua Street and extending in the Puna direction for a distance of twenty-three feet.
 - (10) Kīlauea Avenue, mauka side, beginning at a point fifty feet southeast of Barenaba Street and extending thirty feet in the southeasterly direction.
 - (11) Kīlauea Avenue, mauka side, beginning at Hōkū Street and extending forty-four feet in the Puna direction.
 - (12) Kīlauea Avenue, mauka side, beginning at a point five hundred eighty-seven feet Puna of Hualālai Street and extending forty-four feet in the Puna direction.
 - (13) Kīlauea Avenue, mauka side, beginning from a point thirty feet Puna of Mamo Street and extending in the Puna direction for a distance of thirty feet.
 - (14) Kīlauea Avenue, mauka side, beginning from a point two hundred seventy feet Puna side of Mamo Street and extending forty-four feet in the Puna direction.
 - (15) Kino‘ole Street, beginning 148.39 feet Puna of Haili Street, fifty feet.
 - (16) Kino‘ole Street, makai side, beginning from a point twenty feet Puna of ‘A‘ala Lane and extending forty feet in the Puna direction.
 - (17) Kino‘ole Street, mauka side, beginning from a point one hundred twenty-four feet Hāmākua of Haili Street and extending forty-two feet in the Hāmākua direction.
 - (18) Kūkūau Street, Hāmākua side, beginning thirty feet mauka of Kīlauea Avenue, forty-five feet.
 - (19) Nawahi Lane, Hāmākua side, from a point thirty feet mauka of Kamehameha Avenue and extending sixty-two feet in the mauka direction.
 - (20) Ponahawai Street, Pu‘u‘eo side, mauka of Punahoa Street, thirty-five feet.
 - (21) Punahoa Street, makai side, beginning from a point one hundred forty-seven feet Hāmākua of Mamo Street and extending one hundred twenty feet in the Hāmākua direction.
 - (22) Pu‘u‘eo Street, mauka side, from a point thirty feet Hāmākua of ‘Ōha‘i Street and extending fifty feet in the Hāmākua direction.
 - (23) Ululani Street, makai side, from the Hāmākua driveway into McDonald's Restaurant and extending in the Puna direction for a distance of thirty feet.
 - (24) Waiānuenu Avenue, Puna side, beginning at a point two hundred seventy-one feet makai of Keawe Street and extending forty feet toward Kamehameha Avenue.
 - (25) Wainaku Street, mauka side, from a point forty-two feet south of ‘Amaulu Street and extending forty-four feet in the southerly direction.
- (d) Ka‘ū
- (e) Kohala
- (f) Kona
- (1) Ali‘i Drive, east side, beginning from a point two-hundred seventy-six feet north of Likana Lane and extending sixty feet in the northerly direction, 24 hours daily.
 - (2) Ali‘i Drive, east side, beginning from a point five-hundred thirty-three feet north of Likana Lane and extending forty-six feet in the northerly direction, 24 hours daily.
 - (3) Ali‘i Drive, in Kailua-Kona, makai side, on the curb cut-out in front of the Kona Inn Shopping Center, south of Hulihe‘e Palace.

- (4) Ali'i Drive, in Kailua-Kona, mauka side, in the vicinity of the Kona Galley.
 - (5) Ali'i Drive, in Kailua-Kona, mauka side, in the marked zone fronting the Moku'aikaua Church and the Kim Chong Building.
 - (6) Ali'i Drive, west side, beginning from a point one-hundred fifty-four feet south of Kakina Lane, and extending seventy-seven feet in the southerly direction.
 - (7) Ali'i Drive, west side, from a point three hundred-twenty feet south of Hualālai Road and extending sixty feet in the southerly direction, from 4:00 a.m. to 10:30 a.m., excluding Sundays and holidays.
 - (8) Belt Highway in Kainaliu, at Oshima Store.
 - (9) Hanama Place, at its terminus. The fifty-five foot section on the makai side fronting the Kailua Trade Center.
 - (10) Likana Lane, east side, from the edge of the County parking lot nearest Ali'i Drive and extending northwesterly for forty-four feet between the hours of 8:00 a.m. and 4:00 p.m. except Sundays and public holidays.
 - (11) Sarona Road, south side, beginning from a point one hundred eighty-two feet east of Ali'i Drive and extending one hundred feet in the easterly direction.
- (g) Puna
- (1) Kauhale Street, west side, beginning at a point three hundred ninety feet south of Highway 130 and extending forty-four feet in the southerly direction.
 - (2) Pāhoa Road, makai side, beginning at a point three-tenths of a mile Hilo side of the Kapoho-Kalapana junction and extending twenty-six feet in the Hilo direction.
- (1996, Ord. No. 96-163, sec. 2; Am. 1997, Ord. No. 97-18, sec. 1; Ord. No. 97-72, sec. 1; Ord. No. 97-109, sec. 3; Am. 1998, Ord. No. 98-73, sec. 3; Ord. No. 98-134, secs. 1, 2; Am. 1999, Ord. No. 99-75, sec. 1; Ord. No. 99-82, sec. 1; Ord. No. 99-92, sec. 3; Am. 2000, Ord. No. 00-37, sec. 1; Ord. No. 00-129, sec. 2; Am. 2001, Ord. No. 01-08, sec. 2; Ord. No. 01-67, sec. 1; Am. 2004, Ord. No. 04-44, sec. 1; Am. 2005, Ord. No. 05-59, sec. 2; Am. 2008, Ord. No. 08-8, sec. 1; Am. 2008, Ord. No. 08-173, sec. 1.)

Section 24-288.1. Schedule 36.1.* Active loading and unloading zones.

When signs are erected giving notice thereof, active loading or unloading shall be permitted on the following streets and portions of streets:

- (a) Hāmākua
 - (b) North Hilo
 - (c) South Hilo
 - (1) Kamehameha Avenue, mauka side, beginning from a point ninety-four feet west of Mamo Street and extending forty-four feet in the westerly direction, from 5:00 a.m. to 4:00 p.m., on Wednesdays and Saturdays.
 - (2) Kamehameha Avenue, mauka side, beginning from a point one hundred eleven feet northwest of Shipman Street and extending fifty-eight feet in the northwesterly direction.
 - (3) Mamo Street, both sides, from Kamehameha Avenue to Punahoa Street, from 5:00 a.m. to 4:00 p.m., on Wednesdays and Saturdays.
 - (4) Punahoa Street, makai side, from Mamo Street to a point sixty-nine feet in the Hāmākua direction.
 - (5) Haili Street, northwest side, beginning from a point two hundred eleven feet southwest of Kamehameha Avenue and extending twenty feet in the southwesterly direction.
 - (d) Ka'ū
 - (e) Kohala
 - (f) Kona
 - (g) Puna
- (1996, Ord. No. 96-163, sec. 2; Am. 1998, Ord. No. 98-73, sec. 4; Am. 2008, Ord. No. 08-95, sec. 1; Am. 2008, Ord. No. 08-140, sec. 1; Am. 2009, Ord. No. 09-122, sec. 3.)

*Editor's Notes: Section number revised from 24-288.01 to 24-288.1. Schedule number revised from 36.01 to 36.1.

Article 6. Optional Development Regulations.

Division 1. Planned Unit Development (P.U.D.).

- Section 25-6-1. Purpose.
- Section 25-6-2. Minimum land area required.
- Section 25-6-3. Application for P.U.D. permit; requirements.
- Section 25-6-4. Notice of action on P.U.D. application.
- Section 25-6-5. Procedure for processing application when use not permitted in district.
- Section 25-6-6. Actions by director on P.U.D. permit applications.
- Section 25-6-7. Reserved.
- Section 25-6-8. Reserved.
- Section 25-6-9. Reserved.
- Section 25-6-10. Criteria for granting a P.U.D. permit.
- Section 25-6-11. Height exceptions authorized.
- Section 25-6-12. Approval of variances, use permits and plan approvals issued under P.U.D. permit.
- Section 25-6-13. Effect of P.U.D. permit on other zoning provisions.
- Section 25-6-14. Time extensions and amendments.
- Section 25-6-15. Appeals.

Division 2. Cluster Plan Development (C.P.D.).

- Section 25-6-20. Purpose.
- Section 25-6-21. Minimum land area required.
- Section 25-6-22. Application for C.P.D.
- Section 25-6-23. Computation of maximum number of lots.
- Section 25-6-24. Minimum lot size in C.P.D.
- Section 25-6-25. Common land in a C.P.D.
- Section 25-6-26. Appeal of a C.P.D. decision.

Division 3. Ohana Dwellings.

- Section 25-6-30. General provisions, applicability.
- Section 25-6-31. Eligibility for ohana dwelling permit.
- Section 25-6-32. Prohibited areas.
- Section 25-6-33. Designation of the ohana dwelling unit.
- Section 25-6-34. Height limit.
- Section 25-6-35. Minimum building site area and yards.
- Section 25-6-36. Guest houses.
- Section 25-6-37. Off-street parking spaces.
- Section 25-6-38. Variances prohibited.
- Section 25-6-39. Application for ohana dwelling permit; requirements.
- Section 25-6-39.1. Action on ohana dwelling permit.
- Section 25-6-39.2. Building permit for an ohana dwelling.
- Section 25-6-39.3. Nontransferability of permit.
- Section 25-6-39.4. Pending applications.
- Section 25-6-39.5. Illegally constructed ohana dwellings.
- Section 25-6-39.6. Revocation of an ohana dwelling permit.
- Section 25-6-39.7. Appeals.

Division 4. Project Districts (PD).

- Section 25-6-40. Purpose and applicability.
- Section 25-6-41. Criteria for establishing a project district.
- Section 25-6-42. Minimum land area required.
- Section 25-6-43. Permitted uses.
- Section 25-6-44. Application for project district; requirements.
- Section 25-6-45. Conditions imposed on project district.
- Section 25-6-46. Review and approval of site plans.
- Section 25-6-47. Review criteria and conditions of approval.
- Section 25-6-48. Construction in conformity with approved site plans.
- Section 25-6-49. Plan approval issued by approval of site plans.
- Section 25-6-49.1. Amendments.
- Section 25-6-49.2. Appeal of director's actions on project district site plans.

Division 5. Agricultural Project Districts (APD).

- Section 25-6-50. Purpose and applicability.
- Section 25-6-51. Criteria for establishing a project district.
- Section 25-6-52. Minimum land area required.
- Section 25-6-53. Permitted uses; overall density.
- Section 25-6-54. Application for agricultural project district; requirements.
- Section 25-6-55. Conditions imposed on agricultural project district.
- Section 25-6-56. Review and approval of site plans.
- Section 25-6-57. Review criteria and conditions of approval.
- Section 25-6-58. Construction in conformity with approved site plans.
- Section 25-6-59. Plan approval issued by approval of site plans.
- Section 25-6-59.1. Amendments.
- Section 25-6-59.2. Appeal of director's actions on agricultural project district site plans.

Division 6. Scenic Corridor Program.

- Section 25-6-60. Purpose and applicability.
- Section 25-6-61. Criteria for establishing a scenic corridor.
- Section 25-6-62. Permitted uses.
- Section 25-6-63. Initiation of a scenic corridor; requirements.
- Section 25-6-64. Corridor advocacy groups.
- Section 25-6-65. Conditions and standards imposed on a scenic corridor.
- Section 25-6-66. Review and approval of applications.

Article 7. Special District Regulations.

Division 1. Kailua Village Design Commission.

- Section 25-7-1. Purpose and applicability; boundaries.
- Section 25-7-2. Design commission membership; appointment; term.
- Section 25-7-3. Rules of procedure.
- Section 25-7-4. Powers and duties of the Kailua Village design commission.
- Section 25-7-5. Amendment of district boundaries.

“Building site” means a parcel of land which is occupied or is to be occupied by a principal use and accessory uses or a building or group of buildings, and includes a lot and a plot.

“Building site average width” means that figure obtained by dividing the total area of a building site by the maximum depth of the building site measured in the general direction of the side lines.

“Business service” means an establishment which primarily provides goods and services to other business, including but not limited to minor job printing, duplicating, binding and photographic processing, office security, maintenance and custodial services, and office equipment and machinery sales, rentals and repair.

“Care home” means a facility which is approved by the state pursuant to chapter 346, part IV or part VIII, Hawai‘i Revised Statutes, as amended, to provide living accommodations and general or rehabilitative care in homes with not more than one kitchen, to accommodate unrelated children or elderly, handicapped, or disabled adults. The term includes adult residential care homes, group child care homes and other facilities for children, elderly, handicapped, developmentally disabled and totally disabled.

“Catering establishment” means an establishment primarily involved in the preparation and transfer of finished food products for immediate consumption upon delivery to off-premises destinations including, but not limited to, hotels, restaurants, airlines and social events.

“City of Hilo” means all of that portion of the district of South Hilo, County of Hawai‘i, which is bounded on the south side by the district of Puna; bounded on the west side by the districts of Ka‘ū and North Hilo; on the north by the ahupua‘a of Paukaa in the district of South Hilo and on the east by the sea.

“Commercial excavation” means any excavation or removal of natural materials for profit which is not related to or not occasioned by an impending development of the site of such excavation.

“Commercial parking lot and garage” means any building or parking area designed or used for temporary parking of automotive vehicles, which is not accessory to another use on the same building site and within which no vehicles are repaired.

“Commission” means either the windward planning commission or the leeward planning commission, or both acting as a joint commission, as provided for in the Charter.

“Community building” means a public or privately-owned building for civic, social, educational, cultural, and recreational activities which is not operated primarily for financial gain.

“Conforming” means in compliance with the regulations of the pertinent zoning district.

“Convenience store” means a small retail establishment intended to serve the daily or frequent needs of the surrounding neighborhood population by offering for sale pre-packaged food products, household items, newspapers and magazines, and freshly prepared foods.

“Council” means the County council.

“County environmental report” means an informational document in a form prescribed by the director in accordance with rules adopted pursuant to chapter 91, Hawai‘i Revised Statutes. The County environmental report shall contain a description of the physical, social, historical, economic, and natural resource consequences of a proposed action, including but not limited to a discussion of alternatives to the proposed action, any environmental effects which cannot be avoided should the proposal be implemented, the relationship between local short-term uses of the environment and the maintenance and enhancement of long-term productivity, any irreversible and irretrievable commitments of natural resources which would be involved in the proposed action, and an analysis of the proposed action. The term “County environmental report” does not include a State environmental impact statement prepared in compliance with chapter 343, Hawai‘i Revised Statutes. Copies of the County environmental report shall be available to the public for inspection and written comment. Public comments on the document shall be made a part of the record of the application under consideration by the director, and made available to the council.

“Crop production” means agricultural and horticultural uses, including, but not limited to, production of grains, field crops, vegetables, fruits, tree nuts, flower fields and seed production, ornamental crops, tree and sod farms.

“Day care center” means a facility which is licensed or approved by the State, pursuant to chapter 346, part IV or part VIII, Hawai‘i Revised Statutes, as amended, where persons who are not members of the family occupying the premises are cared for without overnight accommodations. This term includes day nurseries, preschools, and kindergartens which are not licensed by the State department of education and adult day care centers.

“Data processing facility” means an establishment primarily involved in the compiling, storage and maintenance of documents, records and other types of information in digital form utilizing a mainframe computer. This term does not include general business offices, computer-related sales establishments, and business or personal services.

“De minimis structure position discrepancy” means a difference between the distance from a property boundary required by the zoning code for a yard or open space and the actual distance, of not more than the following:

- (a) For property zoned Multiple-Family Residential (RM), Residential-Commercial Mixed Use (RCX), Resort-Hotel (V), Neighborhood Commercial (CN), General Commercial (CG), Village Commercial (CV), Industrial-Commercial Mixed (MCX), Limited Industrial (ML), General Industrial (MG), Downtown Hilo Commercial (CDH), or within a Planned Unit Development (PUD), Cluster Plan Development (CPD), or Project District (PD): 0.25 feet;
- (b) For property zoned Single-Family Residential (RS) or Double-Family Residential (RD): 0.5 feet;
- (c) For property zoned Residential and Agricultural (RA), Family Agricultural (FA), Agricultural (A), Intensive Agricultural (IA), or Agricultural Project District (APD): 0.75 feet.

“Density” means the number of dwelling units or rentable units for a particular unit of gross land area.

“Director” means the director of the planning department.

“Duplex” and “double-family dwelling” means a building containing only two dwelling units.

“Dwelling” means a building or part thereof designed for or used for residential occupancy or both and containing one or more dwelling units, and includes double-family dwelling or duplex, mobile dwelling, multiple-family dwelling and single-family dwelling.

“Dwelling unit” means one or more rooms designed for or containing or used as the complete facilities for the cooking, sleeping and living area of a single-family only and occupied by no more than one family and containing a single kitchen.

“Energy-saving device” means any facility, equipment, apparatus or the like which makes use of nonfossil fuel sources for lighting, heating or cooling or which reduces the use of other types of energy dependent on fossil fuel for generation.

“Environmental impact statement” means an informational document prepared in compliance with chapter 343, Hawai‘i Revised Statutes, and which discloses the environmental effects of a proposed action, effects of a proposed action on the economic and social welfare of the community and state, effects of the economic activities arising out of the proposed action, measures proposed to minimize adverse effects, and alternatives to the action and their environmental effects.

“Erected” means constructed, reconstructed, altered, placed, or moved.

“Family” means an individual or two or more persons related by blood, state-sanctioned adoption, foster parentage, guardianship or marriage, or a group of not more than five unrelated persons (excluding servants), occupying a dwelling unit.

“Family child care home” means a private residence licensed or approved by the state pursuant to chapter 346, part VIII, Hawai‘i Revised Statutes, as amended, at which care or the responsibility for the supervision, development, safety and protection is provided for a limited number of children, who are living in the residence apart from the parent or guardian.

“Farm” means land used for the purpose of agricultural, livestock, poultry, or aquatic production.

“Retail establishment” means an establishment which sells commodities or goods to the consumer and may include display rooms and incidental manufacturing of goods for retail sale on premises only. Typical retail establishments include convenience stores, grocery and specialty food stores, general department stores, drug and pharmaceutical stores, hardware stores, pet shops, appliance and apparel stores, tour, travel and ticket agencies and other similar retail activities. The term does not include open storage yards for new or used building materials, yards for scrap, salvage operations for storage or display of automobile parts, service stations, repair garages or veterinary clinics and hospitals.

“School” means a place for teaching, demonstration, learning, or organized group instruction. Unless otherwise qualified, “school” means a place for primarily academic instruction equivalent to what is commonly known as pre-school, kindergarten, elementary school, intermediate school, high school, trade or vocational school, business school, college or a combination of any of them.

“Self-storage facility” means a structure or structures, containing individual locker compartments which allow individuals access to store possessions in these compartments. Each locker or storage area is self-contained and can be secured.

“Single-family dwelling” means a building containing only one dwelling unit.

“Street” means a right-of-way for vehicle purposes and pedestrian traffic, and the placement of utilities, or a private right-of-way for vehicular purposes, which provides access to building sites.

“Street frontage” means that portion of a building site that has a common line with a street right-of-way line. The street frontage is designated as the front property line.

“Structure” means anything above existing grade constructed or erected with a fixed location on the ground, or requiring a fixed location on the ground, or attached to something having or requiring a fixed location on the ground. The term “structure” includes the term “building.”

“Surveyor” means a person duly registered as a professional land surveyor in the State.

“Telecommunications antenna” means an antenna, tower and other accessory structures for radio frequency (RF) transmissions intended for specific users who must have special equipment for transmission and/or reception. Also included are broadcasting facilities regulated by the Federal Communication Commission (FCC) under the Code of Federal Regulations, par. 74, which includes low power television. Included are land-mobile or two-way radio, and one-way radio paging service broadcasting. Also included are independent receiving facilities which do not qualify as accessory uses. Not included are portable, hand held and vehicular transceivers or radios; industrial, scientific and medical equipment operating at frequencies designated for that purpose by the Federal Communications Commission (FCC); marketed consumer products, such as microwave ovens, citizens band radios, ham radios and remote control toys; and facilities for the receiving of these transmissions, including individual radio and television appliances.

“Theater” means a facility which is used primarily for the performing arts or for the viewing of motion picture films. Included are performing arts centers, concert halls and other types of live theaters.

“Time share unit” means any multiple-family dwelling unit or hotel, which is owned, occupied or possessed, under an ownership and/or use agreement among various persons for less than a sixty-day period in any year for any occupant, and is regulated under the provisions of chapter 514E, Hawai‘i Revised Statutes, as amended.

“University” means a nationally-accredited institution of higher learning, whether classified as a “university” or a “college” and whether public or private, including community colleges, providing facilities for teaching, research and group learning and authorized to grant academic degrees.

“Use” means the purpose to which land or any structure or improvement thereon or both are or may be put. The word “use” is synonymous with terms “land use” and “use of land” unless the context clearly indicates otherwise.

“Warehousing” means the storage of raw materials, finished products, merchandise and/or other goods, within a building for subsequent delivery, transfer and/or pickup.

“Wholesaling and distribution” means the sale and/or distribution of manufactured and/or processed products, merchandise or other goods in large quantities for subsequent resale to retail establishments, and/or industrial, institutional and commercial users.

“Yard” means an open space on the same building site with a building, which open space lies between the building and the bounding lot lines, and is unoccupied and unobstructed from the ground upward except for landscaping and except for fences, walls, architectural features, pools, porte cocheres, cornices, canopies, roof overhangs, eaves, porches, balconies, terraces, fire escapes, stairs, ramps and other similar features authorized under article 4, division 4 of this chapter, and includes:

- (A) “Front yard” which is a yard lying between the street line on which the building site fronts or the future width line or the plan line for future street and a line parallel thereto which runs through the point of the building nearest to said street line, future width line or plan line. The depth of said yard is the distance between the parallel lines.
- (B) “Rear yard” which is a yard lying between the rear lot line and a line parallel thereto extended to intersect the side lot lines, which line runs through the point of a main building nearest the rear lot line. The depth of said yard is the distance between the parallel lines.
- (C) “Side yard” which is a yard lying between the front yard, the rear yard, the side lot line and a line parallel thereto which runs through the point of the building nearest to said lot line. The width of said yard is the distance between the parallel lines.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999; Am. 2000, Ord. No. 00-152, sec. 1; Am. 2002, Ord. No. 02-70, sec. 2; Am. 2007, Ord. No. 07-55, sec. 1, Am. 2007, Ord. No. 07-104, sec 2; Am. 2008, Ord. No. 08-155, sec. 2; Am. 2009, Ord. No. 09-118, sec. 17.)

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- (3) The building site area, including the access drive, shall be the minimum building site area required for the zoning district.
- (4) The minimum yards for a flag lot, excluding the access drive, shall be the minimum side yards required for a building site in the applicable zoning district.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999; Am. 2001, Ord. No. 01-108, sec. 1.)

Section 25-4-15. Agricultural tourism.

- (a) Agricultural tourism is permitted as an accessory use to agricultural processing facilities in the CG, CDH, CV, CN, ML, MG, and MCX districts.
- (b) Agricultural tourism is permitted as an accessory use to agricultural activities and agricultural processing facilities in the A, FA, IA, RA, and APD districts, subject to plan approval and in conformance with section 25-4-15(d).
- (c) Agricultural tourism activities in A, FA, IA, RA, and APD districts that do not conform to section 25-4-15(d) shall obtain a special permit in the state land use agricultural or rural districts, or a use permit in the state land use urban district.
- (d) Agricultural tourism operations shall comply with the following regulations:
 - (1) The agricultural activity or agricultural products processing facility must have a minimum of \$10,000 in verifiable gross sales, exclusive of any income from agricultural tourism activities or any other non-agricultural activities, for the year preceding the commencement of the agricultural tourism activity or, in the case of a new agricultural activity or agricultural products processing facility, provide evidence to the director's satisfaction that sufficient investment has been made in the planting of crops, acquisition of livestock, or construction of agricultural products processing facilities, that the agricultural activity or agricultural processing facility will achieve the minimum required gross sales;
 - (2) Agricultural tourism activities shall not commence prior to 8:00 a.m. or continue past 6:00 p.m. daily;
 - (3) The agricultural tourism operation shall have a maximum of thirty thousand visitors annually;
 - (4) All visitor and employee parking, loading/unloading, and vehicular turn-around areas shall be located off-street;
 - (5) The total area of spaces, including covered decks, lanais, tents or canopies, and gazebos, whether newly constructed or within existing structures, to be utilized principally for the agricultural tourism activity, but not including parking and vehicular access areas, shall not exceed one thousand square feet;
 - (6) Gross revenues from agricultural tourism shall not exceed the gross revenues of the associated agricultural activity and/or agricultural products processing facility, including revenues from adjacent parcels under the same ownership, except where it can be demonstrated to the director's satisfaction that the gross agricultural products/processing income is less than fifty percent of the total income due to unforeseen environmental or economic conditions for not more than two consecutive years, or, in the case of a new agricultural activity or agricultural products processing facility, that sufficient investment has been made so that it is reasonable to project that the operation's gross revenues from agricultural tourism will not exceed fifty percent of gross revenues, and provided further, that the sale of all items which include agricultural products grown or processed by the associated agricultural activity or agricultural processing facility shall be included in the gross revenues of the associated agricultural activity or agricultural processing facility;
 - (7) Sales of agricultural products grown on the island of Hawai'i, and processed agricultural products where the main ingredient was grown on the island of Hawai'i shall be allowed as part of the agricultural tourism operation. Incidental sales of non-agricultural promotional items, including but not limited to, coffee mugs, tee shirts, etc., shall be permitted provided:
 - (A) The items are specifically promotional to the site's agricultural activities and/or product; and

- (B) The gross revenues from the sale of non-agricultural promotional items shall be included with the gross revenues from the agricultural tourism activities;
- (8) Agricultural tourism in the A, FA, IA, and RA districts shall not include weddings, parties, restaurants, schools, catered events, or overnight accommodations, unless allowed by special permit or use permit; and
- (9) Annual events that promote an agricultural industry or agricultural area, and organized on a not-for-profit basis, are permitted in the A, FA, IA, RA, and APD districts without plan approval.
- (e) Any agricultural tourism activity that is not in compliance with the regulations under section 25-4-15(d) or appropriately permitted as provided by section 25-4-15(c) shall be considered illegal under this chapter, unless otherwise noted herein.
- (f) Any agricultural tourism activity in the A, IA, FA, RA, or APD districts, existing prior to the effective date of this section and conforming to the standards contained in section 25-4-15(d) and that has not received plan approval, may continue such use until May 20, 2010. After this date, continued use without having received plan approval shall be considered illegal under this chapter.
- (g) Any agricultural tourism activity in the A, IA, FA, RA, or APD districts, that does not conform to the standards in section 25-4-15(d), and which has not previously received a special permit or use permit for such activity, may continue such use until May 20, 2010, and, if an application for a special permit or a use permit has been received and accepted by May 20, 2010, may continue such use until final action has been taken on the application. After May 20, 2010, or denial of the application, whichever occurs later, continued use shall be considered illegal under this chapter.
- (h) Any agricultural tourism activity that is currently operated under a special permit may continue to operate under the terms and conditions of the special permit, or apply to void the special permit and, if the permit is voided, operate under the standards of section 25-4-15(d).
- (i) An agricultural tourism activity that obtains plan approval, but becomes non-compliant with the standards of section 25-4-15(d) because of an increase in the number of visitors, shall apply for a special permit, but may continue to operate until a final decision is made on the special permit application.
- (j) An agricultural tourism activity which has received plan approval shall submit financial records to the director on request to verify compliance and shall maintain a count of visitors which shall be furnished to the director on request.
- (k) The director may use observations of visitor arrivals, including bus traffic, in estimating whether an agricultural tourism activity complies with section 25-4-15(d)(3), and may require that an activity allowed with plan approval apply for a special permit based on such observations. In that case, the activity may continue until a final decision is made on the special permit.
- (2008, Ord. No. 08-155, sec. 9; Am. 2009, Ord. No. 09-143, sec. 2.)

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- (C) Historic;
- (D) Cultural;
- (E) Archaeological;
- (F) Recreational; or
- (G) Demonstrates local, private, and public support and participation.

(2007, Ord. No. 07-36, sec. 1)

Section 25-6-62. Permitted uses.

Within a scenic corridor all zoning code regulations applicable to the zoning district or districts in question remain in effect unless differing regulations are contained within the corridor management plan as adopted by ordinance, in which case the corridor management plan shall apply.

(2007, Ord. No. 07-36, sec. 1)

Section 25-6-63. Initiation of a scenic corridor; requirements.

(a) The director or council by resolution must initiate the establishment of a scenic corridor. The resolution must demonstrate that the proposed scenic corridor meets the requirements of 25-6-61. The resolution must include:

- (1) A description and general location of the proposed corridor.
- (2) The length of the section of road to be included in the scenic corridor.
- (3) A description of the corridor's intrinsic quality or qualities.
- (4) A list of names, addresses and tax map key numbers for those property owners and lessees of record of lots within three hundred feet of the public road being proposed to be designated as a scenic corridor.
- (5) Any other plans or information required by rules adopted by the director in accordance with chapter 91 of the Hawai'i Revised Statutes.

(b) Within thirty days of the adoption by the council of the resolution, the director shall serve notice of the proposed scenic corridor upon all owners and lessees of lots, and utility companies with easements and/or other property rights, whose properties are either (1) within the proposed scenic corridor, or (2) within three hundred feet of the boundaries of the proposed scenic corridor. The notice shall give a general description of the scenic corridor and describe the opportunity for public comment.

(c) Corridor management plan.

Within twenty-four months after the adoption of the resolution, the director shall complete a corridor management plan and enabling ordinance, which will be forwarded to the commission for its recommendation to the Hawai'i County council. A scenic corridor management plan is a written document that assesses the intrinsic qualities of the corridor and specifies actions, procedures, controls, and administrative as well as community strategies that will be pursued to maintain those qualities. Special conditions and standards developed for an individual scenic corridor shall be included as part of the enabling ordinance. Elements of the corridor management plan will include:

- (1) Vision and goals statement.
- (2) A map identifying scenic corridor boundaries and the location of intrinsic qualities and different land uses within the scenic corridor.
- (3) An assessment of such intrinsic qualities and their context.
- (4) An assessment of needs and expectations.
- (5) An assessment of anticipated transportation, economic, environmental, and social impacts.
- (6) Strategies for economic development and marketing of the scenic corridor.
- (7) Strategies for maintaining and enhancing the corridor's intrinsic qualities.
- (8) Strategies for community participation.

- (9) Identification of organizations, agencies and individuals to be consulted in the planning process.
 - (10) Identification of regulatory and non-regulatory tools recommended that could aid in the implementation of the scenic corridor management plan. The evaluation and selection of tools needed to protect and/or enhance the corridor should be based on the following criteria:
 - (A) The ability to insure that new development is consistent with the conditions and standards established for the scenic corridor, while maintaining the property owner's rights to reasonable use of the property;
 - (B) The ability to provide the appropriate degree of development and aesthetic control needed to preserve and enhance quality of the corridor; and
 - (C) The ability to provide flexible, diverse, and suitable regulatory and non-regulatory tools and techniques to a variety of circumstances.
 - (11) Specific time schedules for plan implementation.
 - (12) Standards for building design, signage, and roadway elements. In the case where the transportation corridor has not been built, the corridor management plan may include special design standards for the corridor development.
 - (13) Methods for interpreting and protecting significant resources.
 - (14) Identification of potential funding sources.
 - (15) Provisions for termination of the corridor management plan if it is not implemented.
 - (d) The director shall forward the corridor management plan and a proposed scenic corridor enabling ordinance to the commission together with the director's recommendation on the proposed scenic corridor. The purpose of the scenic corridor enabling ordinance is to establish the scenic corridor as well as any conditions and/or standards recommended by the corridor management plan that may differ from those within the underlying zoning. Any conditions and/or standards that differ from the underlying zoning must be defined through the use of a table that illustrates how standards and/or conditions in the enabling ordinance differ from those within the underlying zoning.
 - (e) The commission shall review the scenic corridor enabling ordinance and the corridor management plan and forward its recommendation to the council through the mayor for the council's consideration and action.
 - (1) In reviewing the corridor management plan, the commission shall hold at least one public hearing in the council district in which the proposed scenic corridor is located.
 - (2) Within ten days after receiving notice of the date of the public hearing, the director shall serve notice of the public hearing on owners, and lessees of record, and utility companies with easements or other property interests, whose properties are within the proposed scenic corridor, or within three hundred feet of the boundaries of the proposed scenic corridor. The notice shall otherwise conform to section 25-2-4(c) and (d).
 - (3) Within one hundred twenty days after receipt of the corridor management plan from the director, the commission shall transmit the proposed scenic corridor ordinance and corridor management plan together with its recommendation thereon through the mayor to the council. If no recommendation is made within one hundred twenty days, the scenic corridor management plan and enabling ordinance shall be forwarded to the council with no recommendation.
- (2007, Ord. No. 07-36, sec. 1; Am. 2009, Ord. No. 09-118, secs. 18 & 19.)

Section 25-6-64. Corridor advocacy groups.

- (a) A corridor advocacy group is a non-profit community-based organization formed to promote, plan, or otherwise support a scenic corridor or corridors.
- (b) The council may designate, by resolution, an official corridor advocacy group for a scenic corridor, or proposed scenic corridor.

Section 25-7-3. Rules of procedure.

The design commission shall adopt rules of procedure, pursuant to chapter 91, Hawai‘i Revised Statutes, relating to matters within the design commission’s jurisdiction.
(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-7-4. Powers and duties of the Kailua Village design commission.

- (a) The design commission shall recommend to the director an architectural and design concept of theme for Kailua Village that recognizes the desires and concerns of all public and private interests.
 - (b) The design commission shall provide an architectural and design review of applications requiring plan approval by the director. The design commission’s review and recommendations to the director shall be completed within thirty days from the date of the design commission’s receipt of the plans requiring plan approval. If a recommendation is not received within the allotted period, the director shall continue to process the request for plan approval.
 - (c) The design commission shall provide an architectural and design review of all planned public improvements such as street widening, street lights, and so forth, as well as all private improvements such as landscaping, structural painting, or any activity which will alter the physical appearance of Kailua Village. The recommendations shall be forwarded to the director within thirty days from the design commission’s receipt of the proposal. If a recommendation is not received within the allotted period, the director shall continue to process the proposed activity.
 - (d) All of the design commission’s advice and recommendations to the director shall be consistent with the provisions of the County Charter, general plan, zoning and all other related ordinances and any publicly funded master plan developed for Kailua Village.
- (1996, Ord. No. 96-160, sec. 2; ratified and amended April 6, 1999; Am. 2009, Ord. No. 09-118, sec. 20.)

Section 25-7-5. Amendment of district boundaries.

The Kailua Village boundaries as described in section 25-7-1 shall be subject to review in 1979 and every five years thereafter by the council, and may be amended as appropriate.
(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Division 2. CDH, Downtown Hilo Commercial District.**Section 25-7-20. Purpose and applicability.**

The CDH (downtown Hilo commercial) district is established to reinforce and promote downtown Hilo’s role as a compact high density area for retail shopping, professional and administrative activities, cultural and arts activities, other supportive business and commercial services, and multiple-family housing. The zoning requirements of this district are applicable to all building sites, except those designated as “O” (open) districts, within the area bounded by the western development area limits of Kapiolani Street/Kaiulani Street, the Wailuku River, Hilo Bay and Ponahawai Street.
(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-7-21. Designation of CDH district.

The CDH (downtown Hilo commercial) district shall be designated by the symbol “CDH.”
(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-7-22. Permitted uses.

- (a) The following uses shall be permitted in the CDH district:
 - (1) Adult day care homes.

- (2) Amusement and recreation facilities, indoor.
- (3) Art galleries.
- (4) Automobile service stations or garages, excluding body and fenderworks, electric tire rebuilding or battery rebuilding and provided that all work is conducted wholly within a completely enclosed building.
- (5) Bakeries.
- (6) Bars, cocktail lounges and night clubs.
- (7) Bed and breakfast establishments, as permitted under section 25-4-7.
- (8) Boarding facilities, rooming, or lodging houses.
- (9) Broadcasting stations or studios (radio and television).
- (10) Business services.
- (11) Car washing, provided that the facilities are not detrimental to the character of the district.
- (12) Commercial parking lots and garages.
- (13) Community buildings, as permitted under section 25-4-11.
- (14) Crop production.
- (15) Display rooms for products sold elsewhere.
- (16) Dwellings, double-family or duplex, with a maximum density of one thousand square feet of land area per rentable unit or dwelling unit.
- (17) Dwellings, multiple-family, with a maximum density of one thousand square feet of land area per rentable unit or dwelling unit.
- (18) Dwellings, single-family.
- (19) Family child care homes.
- (20) Farmers markets. When the vending activity in a farmers market involves more than just the sale of local fresh and/or raw produce, plant life, fish and local homegrown and homemade products for more than two days a week, the director, at the time of plan approval, shall restrict the hours of use, maintenance and operations and may require improvements as determined appropriate to ensure its compatibility with the existing character of the surrounding area.
- (21) Financial institutions.
- (22) Group living facilities.
- (23) Home occupations, as permitted under section 25-4-13.
- (24) Hospitals, sanitariums, old age, convalescent, nursing and rest homes and other similar uses.
- (25) Hotels and apartment hotels with a maximum density of five hundred square feet of land area per rentable unit.
- (26) Laundries other than those utilizing steam cleaning equipment, provided that the facilities are not detrimental to the character of the district.
- (27) Manufacturing, processing and packaging, light, provided that the activities are not detrimental to the character of the district.
- (28) Medical clinics.
- (29) Meeting facilities.
- (30) Model homes, as permitted under section 25-4-8.
- (31) Modeling agencies.
- (32) Museums and libraries.
- (33) Neighborhood parks, playgrounds, tennis courts, swimming pools, and similar neighborhood recreational areas and uses.
- (34) Offices.
- (35) Personal services.

ZONING MAP No. 7.03 – (South Kona)

§ 25-8-4

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(1)	282	12-15-1969	Keeki 2nd, South Kona	8-3-13:13	A-5a	A-1a	7.03(a)
(2)	290	12-15-1969	Keeki 2nd, South Kona	8-3-10:50	A-5a	A-1a	7.03(b)
(3)	374	2-25-1971	Onouli 2nd, South Kona	8-1-18:9 and 10	A-5a	A-1a	7.03(c)
(4)	382	3-15-1971	Kilooa 1 and 2 and Waipunaula, South Kona	8-2-01:1	A-1a	CV-10	7.03(d)
(5)	421	8-31-1971	Keopuka, South Kona	8-1-15:Por. 27	RS-10	CV-10	7.03(e)
(6)	422	8-31-1971	Kalamakumu, South Kona	8-2-09:11	A-1a	RS-7.5	7.03(f)
(7)	440	1-11-1972	Kilooa 1 and 2, South Kona	8-2-01:71	A-1a	CV-10	7.03(g)
(8)	484	7-18-1972	Keopuka, South Kona	8-1-07:17	A-5a	RS-10	7.03(h)
(9)	485	7-18-1972	Kilooa 1 and 2 and Waipunaula, South Kona	8-2-03:Por. 12	A-1a	CN-7.5	7.03(i)
(10)	508	8-15-1972	Kealia 2nd, South Kona	8-6-02:33	A-20a	A-1a	7.03(k) Repealed by Ord. 117, 5-13-1975
(11)	511	8-28-1972	Kealakekua, South Kona	8-2-02:1, 3-8, Por. 11, 12-17, 23-30, 43	A-1a, A-5a	RS-10, CN-7.5	7.03(j-1 to j-4)
(12)	566	3-12-1973	Halekii, South Kona	8-1-03:35, 43, 44, 46 and Por. 47	A-5a	CV-7.5, RM-2 RS-10	7.03(l-1 to l-3)

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(80)	03-75	5-13-2003	‘Ōuli, South Kohala	6-2-11:12	A-5a	RA-2a	
(81)	03-77	5-13-2003	‘Ōuli, South Kohala	6-2-11:31	A-5a	RA-2a	
(82)	03-122	8-27-2003	‘Ōuli, South Kohala	6-2-11:19	A-5a	RA-2a	
(83)	03-124	8-27-2003	‘Ōuli, South Kohala	6-2-11:13	A-5a	RA-2a	
(84)	04-12	2-11-2004	‘Ōuli, South Kohala	6-2-11:34	A-5a	RA-2a	
(85)	04-48	4-27-2004	Waikoloa, South Kohala	6-8-2:Por. of 33	O	ML-1a	
(86)	04-86	8-12-2004	‘Ōuli, South Kohala	6-2-11:10	A-5a	RA-2a	
(87)	04-88	8-12-2004	‘Ōuli, South Kohala	6-2-11:16	A-5a	RA-2a	
(88)	05-33	3-17-2005	‘Ōuli, South Kohala	6-2-11:9	A-5a	RA-2a	
(89)	05-35	3-31-2005	‘Ōuli, South Kohala	6-2-11:33	A-5a	RA-2a	
(90)	05-64	5-16-2005	Kahuā 1st, North Kohala	5-9-6:5	A-5a	FA-3a	
(91)	05-120	8-25-2005	‘Ōuli, South Kohala	6-2-9:26	A-5a	RA-2a	
(92)	05-157	12-15-2005	Waikoloa, South Kohala	6-8-02:Por. 16, 6-8-03: Por. 32	(Amends Ord. 95-51) (Effective Date 03-21-1995)		
(93)	06-3	1-13-2006	‘Ōuli, South Kohala	6-2-11:30	A-5a	RA-2a	
(94)	06-69	5-22-2006	Pāhoa, North Kohala	5-5-008:Por. 046	A-20a	RS-7.5	

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(95)	06-109	7-27-2006	‘Ōuli, South Kohala	6-2-9:17	A-5a	RA-2a	
(96)	06-155	12-7-2006	‘Ōuli, South Kohala	6-2-11:20	A-5a	RA-2a	
(97)	07-106	8-14-2007	Kahuā 1st, North Kohala	5-9-007:007	A-20a	A-3a	
(98)	07-112	9-11-2007	Waimea, South Kohala	6-5-001:020	A-40a, A-1a	A-400a	
(99)	07-127	9-20-2007	Waikoloa, South Kohala	6-8-002:Por. 016, 6-8-003:Por. 032	(Amends Ord. 05-157 that amended Ord. 95-51 and 90-160 -- Effective Date 12-15-05)		
(100)	08-139	10-7-2008	Puehuehu and Kapu‘a, North Kohala	5-4-008:Por. 002	A-20a	RS-15	
(101)	08-179	12-31-2008	Waikā, North Kohala	5-9-007:003	(Amends Ord. 95-119) (Effective Date 10-12-95)		
(102)	09-129	10-20-09	Kahuā and Waikā, North Kohala	5-9-005:004 and 005	A-20a	FA-3a	

ZONING MAP No. 7.19--(Volcano-Mt. View)

§ 25-8-23

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(1)	347	10-26-1970	Olaa Summer Lots, Olaa, Puna	1-9-13:2, 3 and Por. 7	O	RS-20	7.19(a)
(2)	591	6-27-1973	Olaa Summer Lots, Olaa, Puna	1-9-04:Por. 10 and 12	CV-10	RS-20	7.19(b)
(3)	40	6-18-1974	Olaa Summer Lots, Olaa, Puna	1-9-04:Por. 10 and 12	RS-20	CV-10	7.19(c)
(4)	292	7-11-1977	Mt. View, Puna	1-8-02:48	CV-10	RS-10	7.19(d)
(5)	95-101	8-23-1995	Olaa, Puna	1-9-04:Por. 6	RS-20	CV-10	
(6)	95-124	10-25-1995	Olaa, Puna	1-9-04:Por. 14	RS-20	CV-20	
(7)	03-6	2-4-2003	'Ola'a, Puna	1-9-4:Por. of 14	RS-20	CV-20	

ZONING MAP No. 7.20--(Kurtistown)

§ 25-8-24

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(1)	486	8-1-1972	Olaa, Puna	1-7-19:Por. 12	RS-20	CN-10	7.20(a) Repealed by Ord. 14, 2-19-1974
(2)	14	2-19-1974	Olaa, Puna	1-7-19:Por. 12	CN-10	RS-20	7.20(b) Repeals Ord. 486, 8-1-1972
(3)	176	12-8-1975	Olaa, Puna	1-7-01:56	A-5a	A-1a	7.20(c)
(4)	193	3-3-1976	Olaa, Puna	1-7-01:Por. 21	RS-20	CN-10	7.20(d)
(5)	382	9-28-1978	Olaa, Puna	1-7-19:Por. 25	RS-20	CN-10	7.20(e)
(6)	635	10-6-1980	Olaa, Puna	1-7-01:Por. 25	A-10a	A-5a	7.20(f)
(7)	833	12-15-1982	Olaa, Puna	1-7-08:Por. 3	A-20a, A-1a	A-1a, A-20a	7.20(g-1 to g-3)
(8)	892	6-21-1983	Olaa, Puna	1-7-06:13	A-5a	RS-20	7.20(h)
(9)	84-70	9-25-1984	Keaau, Puna	1-7-16:35, 1-7-17:Por. 1 and 43, 1-7-27:1	A-20a	A-1a	
(10)	87-44	4-23-1987	Olaa, Puna	1-7-02:7	A-5a	A-3a	
(11)	98-125	12-7-1998	Olaa, Puna	1-7-13:8	A-20a	A-5a	
(12)	03-132	9-24-2003	Olaa, Puna	1-7-1:Por. of 11	A-5a	CV-20	
(13)	09-94	9-2-09	Kea'au, Puna	1-7-016:028	RS-20	RS-15	

Para-Graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(14)	87-117	11-30-1987	Waiakahiula, Puna	1-5-03:Por. 37	RS-10	CN-20	
(15)	91-116	12-2-1991	Keonepoko, Puna	1-5-07:20	A-1a	CN-20	
(16)	92-70	6-15-1992	Nanawale Homesteads, Puna	1-5-14:7, 8 and Por. 23	RS-15	CV-10	
(17)	98-128	12-7-1998	Keonepoko, Puna	1-5-7:Por. 21	A-1a	CN-20	
(18)	99-125	11-1-99	Waiakahiula, Puna	1-5-6:23	A-1a	CV-10	
(19)	00-77	7-18-00	Keonepoko-Iki, Puna	1-5-7:80	A-1a	MCX-20	
(20)	00-128	11-24-00	Keonepoko, Puna	1-5-07:20	(Amends Ord. 91-116) (Effective Date 12-2-1991)		
(21)	03-111	7-9-2003	Keonepoko, Puna	1-5-07:20	(Amends Ord. 00-128) (Effective date 11-24-00)		
(22)	09-168	12-30-09	Nanawale Homesteads, Puna	1-5-014:007	(Amends Ord. 92-70) (Effective date 6-15-92)		

ZONING MAP No. 7.23--(Kalapana-Kaimu)

§ 25-8-27

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(1)	171	11-25-1975	Kaimu-Makena Homesteads, Kaimu,	1-2-04:92	RA -5a	V-1.5	7.23(a)
(2)	685	4-10-1981	Kaimu, Puna	1-2-04:39	RA -5a	RS-20	7.23(b)

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(331)	07-136	10-10-2007	Waiākea, South Hilo	2-2-036:090	RS-10	MCX-20	
(332)	07-137	10-10-2007	Ponahawai, South Hilo	2-3-037:009	A-1a	CN-20	
(333)	07-166	11-2-2007	Waiākea, South Hilo	2-3-37:15	A-1a	RM-5.5	
(334)	08-6	1-23-2008	Waiākea, South Hilo	2-2-034:084	RS-10	CN-20	
(335)	08-20	3-10-2008	Waiākea, South Hilo	2-2-036:025 and 026	RS-10	CN-10	
(336)	08-36	4-11-2008	Waiākea, South Hilo	2-4-14:42	RS-15	RS-10	
(337)	08-39	4-11-2008	Waiākea, South Hilo	2-2-040:121	RS-10	CN-20	
(338)	08-65	5-08-2008	Waiākea, South Hilo	2-4-010:031	RS-15	RS-10	
(339)	08-72	5-20-2008	Waiākea, South Hilo	2-2-48:93 and Por. 13	(Amends Ord. 95-55) (Effective date 4-26-1995)		
(340)	08-96	6-30-2008	Waiākea, South Hilo	2-2-35:47	(Amends Ord. 07-40) (Effective date 4-4-2007)		
(341)	08-115	9-10-2008	Kūkūāu 1 st , South Hilo	2-4-8:Pors. 14 and 26	(Amends Ord. 93-36) (Effective date 4-23-1993)		
(342)	09-18	2-18-2009	Waiākea, South Hilo	2-4-001:116	RS-10	RM-1.5	

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(343)	09-44	4-23-2009	Waiākea, South Hilo	2-2-034:036	RS-10	CN-10	
(344)	09-45	4-23-2009	Waiākea, South Hilo	2-2-034:088	RS-10	CN-10	
(345)	09-60	5-22-2009	Waiākea, South Hilo	2-2-034:084 (Formerly 2-2-34:85 and 93)	(Amends Ord. 00-31) (Effective Date 4-13-2000)		
(346)	09-89	7-22-2009	Waiākea, South Hilo	2-2-035:001 and 103	RS-10	MCX-20	
(347)	09-90	7-22-2009	Waiākea, South Hilo	2-2-050:043	RS-10	MCX-20	
(348)	09-91	7-22-2009	Waiākea, South Hilo	2-2-035:006	RS-10	MCX-20	
(349)	09-104	9-23-2009	Waiākea, South Hilo	2-2-035:017	RS-10	MCX-20	
(350)	09-114	9-23-2009	Waiākea, South Hilo	2-2-020:007	(Amends Ord. 01-34) (Effective Date 4-4-2001)		
(351)	09-117	9-23-2009	Waiākea, South Hilo	2-2-025:011	RS-10	CG-10	
(352)	09-138	11-4-2009	Waiākea, South Hilo	2-2-035:034	RS-10	MCX-20	
(353)	09-149	12-3-2009	Waiākea, South Hilo	2-4-031:008	A-3a	FA-1a	
(354)	09-166	12-30-09	Waiākea, South Hilo	2-2-022:008	RS-10	CG-20	
(355)	09-167	12-30-09	Waiākea, South Hilo	2-2-032:024	ML-20	MCX-20	

Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	Code §
09-49	5-11-09	Hienaloli 4th and 5th, North Kona	7-5-10:Por. of 13 (Formerly 7-5-23:63)	Amends Ord. 06-137 that amends Ord. 95-118 that amended Ord. 92-36	Amends Ord. 06-137 that amends Ord. 95-118 that amended Ord. 92-36	25-8-3
09-50	5-11-09	Hienaloli 5th and 6th, North Kona	7-5-10: Por. of 13 (Formerly 7-5-23:64 and 67)	Amends Ord. 06-138 that amends Ord. 90-010 that amended Ord. 86-49	Amends Ord. 06-138 that amends Ord. 90-010 that amended Ord. 86-49	25-8-5
09-52	5-11-09	Kea'au, Puna	1-6-003:018 and 023	A-20a	ML-1a	25-8-22
09-60	5-22-09	Waiākea, South Hilo	2-2-034:084 (Formerly 2-2-034:085 and 093)	Amends Ord. 00-31		25-8-33
09-89	7-22-09	Waiākea, South Hilo	2-2-035:001 and 103	RS-10	M CX-20	25-8-33
09-90	7-22-09	Waiākea, South Hilo	2-2-050:043	RS-10	M CX-20	25-8-33
09-91	7-22-09	Waiākea, South Hilo	2-2-035:006	RS-10	M CX-20	25-8-33
09-94	9-2-09	Kea'au, Puna	1-7-016:028	RS-20	RS-15	25-8-24
09-103	9-23-09	Honokōhau 2 nd , North Kona	7-4-06:038	Amends Ord. 98-8		25-8-3
09-104	9-23-09	Waiākea, South Hilo	2-2-035:017	RS-10	M CX-20	25-8-33
09-114	9-23-09	Waiākea, South Hilo	2-2-020:007	Amends Ord. 01-34		25-8-33
09-117	9-23-09	Waiākea, South Hilo	2-2-025:011	RS-10	CG-10	25-8-33

Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	Code §
09-129	10-20-09	Kahuā and Waikā, North Kohala	5-9-005:004 and 005	A-20a	FA-3a	25-8-7
09-131	11-4-09	Kau, North Kona	7-2-005:001	PD	MCX-20	25-8-3
09-132	11-4-09	Kau, North Kona	7-2-005:001	Amends Ord. 06-105		25-8-3
09-138	11-4-09	Waiākea, South Hilo	2-2-035:034	RS-10	MCX-20	25-8-33
09-149	12-3-09	Waiākea, South Hilo	2-4-031:008	A-3a	FA-1a	25-8-33
09-159	12-30-09	Keauhou, North Kona	7-8-010:101	A-5a	RM-30	25-8-3
09-166	12-30-09	Waiākea, South Hilo	2-2-022:008	RS-10	CG-20	25-8-33
09-167	12-30-09	Waiākea, South Hilo	2-2-032:024	ML-20	MCX-20	25-8-33
09-168	12-30-09	Nānāwale Homesteads, Puna	1-5-014:007	Amends Ord. 92-70		25-8-26

Chapter 28**STATE LAND USE DISTRICT BOUNDARY AMENDMENT PROCEDURES****Section 28-1. Title.**

This chapter may be cited as the State land use district boundary amendment procedures.
(1986, Ord. No. 86-126, sec. 2.)

Section 28-2. Scope and applicability.

- (a) The County council by ordinance may amend the districting of such lands fifteen acres or less located in the State land use urban, rural, and agricultural districts. This chapter, however, does not apply to those lands situated within the State land use conservation district classification.
- (b) Filing of Petition.
 - (1) Petitions shall be on a form prescribed by the planning director and shall be filed with the planning department for processing, evaluation, and review pursuant to sections 28-4 and 28-5.
 - (2) A petition for a change in the boundary or a district involving lands fifteen acres or less presently in the urban, rural and agricultural districts may be filed by any department or agency of the State or County, or any person with a property interest in the land sought to be reclassified.
 - (3) Petitions may also be initiated by the County council by resolution of the council.

(1986, Ord. No. 86-126, sec. 2.)

Section 28-3. Contents of petition.

- (a) A petition for a district boundary amendment shall include the following:
 - (1) A description of the property, including the tax map key and acreage, with maps that identify the subject area.
 - (2) The exact legal name of each applicant and the location of the principal place of business, and if an applicant is a corporation, trust, or association, or other organized group, the state in which the applicant was organized or incorporated.
 - (3) The name, title and address of the person to whom correspondence or communication in regard to the application are to be addressed. Notice, orders, and other papers may be served upon the person so named, and such service shall be deemed to be service upon the applicant.
 - (4) A statement regarding the applicant's proprietary interest in subject property.
 - (5) The reclassification sought and the present use of the property.
 - (6) A statement regarding the reasons for the requested change. If development is proposed, a written description of the proposed development.
- (b) Upon receipt of a properly filed and completed petition, the planning director, on behalf of the County council shall serve a copy of the petition to the State land use commission and the State department of planning and economic development.*

(1986, Ord. No. 86-126, sec. 2.)

* **Editor's Note:** The department of planning and economic development was renamed the department of business, economic development and tourism by Act 293, Session Laws of Hawai'i 1990.

Section 28-4. Review of petition by planning director.

Within ninety days of acceptance of a petition or such longer period as may be agreed to by the applicant, the planning director shall submit the director's recommendation to either the windward or leeward planning commission, or both acting jointly, as provided for in the Charter. The director shall recommend either the approval or denial of the proposed amendment to the designated planning commission, or joint commission, subject to conditions which would further the intent of this chapter and the general plan and other related ordinances.

(1986, Ord. No. 86-126, sec. 2; Am. 2009, Ord. No. 09-118, sec. 21.)

Section 28-5. Review of petition by planning commission.

- (a) For the purposes of this section, “planning commission” means either the windward or leeward planning commission, or both acting as a joint commission, as provided for in the Charter.
- (b) Within sixty days of the planning director’s recommendation, the planning commission shall conduct at least one hearing on the petition. The planning commission, on behalf of the County council, shall notify the State land use commission and the State department of business, economic development, and tourism of the time and place of the hearing and the proposed amendments scheduled to be heard at the hearing. After conclusion of the hearing, the planning commission shall recommend either the approval or denial of the proposed amendment to the County council subject to conditions which would further the intent of this chapter and the general plan and other related ordinances. The planning commission shall forward a report concerning its findings and recommendation to the County council through the mayor. Prior to the planning commission’s forwarding its report to the council, the applicant shall file with the planning department a map and description by metes and bounds of property as certified by a surveyor.

(1986, Ord. No. 86-126, sec. 2; Am. 2009, Ord. No. 09-118, sec. 22.)

Section 28-6. Standards for review of petitions.

In reviewing a district boundary amendment petition, consideration shall be given to the purposes of the existing and proposed districts as set forth in section 205-2, Hawai‘i Revised Statutes, and the purpose of this chapter. No amendment shall be approved unless it conforms to the general plan. However, a proposed amendment may be combined with a request to change the general plan.

(1986, Ord. No. 86-126, sec. 2.)

Section 28-7. Notification of decision.

A change in the State land use district boundaries pursuant to this chapter shall become effective on the day designated by the County council in its decision. Within thirty days of the effective date of the County council’s decision, the planning director, on behalf of the County council, shall transmit the decision and the description and map of the affected property to the State land use commission and the State department of planning and economic development.*

(1986, Ord. No. 86-126, sec. 2.)

* **Editor’s Note:** The department of planning and economic development was renamed the department of business, economic development and tourism by Act 293, Session Laws of Hawai‘i 1990.

Section 28-8. Consolidated proceeding with other land use changes.

A petition for a State land use district boundary amendment may be submitted for consolidated review and processing, including any public hearing, with other land use changes and applicable permits such as proceedings to amend the general plan or zoning of the affected land.

(1986, Ord. No. 86-126, sec. 2.)

Chapter 34**PUBLIC ACCESS****Article 1. General Provisions.****Section 34-1. Title.**

This chapter may be cited as the public access code.
(1996, Ord. No. 96-17, sec. 2.)

Section 34-2. Statutory authority.

This chapter is enacted pursuant to the authority granted by section 46-6.5, Hawai‘i Revised Statutes, as amended.
(1996, Ord. No. 96-17, sec. 2.)

Section 34-3. Definitions.

- (a) For the purpose of this chapter, unless it is plainly evident from the context that a different meaning is intended, certain words used herein are defined as follows:
- (1) “Approval” means the final approval granted to a proposed subdivision where the actual division of land into smaller parcels is sought, provided that, where construction of a building or buildings for a multiple-family development is proposed without further subdividing an existing parcel of land, the term “approval” shall refer to the issuance of the building permit.
 - (2) “Dedication” means the conveyance of land, including any improvements, fixtures and facilities appurtenant, or any interest therein, in fee simple or easement.
 - (3) “Director” means the planning director of the County of Hawai‘i.
 - (4) “Easement” means the grant of the right to use a strip of land for specific public access purposes.
 - (5) “Lot” means a building site or a parcel of land shown as a unit on an approved and recorded subdivision as defined in the Hawai‘i county subdivision control code.
 - (6) “Mountain” means those lands situated above the one thousand-foot elevation above sea level.
 - (7) “Multiple-family development” or “development” means buildings or structures containing six or more dwelling units on one lot.
 - (8) “Planning commission” means either the windward or leeward planning commission, or both acting as a joint commission, as provided for in the Charter.
 - (9) “Public access” means a public right-of-way in fee or easement for pedestrian traffic and may also be used as a bikeway, utility easement, or for restricted vehicular traffic.
 - (10) “Public mountain area” means lands publicly owned or privately owned subject to written grants of easements allowing public access and use.
 - (11) “Public shoreline area” means lands fronting a shoreline which are publicly owned or privately owned subject to written grants of easements allowing public access and use.
 - (12) “Public street” and “public highway” mean a publicly owned street or highway or a privately owned street or highway over which rights of public use or access have been granted and duly accepted by the state or county.
 - (13) “Recreational activity” includes, but is not limited to, hunting, fishing, swimming, boating, camping, picnicking, hiking, nature study, water skiing, and viewing or enjoying historical, archaeological, scenic or scientific sites, but excludes any and all commercial activity.

(14) “Shoreline” means the upper reaches of the wash of the waves, other than storm or seismic waves, at high tide during the season of the year in which the highest wash of the waves occurs, usually evidenced by the edge of vegetation growth, or where there is no vegetation in the immediate vicinity, or the upper limit of the debris left by the wash of the waves, pursuant to chapter 205A, Hawai‘i Revised Statutes, as may be further amended.

(15) “Subdivision” for the purpose of this chapter, means any improved or unimproved land or lands divided or proposed to be divided for the purpose of disposition into six or more lots or parcels.

(1996, Ord. No. 96-17, sec. 2; Am. 2009, Ord. No. 09-118, sec. 23.)

Article 2. Administration.

Section 34-4. Application.

(a) The provisions of this chapter shall apply to applications for all subdivisions and multiple-family developments situated generally between (1) shoreline or mountain areas; and (2) public streets and highways, as the case may be. The director shall determine the applicability of this chapter to particular lots and building sites in conjunction with determining the location and frequency of public accesses as set forth in subsection (c) of this section. A subdivider or developer of a multiple-family development shall, as a condition precedent to final approval of a subdivision or issuance of a building permit for a multiple-family development, dedicate land by right-of-way in fee or easement for public access from a public highway or public street to the following:

(1) Public shoreline areas and the land below the shoreline; and

(2) Public mountain areas where there are existing facilities for hiking, hunting, fruit picking, ti-leaf sliding, other recreational purposes and where there are existing public mountain trails.

(b) The location of public shoreline and mountain areas and existing shoreline, coastal and public mountain trails shall be determined by the director in consultation with the State department of land and natural resources and the department of parks and recreation and shall be established by rule pursuant to chapter 91, Hawai‘i Revised Statutes. The director shall solicit such information from such agencies upon adoption of the ordinance codified in this chapter and from time to time thereafter. Such rules shall include maps depicting the public-owned areas and the approximate location of the existing public trails, and may provide for supplementation of listed areas and trails upon publication of notice in lieu of rule amendment. Provided, that the rules shall be amended not less than every five years to incorporate any supplemental changes made since prior rule adoption and to allow public comments on practices and procedures established under such rules.

(c) The location and frequency of public access shall be established by the director or the planning commission, as respectively authorized under chapters 23 and 25 subject to the provisions of article 3 of this chapter. The director shall establish the preferred public access alignment with consideration of such factors as topography, approximate location along the nearest public street and configuration of the subdivision lots or development site.

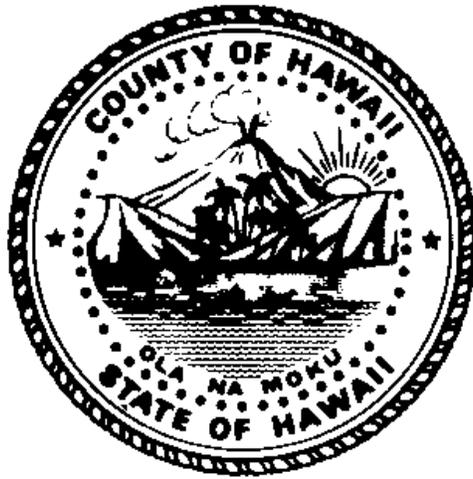
(d) Where the lands comprising a proposed subdivision or development do not span the entire distance between a public street and a shoreline or mountain area to which the County has determined by the director that public access is necessary, the director shall require dedication of those segments of the needed public accessway laying within the proposed subdivision or development.

(e) Except as provided in subsection (f) herein below, a multiple-family development approved prior to March 4, 1996 shall be subject to the provisions of this chapter when six or more dwelling units are added or proposed to be added thereto.

THE HAWAI‘I COUNTY CODE

1983 (2005 Edition, as amended)

Updated to include: **Supplement 9 (1-2010)**
Contains ordinances effective through: **12-31-09**



A CODIFICATION OF THE GENERAL ORDINANCES
OF THE COUNTY OF HAWAI‘I
STATE OF HAWAI‘I

Office of the County Clerk
County of Hawai‘i
25 Aupuni Street
Hilo, Hawai‘i 96720
(808) 961-8255

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09-164	12-30-09	Operating budget	--
09-165	12-30-09	Capital improvements budget	--
09-166	12-30-09	City of Hilo Zone Map	ZA
09-167	12-30-09	City of Hilo Zone Map	ZA
09-168	12-30-09	Pāhoā Zone Map	ZA