

# SUPPLEMENT 16 (7-2024)

## Insertion Guide

### Hawai'i County Code 1983 (2016 Edition) Volumes 1 - 3

(Covering general ordinances effective through 06-30-24 and  
numbered through 24-52)

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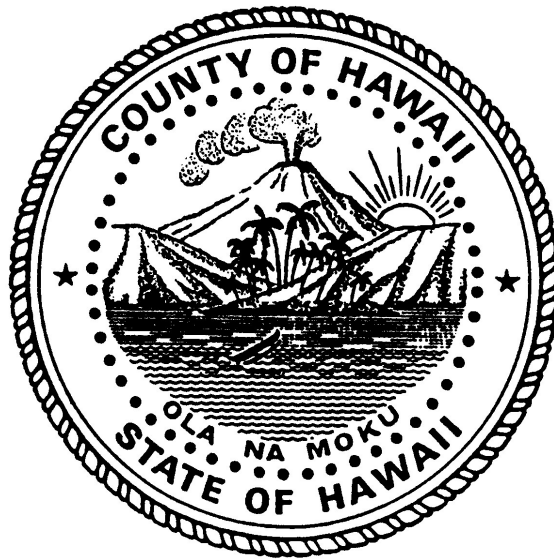
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# THE HAWAI‘I COUNTY CODE

## 1983 (2016 Edition, as amended)

Update to include: Supplement 16 (7-2024)  
Contains ordinances effective through: 06-30-2024



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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# Volume One



**Section 2-265. Appeals.**

Any taxpayer aggrieved by any assessment of the tax or liability imposed by this article may appeal from the assessment within thirty days of the issuance of the assessment to the appropriate State of Hawai'i court having jurisdiction over the amount in controversy, unless otherwise superseded by State law. Alternatively, if the taxpayer aggrieved has also filed a proceeding against the State for the State tax or liability imposed, the aggrieved taxpayer may also join the County in the State proceeding.

(2021, ord 21-89, sec 2.)

**Section 2-266. Collection by suit; injunction.**

- (a) The director may collect taxes due and unpaid under this article, together with all accrued penalties, by filing suit or other appropriate proceeding in an appropriate State of Hawai'i court located in the third circuit having jurisdiction over the amount due and unpaid.
- (b) Notwithstanding subsection (a) above, the director may join any proceeding filed by the State of Hawai'i to collect State transient accommodations tax and assert the County's claims regardless of whether the venue is located in the third circuit.

(2021, ord 21-89, sec 2.)

**Section 2-267. Penalty and interest.**

Unless otherwise provided in this article or rule adopted by the director, penalties and interest shall be added to and become a part of the County tax in the same manner as penalties and interest are added to and become part of the State transient accommodations tax.

(2021, ord 21-89, sec 2.)

**Section 2-268. Director of finance.**

- (a) The director shall administer and enforce this article, in respect of:
  - (1) The examination of books and records of taxpayers;
  - (2) Procedure and powers upon failure or refusal by a taxpayer to make a return, a proper return, or payment;
  - (3) The general administration of this article;
  - (4) To enter into agreements with the director of taxation, other State agency, or entity approved in furtherance of the administration and enforcement of this article; and
  - (5) To identify taxpayers and delinquencies to the director of any County department charged with permitting, oversight or enforcement of transient accommodations.
- (b) The director shall have the rights and powers conferred by section 6-6.3, Hawai'i County Charter.

- (c) The director is further authorized to delegate any authority provided in this article.
  - (d) If any section in this article conflicts with this authority to enter into an agreement for the collection of taxes, it shall be void. The director must appropriately notify taxpayers of any voided section.
- (2021, ord 21-89, sec 2.)

**Section 2-269. Administrative rules.**

The director may adopt administrative rules pursuant to chapter 91, Hawai'i Revised Statutes, as amended, as may be necessary to implement this article.

(2021, ord 21-89, sec 2.)

**Article 49. Sustainability, Climate, Equity, and Resilience.**

**Division 1. Office of Sustainability, Climate, Equity, and Resilience.**

**Section 2-270. Creation.**

An office to be known as the office of sustainability, climate, equity, and resilience is created.

(2023, ord 23-56, sec 2.)

**Section 2-271. Sustainability administrator created.**

There shall be a sustainability administrator. The sustainability administrator shall be appointed by the mayor, confirmed by the council, and may be removed by the mayor. The council shall act to confirm or reject any appointment by the mayor within sixty days after receiving notice of the appointment from the mayor. If the council does not confirm or reject any such appointment within sixty days, the appointee shall be deemed to have been confirmed. An appointee shall take office upon confirmation by the council. At a minimum, the sustainability administrator shall be able to demonstrate the following through education and/or employment:

- (1) Experience leading a major program in sustainability, climate action, environmental management, environmental or social justice, or a related field;
- (2) Technical knowledge of the science of climate change mitigation and adaptation, sustainability, and natural resource management;
- (3) Understanding of Native Hawaiian culture and of the unique environmental and social justice issues in Hawai'i;
- (4) Understanding of the physical and mental health consequences of historical trauma, cumulative impacts of environmental hazards, and disaster events, as well as trauma informed principles to ensure access to resources and support for underserved and vulnerable populations;
- (5) Skills in leadership, staff supervision, communication, and organization development;
- (6) Experience with project management and interagency collaboration; and



- (7) Experience with policy development and securing and managing outside funding.

A bachelor's degree and five years of experience or a master's degree and three years of experience in the fields of sustainability, climate change, environment, resilience, or related fields shall be preferred.

(2023, ord 23-56, sec 2; am 2024, ord 24-8, sec 1.)

**Section 2-272. Duties of sustainability administrator.**

The sustainability administrator shall have direct responsibility for the administration and operation of the office of sustainability, climate, equity, and resilience.

(2023, ord 23-56, sec 2.)

**Division 2. Climate Action Revolving Fund.**

**Section 2-273. Climate action revolving fund created.**

There is established a fund entitled the sustainability, climate, equity, and resilience fund to be maintained by the director of finance.

(2023, ord 23-56, sec 2.)

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**CHAPTER 4****ANIMALS****Article 1. Definitions.****Section 4-1-1. Definitions.**

As used in this chapter:

“Animal control officer” means any employee of the County animal control and protection agency, who is authorized to carry out and enforce the provisions of this chapter.

“Animals,” unless provided otherwise, include but are not limited to those animals that are customary and usual pets such as dogs, cats, rabbits, birds, honeybees and other beasts which are maintained on the premises of a dwelling unit and kept by the resident of a dwelling unit solely for personal enjoyment and companionship, such as, without limitation, for a hobby, for legal sporting activities and for guarding of property; animals exclude aviary game birds and fish as defined in Hawai‘i Revised Statutes.

“At large” means on the premises of a person other than the owner of the dog or other small domesticated animal without the consent of the occupant of the premises, or on a public street, alley, highway, or in any public place except when under the control of a responsible person or an authorized representative of the owner.

“Attack” means aggressive physical contact with a person or animal initiated by the dog which may include, but is not limited to, the dog jumping on, leaping at, or biting a person or animal.

“Bodily injury” means physical pain, illness, or any impairment of physical condition.

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

“Farm animals” means pigs, cows, goats, sheep, horses, camels, and llamas.

“Humane society” means any eleemosynary organization formed for the purpose of providing humane care and treatment of dogs, cats, and other animals.

“Livestock” means all animals generally associated with farming, which are raised or kept for food and other agricultural purposes. Such animals include: swine; cattle; horses; goats; sheep; chickens, ducks, geese, turkey, and other poultry; rabbits; and bees.

“Negligently” shall have the same meaning as is ascribed to the term in section 702-206, Hawai‘i Revised Statutes.

“Owner” means any person owning, harboring or keeping a dog, provided that if the owner is a minor under the age of 18 years, the parent, guardian or other person having the care, custody or control of the minor shall be rebuttably presumed to be the owner. The person to whom the license was issued pursuant to section 143-2, Hawai‘i Revised Statutes, shall be rebuttably presumed to be the owner of the dog for purposes of this section.

“Person” means and includes corporations, estates, associations, partnerships and trusts, as well as one or more individual human beings.

“Police officer” means a sworn officer of the police department, charged with the enforcement of County and State laws.

“Poultry” means fowl that are not regulated by state law, including chickens, pigeons, turkeys, geese, ducks, and peacocks.

“Provocation” means that the attack by a dog upon a person or animal was precipitated under circumstances reasonably expected to evoke a vicious response from the dog, including, but not limited to, the following:

- (1) The dog was protecting or defending its owner or a member of its owner’s household from an attack or assault;
- (2) The person attacked was committing a crime while on the property of the owner of the dog;
- (3) The person attacked was tormenting, abusing, or assaulting the dog;
- (4) The dog was attacked by the animal;
- (5) The dog was responding to pain or injury inflicted by the attacked person or animal; or
- (6) The dog was protecting itself, its kennels or its offspring from the attacked person or animal and the attack was committed on its owner’s property.

“Serious bodily injury” means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

“Serious injury” to a domestic animal means physical injury to the animal involving a broken bone, a laceration requiring stitches, a concussion, or a tearing or rupture of an organ.

“Sterilized dog” means a spayed female dog and a neutered male dog.

“Stray” means:

- (1) An unlicensed dog or dog without a license for the current year;
- (2) Any dog on the premises of a person other than the owner of the dog, without the consent of an occupant of such premises;
- (3) Any dog on a public street, on public or private school grounds, or in any other public place, except when under the control of the owner by leash, cord, chain or other similar means of physical restraint, provided that such leash, cord, chain, or other means is not more than eight feet in length, and provided further that this provision shall not be construed to permit that which is prohibited by any other law; or
- (4) A cat or small domesticated animal wandering or running at large, or found upon any public place or found not upon the lands of the owner or not under the charge or control of one in possession.

“Substantial bodily injury” means bodily injury which causes:

- (1) A major avulsion, laceration, or penetration of the skin;
- (2) A burn of at least second degree severity;
- (3) A bone fracture;
- (4) A serious concussion; or
- (5) A tearing, rupture, or corrosive damage to the esophagus, viscera, or other internal organs.

“Vicious dog” means a dog which:

- (1) Places a person or other animal in imminent danger of bodily injury; or
- (2) Has bitten any person or animal.

A dog shall not be deemed vicious where the vicious behavior in question is the result of the dog being tormented, assaulted, or otherwise abused by the victim of the vicious behavior.

(1983 CC, c 4, art 1, sec 4-1; am 1988, ord 88-48, sec 2; am 1992, ord 92-93, sec 1; am 2002, ord 02-138, sec 2; am 2022, ord 22-36, secs 2-4; am 2024, ord 24-26, secs 1-3.)

## **Article 2. Dog, Cat, and Animal Pounds.**

### **Section 4-2-1. Pound established for dogs, cats, and domesticated animals.**

The animal control and protection agency may establish pounds for the purpose of impounding, caring for, sheltering, and disposing of unlicensed, lost, stray, homeless, or diseased dogs, cats, or any seized animals not redeemed in the County of Hawai‘i.

(1983 CC, c 4, art 2, sec 4-2; am 2023, ord 23-33, sec 4.)

### **Section 4-2-2. Direction, control, and administration of pound.**

Each pound shall be under the direction, control and administration of the animal control and protection agency which shall, in addition to the duties provided in section 4-2-1, feed and shelter the dogs, cats, and domesticated animals in their care pursuant to chapter 143, Hawai‘i Revised Statutes.

(1983 CC, c 4, art 2, sec 4-3; am 1992, ord 92-93, sec 2; am 2023, ord 23-33, sec 4.)

### **Section 4-2-3. Power to seize and impound dogs, cats, and domesticated animals.**

The County animal control and protection agency shall be authorized to seize and impound any dog, cat, or other domesticated animal, when such dog, cat, or other domesticated animal is a stray, and to dispose of such dog, cat, or domesticated animal in accordance with chapter 143, Hawai‘i Revised Statutes, as amended.

(1983 CC, c 4, art 2, sec 4-4; am 1992, ord 92-93, sec 2; am 2023, ord 23-33, sec 4.)

**Section 4-2-4. Enforcement by animal control officer.**

The animal control and protection agency may designate persons who possess qualifications and training satisfactory to the County to serve as animal control officers to carry out the provisions of this article, chapter 143, Hawai'i Revised Statutes, and other provisions of this chapter which expressly authorize such animal control officers to take specific action by ordinance.

(1983 CC, c 4, art 2, sec 4-5; am 1992, ord 92-93, sec 2; am 2023, ord 23-33, sec 4; am 2024, ord 24-26, sec 4.)

**Section 4-2-5. Expenses and appropriations for the pound.**

All expenses of seizing, impounding, and disposing of stray animals, including dogs, cats, or domesticated animals, shall be borne by the County.

(1983 CC, c 4, art 2, sec 4-6; am 1992, ord 92-93, sec 2; am 2023, ord 23-33, sec 4.)

**Section 4-2-6. Repealed.**

(1983 CC, c 4, art 2, sec 4-7; am 1992, ord 92-93, sec 2; rep 2023, ord 23-33, sec 4.)

**Section 4-2-7. Repealed.**

(1983 CC, c 4, art 2, sec 4-8; am 1992, ord 92-93, sec 2; rep 2023, ord 23-33, sec 4.)

**Section 4-2-8. Repealed.**

(1983 CC, c 4, art 2, sec 4-9; am 1992, ord 92-93, sec 2; rep 2023, ord 23-33, sec 4.)

**Section 4-2-9. Repealed.**

(1983 CC, c 4, art 2, sec 4-10; am 1992, ord 92-93, sec 2; am 2011, ord 11-103, sec 5; rep 2023, ord 23-33, sec 4.)

**Section 4-2-10. Repealed.**

(1983 CC, c 4, art 2, sec 4-11; am 1992, ord 92-93, sec 2; rep 2023, ord 23-33, sec 4.)

**Section 4-4-29. Leash required for public places.**

No person shall bring or permit any dog in any County park, public school ground, or airport unless it is held under control by a suitable leash, not more than six feet long; provided, however, that dogs even under control by a suitable leash shall not be allowed in any County beach park. These restrictions shall not apply to dogs utilized by police for patrol or other police purposes.

(1983 CC, c 4, art 4, sec 4-29; am 1986, ord 86-34, sec 5; am 2022, ord 22-36, sec 6.)

**Section 4-4-30. Penalty for permitting a dog to stray.**

In addition to other penalties listed in this chapter, the owner of any dog which strays upon any public lands or the private lands of another shall be fined as follows:

- (1) For a first offense, or any offense not preceded within a five-year period by a conviction under this section: \$25.
- (2) For any offense which occurs within a five-year period of a prior conviction under this section: \$50.
- (3) For any offense which occurs within five years of two prior convictions under this section: \$75.
- (4) For any offense which occurs within five years of three or more prior convictions under this section; any one or more of the following:
  - (A) A fine of up to \$500.
  - (B) Up to one hundred hours of community service.

(1983 CC, c 4, art 4, sec 4-30; am 1995, ord 95-32, sec 3; am 2022, ord 22-36, sec 6.)

**Division 3. Dangerous Dogs.****Section 4-4-31. Dangerous dogs may be slain.**

- (a) If any dangerous, fierce, or vicious dog shall be found running at large and cannot be taken up or tranquilized and impounded, such dog may be slain by any animal control officer.
- (b) Notwithstanding any provision to the contrary which may be found elsewhere in this chapter, where livestock have been killed, maimed or injured by any dangerous, fierce or vicious stray dog, the owner of such livestock or the owner's agent, may take any action necessary to protect the owner's livestock from such dangerous, fierce, or vicious dog, including, without limitation, slaying or otherwise disposing of the same.

(1983 CC, c 4, art 4, sec 4-28; am 2022, ord 22-36, sec 6; am 2024, ord 24-26, sec 5.)

**Section 4-4-32. Negligent failure to control a dangerous dog; penalties.**

- (a) A dog owner commits the offense of negligent failure to control a dangerous dog, if the person negligently fails to take reasonable measures to prevent the dog from attacking, without provocation, a person or animal and such attack results in:
- (1) The maiming or causing of serious injury to or the destruction of an animal;
  - (2) Bodily injury to a person;
  - (3) Substantial bodily injury to a person; or
  - (4) Serious bodily injury or death.
- (b) For the purposes of this section, “reasonable measures to prevent the dog from attacking” shall include but not be limited to:
- (1) Measures required to be taken under sections 4-3-1, 4-3-2, 4-3-5, 4-4-21, 4-4-24, 4-4-30 and 4-9-1 of this chapter to prevent the dog from becoming a stray; and
  - (2) Any conditions imposed by the court for the training of the dog or owner or for the supervision, confinement or restraint of the dog for a previous conviction under this section.
- (c) A person convicted under this section of a violation of subsections (a)(1) or (a)(2) shall be guilty of a petty misdemeanor and sentenced to one or more of the following:
- (1) A fine of not less than \$200 nor more than \$1,000;
  - (2) A period of imprisonment of up to thirty days or, in lieu of imprisonment, a period of probation of not more than six months in accordance with the procedures, terms and conditions provided in chapter 706, part II, Hawaii Revised Statutes; or
  - (3) Restitution to any individual who has suffered bodily injury or property damage as a result of an attack by the dog.
- (d) A person convicted under this section of a violation of subsection (a)(3) shall be guilty of a class C felony and sentenced to one or more of the following:
- (1) A fine of not less than \$500 nor more than \$10,000;
  - (2) A period of imprisonment of up to five years or, in lieu of imprisonment, a period of probation of four years with up to one year of imprisonment, in accordance with the procedures, terms and conditions provided in chapter 706, part II, Hawaii Revised Statutes;
  - (3) Restitution to any individual who has suffered bodily injury or property damage as a result of an attack by the dog; or
  - (4) The dog shall be humanely destroyed.
- (e) A person convicted under this section of a violation of subsection (a)(4) shall be guilty of a class B felony and sentenced to one or more of the following:
- (1) A fine of not less than \$500 nor more than \$25,000;
  - (2) A period of imprisonment of up to ten years or, a period of probation of four years with up to eighteen months of imprisonment, in accordance with the procedures, terms and conditions provided in chapter 706, part II, Hawaii Revised Statutes;



- (3) Restitution to any individual who has suffered bodily injury or property damage as a result of an attack by the dog; or
- (4) The dog shall be humanely destroyed.

(2002, ord 02-138, sec 3; am 2022, ord 22-36, secs 6 and 7.)

**Section 4-4-33. Habitual negligent failure to control a dangerous dog; penalties.**

- (a) A dog owner commits the offense of habitual negligent failure to control a dangerous dog, if the person was convicted of a violation of section 4-4-32 within five years prior to the present incident, the prior violation involved the same dog, and the dog owner negligently failed to take reasonable measures to prevent the dog from attacking, without provocation, a person or animal and such attack results in:
  - (1) The maiming or causing of serious injury to or the destruction of an animal; or
  - (2) Bodily injury to a person.
- (b) A person convicted under this subsection shall be guilty of a misdemeanor and sentenced to one or both of the following procedures, terms and conditions provided in chapter 706, part II, Hawai'i Revised Statutes:
  - (1) A fine of not less than \$200 nor more than \$2,000;
  - (2) A period of imprisonment of up to one year, or in lieu of imprisonment, a period of probation of not more than one year in accordance with the procedures, terms and conditions provided in chapter 706, part II, Hawai'i Revised Statutes;
  - (3) Restitution to any individual who has suffered bodily injury or property damage as a result of an attack by the dog; or
  - (4) The dog shall be humanely destroyed.

(2022, ord 22-36, sec 10; am 2022, ord 22-36, sec 10.)

**Section 4-4-34. Citation and summons; seizure; relinquishment of ownership.**

- (a) Upon finding probable cause to believe that there has been a violation of sections 4-4-32 or 4-4-33, a police officer may arrest or issue a summons and citation to the dog's owner, or both. In addition to arresting or issuing a summons and citation to the owner, a police officer shall have the dog seized and impounded by animal control officers until: (1) the Court orders that the dog be humanely destroyed or returned to the owner, or; (2) a criminal case arising out of the violation of section 4-4-32 or 4-4-33 is dismissed, whichever comes first. Such impoundment may be at the premises of a licensed veterinarian, a County animal control facility, or at a commercial kennel. Medical and impound expenses incurred by the County relating to the care and custody of the dog may be collected from the owner, with waiver of expenses permitted based upon criteria outlined in the animal control and protection agency's administrative rules.
- (b) If a dog is seized and impounded pursuant to this section, the citation shall notify the owner that if the owner does not appear at the time and place stated in the summons, the dog shall be subject to relinquishment pursuant to subsection (d).

- (c) Any person who refuses to surrender a dog that is subject to relinquishment pursuant to this section shall be guilty of a petty misdemeanor and fined not less than \$200 nor more than \$2,000, imprisoned not more than thirty days, or both.
- (d) In the event that the owner of a dog seized and impounded pursuant to this section fails to appear in court as required, ownership of the dog shall be deemed relinquished and the court may order disposition of the dog as it deems appropriate.
- (e) Notwithstanding any relinquishment of ownership of the dog pursuant to subsection (d) or voluntary relinquishment of ownership of the dog, the owner shall still be responsible for all expenses of boarding the dog and any penalties which may be imposed by the court.

(2002, ord 02-138, sec 3; am 2022, ord 22-36, secs 6 and 9; am 2024, ord 24-26, sec 6.)

**Section 4-4-35. Additional penalties.**

- (a) Unless the dog has been or is ordered to be humanely destroyed, the dog owner shall also be sentenced to the following provisions, in addition to the provisions of sections 4-4-32 and 4-4-33:
  - (1) The owner shall provide the owner's name, address, and telephone number to the County animal control and protection agency;
  - (2) The owner shall provide the location at which the dog is currently kept, if such location is not the owner's address;
  - (3) The owner shall promptly notify the animal control and protection agency of:
    - (A) Any changes in the ownership of the dog or the location of the dog along with the names, addresses, and telephone numbers of new owners or the new address at which the dog is located;
    - (B) Any further instances of an attack by the dog upon a person or an animal;
    - (C) Any claims made or lawsuits brought as a result of further instances of an attack by the dog; or
    - (D) The death of the dog.
  - (4) The owner shall obtain a license for the dog pursuant to section 143-2, Hawaii Revised Statutes, if the dog is not currently licensed; and
  - (5) Unless already identified by microchip, the dog shall be permanently identified, at the owner's expense, by injecting into the dog an identification microchip using standard veterinary procedures and practices. The microchip identification number of the dog shall be provided to the County animal control and protection agency.
- (b) Unless the dog has been or is ordered to be humanely destroyed, in addition to the provisions of subsection (a), the dog owner may also be sentenced to any of the following terms or conditions:
  - (1) When indoors, the dog be under the control of a person eighteen years of age or older;
  - (2) When outdoors and unattended, the dog be kept within a locked fenced or walled area from which it cannot escape;
  - (3) When outdoors and unattended, the dog be confined to an escape-proof kennel;

- (4) When outdoors, the dog be attended and kept within a fenced or walled area from which it cannot escape;
  - (5) When outdoors, the dog be attended and kept on a leash no longer than six feet in length and under the control of a person eighteen years of age or older;
  - (6) When outdoors, the dog be attended and muzzled with a muzzle that prevents the dog from biting any person or animal but does not cause injury to the dog or interfere with its vision or respiration;
  - (7) A sign or signs be placed in a location or locations directed by the court advising the public of the presence and dangerousness of the dog;
  - (8) The owner and dog, at the owner's expense, attend training sessions conducted by an animal behaviorist, a licensed veterinarian, or other recognized expert in the field;
  - (9) The dog be neutered or spayed at the owner's expense, unless the neutering or spaying of the dog is medically contraindicated;
  - (10) The owner procure liability insurance or post bond of not less than \$50,000, or for a higher amount if the court finds a higher amount appropriate to cover the medical and/or veterinary costs resulting from potential future actions of the dog;
  - (11) The dog be humanely destroyed; or
  - (12) Any other condition the court deems necessary to restrain or control the dog.
- (c) For the purposes of this section, an "escape-proof kennel" means a kennel which allows the dog to stand normally and without restriction, which is at least two and one-half times the length of the dog, and which protects the dog from the elements. Fencing or wall materials required under this section shall not have openings with a diameter of more than two inches, and in the case of wooden fences, the gaps therein shall not be more than two inches. Any gates within such kennel or structure shall be lockable and of such design as to prevent the entry of children or the escape of the dog, and when the dog is confined to such kennel or area and unattended, such locks shall be kept locked. The kennel may be required to have double exterior walls to prevent the insertion of fingers, hands, or other objects.
- (d) Upon probable cause, a police officer may either arrest or issue a summons and citation to the owner for violation of subsection (a).
- (2022, ord 22-36, sec 13; am 2024, ord 24-26, secs 7 and 8.)

**Section 4-4-36. Civil action not precluded.**

Nothing contained in this article shall preclude any person injured by a dog from bringing a civil action against the owner of such dog pursuant to the applicable provisions of state law.

(2002, ord 02-138, sec 3; am 2022, ord 22-36, secs 6 and 12.)

**Section 4-4-37. Exemption.**

The provisions of this article shall not apply to dogs owned by any law enforcement agency and used in the performance of law enforcement work.

(2002, ord 02-138, sec 3; am 2022, ord 22-36, secs 6 and 8.)

**Article 5. Reserved.**

**Article 6. Reserved.**

**Article 7. Reserved.**

**Article 8. Reserved.**

**Article 9. Enforcement.**

\* **Editor's Note:** A new article 9, "Enforcement," was created and sections 4-32 to 4-36 placed within this article by Ordinance 22-36.

**Section 4-9-1. Enforcement.**

For any violation of any of the provisions of articles 3 or 4, or of the provisions of chapter 143, Hawai'i Revised Statutes, it shall be the duty of any officer authorized to seize and impound any dog running at large within the meaning of this article to issue a summons to the owner or other person charged with the responsibility of complying with the provisions of articles 3 or 4, or with the provisions of chapter 143, Hawai'i Revised Statutes. Said summons shall instruct such owner or person to report at the violations bureau of the respective district courts of the third circuit. Each such owner or person may, within seven days after the receipt of such summons, appear at such violations bureau and post a bail bond, in such amounts as may be set by the administrative judge of the district courts, for appearance on the date as may be set for such person to appear before the district court. Upon failure to appear upon such date, said bail bond shall be deemed forfeited.

(1986, ord 86-34, sec 6; am 2022, ord 22-36, secs 16 and 17.)

**Section 4-9-2. Training; appointment; powers of animal control officer.**

- (a) Pursuant to section 143-2.5, section 143-7, and section 46-1.5(15), Hawai'i Revised Statutes, an animal control officer shall be authorized to issue a complaint and summons or other form of citation as the animal control and protection administrator may deem to be appropriate to enable an animal control officer to carry out and to perform the duties of an animal control officer under this chapter.
- (b) The animal control and protection administrator shall verify that a person to serve as an animal control officer is qualified and trained to serve in that capacity. The animal control and protection administrator shall be empowered to establish minimum requirements for qualification and training, which may be revised from time to time, provided that a copy thereof, and of any revisions, shall be kept on file with the animal control and protection agency's office thereof at all times. All County agencies, officers and employees shall render their cooperation and assistance to the animal control and protection administrator for purposes of this subsection (b).

- (8) Table R301.2(1), “Climatic and Geographic Design Criteria,” of the International Residential Code is deleted in its entirety and replaced with the following:

**“TABLE R301.2(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

WIND SPEED (mph)	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			FLOOD HAZARDS
		Weathering	Termite	Decay	
Per Figure R301.2(8)	D2 or E	Negligible	Very Heavy	Moderate to severe	FEMA or Chapter 27 HCC”

- (9) Subsection 301.2.1, “Wind design criteria,” of the International Residential Code is amended to read as follows:

**“R301.2.1 Wind design criteria.** Buildings and portions thereof shall be constructed in accordance with the wind provisions of this code provided that the ultimate design wind speed,  $V_{ULT}$ , as determined from Figure R301.2(5)A, is less than 130 mph, unless the building is a single-story with a slab-on-grade foundation and in wind exposure category B, then wind provisions of this code shall be applicable when  $V_{ULT}$  is less than 140 mph. The structural provisions of this code for wind loads are not permitted where wind design is required when  $V_{ULT}$ , determined from Figure R301.2(5)(A), is equal to or greater than 130 mph, unless the building is a single-story with a slab-on-grade foundation and in wind exposure category B, then structural provisions of this code for wind loads are not permitted where wind design is required when  $V_{ULT}$  is equal to or greater than 140 mph. Where different construction methods and structural materials are used for various portions of a building, the applicable requirements of this section for each portion shall apply. Where not otherwise specified, the wind loads listed in Table R301.2(2) adjusted for height and exposure using Table R301.2(3) shall be used to determine design load performance requirements for wall coverings, curtain walls, roof coverings, exterior windows, skylights, garage doors and exterior doors. Asphalt shingles shall be designed for wind speeds in accordance with Section R905.2.4. A continuous load path shall be provided to transmit the applicable uplift forces in Section R802.11.1 from the roof assembly to the foundation. The ultimate design wind speed,  $V_{ULT}$ , in the State Residential Code is equal to the basic design wind speed,  $V$ , in the Building Code, Chapter 5A, Hawai'i County Code.

- (10) Subsection R301.2.1.1, “Wind limitations and wind design required,” of the International Residential Code is amended to read as follows:

**“R301.2.1.1 Wind limitations and wind design required.** The wind provisions of this code shall not apply to the design of buildings where wind design is required in accordance with Subsection R301.2.1.

**Exceptions:**

1. For concrete construction, the wind provisions of this code shall apply in accordance with the limitations of Sections R404 and R608.
2. For structural insulated panels, the wind provisions of this code shall apply in accordance with the limitations of Section R610.
3. For cold-formed steel light-frame construction, the wind provisions of this code shall apply in accordance with the limitations of Sections R505, R603 and R804.

In regions where wind design is required in accordance with Subsection R301.2.1, the design of buildings for wind loads shall be in accordance with one or more of the following methods:

1. *AWC Wood Frame Construction Manual (WFCM) 2018.*
2. *ICC Standard for Residential Construction in High-Wind Regions (ICC 600-14).*
3. *AISI Standard for Cold-Formed Steel Framing—Prescriptive Method for One- and Two-Family Dwellings (AISI S230-2015).*
4. The Building Code, Chapter 5A, Hawai‘i County Code.

The elements of design not addressed by the methods in Items 1 through 4 shall be in accordance with the provisions of this code.

Where wind design is required and design is in accordance with the methods in Items 1 through 3, the building must be provided with opening protection for windborne debris. Options for opening protection or alternatives to opening protection shall be in accordance with the Building Code, Chapter 5A, Hawai‘i County Code.”

- (57) Chapter 22, “Special Piping and Storage Systems,” of the International Residential Code is amended by amending its title to read as follows:

**“CHAPTER 22  
SPECIAL PIPING AND STORAGE SYSTEMS**

**(FOR REFERENCE ONLY)”**

- (58) Chapter 22, “Special Piping and Storage Systems,” of the International Residential Code is amended by adding a section M2200, “Reference,” to read as follows:

**“Section M2200 Reference.** The provisions of this chapter shall be deemed to be guidelines only and not mandatory.”

- (59) Chapter 23, “Solar Thermal Energy Systems,” of the International Residential Code is deleted in its entirety. Refer to the Electrical Code, Chapter 5D, Hawai‘i County Code and the Plumbing Code, Chapter 5F, Hawai‘i County Code.
- (60) Chapter 24, “Fuel Gas,” of the International Residential Code is deleted in its entirety. Refer to the Plumbing Code, Chapter 5F, Hawai‘i County Code.
- (61) Chapters 25 through 32 that are contained in Part VII, “Plumbing,” of the International Residential Code are deleted in their entirety. Refer to the Plumbing Code, Chapter 5F, Hawai‘i County Code.
- (62) Chapter 33, “Storm Drainage,” of the International Residential Code is deleted in its entirety.
- (63) Chapters 34 thru 43 that are contained in Part VIII, “Electrical,” of the International Residential Code are deleted in their entirety. Refer to the Electrical Code, Chapter 5D, Hawai‘i County Code.
- (2021, ord 21-61, sec 1; am 2024, ord 24-17, sec 1.)

**Article 3. Adoption, Amendment, and Addition of Appendices.**

**Division 1. Appendices of International Residential Code Adopted.**

**Section 5B-3-1. Appendices not applicable.**

Provisions in the appendices of the International Residential Code shall not apply unless specifically adopted.

(2021, ord 21-61, sec 1.)

**Section 5B-3-2. Appendices of the International Residential Code adopted.**

The following appendices of the International Residential Code are adopted by reference and made a part of this code, subject to any amendments set forth in this article:

- (1) Appendix H, Patio Covers;
- (2) Appendix M, Home Day Care – R-3 Occupancy; and
- (3) Appendix Q, Tiny Houses.

(2021, ord 21-61, sec 1.)

**Section 5B-3-3. Appendix Q; Tiny Houses.**

Appendix Q is deleted in its entirety and replaced with the following:

**“APPENDIX Q  
TINY HOUSES**

**SECTION AQ101  
GENERAL**

**AQ101.1 Scope.** This appendix shall be applicable to *tiny houses* used as single *dwelling units* and *tiny houses* that contain a *loft*. *Tiny houses* shall comply with the International Residential Code except as otherwise stated in this appendix.

**AQ101.1.1 Limitations.** *Tiny houses* shall not contain more than one *loft*, or *loft* space. *Tiny houses* that contain a *loft* may not be used for any purpose other than as a detached single-family *dwelling*.

**SECTION AQ102  
DEFINITIONS**

**AQ102.1 General.** The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of the International Residential Code for general definitions.

**EGRESS ROOF ACCESS WINDOW.** A *skylight* or roof window designed and installed to satisfy the emergency escape and rescue opening requirements in Section R310.2.

**LANDING PLATFORM.** A landing measuring two treads deep and two risers tall, provided as the top step of a stairway accessing a *loft*.



## HOUSING

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**Section 11-14. Resale restrictions.**

The housing administrator shall establish resale restrictions by rule to ensure that units created under this policy remain affordable. Such rules may include, but not be limited to, buy-back, shared appreciation, and other restrictions. The housing administrator may be delegated the authority to select the resale restriction applicable to a particular project. Notwithstanding any provision or rule to the contrary, for a period of ten years from the first date of sale of any affordable unit created in satisfaction of the requirements of this chapter, said unit may only be sold to another eligible buyer in the same or lower median income level as the original purchaser of said unit. Organizations classified under Section 501 (c) of the United States Internal Revenue Code and those that utilize United States Department of Agriculture funding programs are exempt from resale restrictions applicable to eligible buyers in the same or lower median income level.

(2005, ord 05-23, sec 2; am 2011, ord 11-38, sec 2; am 2014, ord 14-8, sec 6.)

**Section 11-15. Transfer of excess credits.**

- (a) Developers who construct new affordable housing units in excess of any requirements imposed under this chapter or any other requirement may earn “excess credits” which they may transfer to other developers.
- (b) The developer shall earn the excess credits pursuant to section 11-5(c).
- (c) To qualify for excess credits, units must be sold or rented to qualified households. The developer shall apply to the administrator for approval of the excess credits.
- (d) After approval of the excess credits, the developer may transfer the excess credits to any other project that is within the distance established in section 11-5(a)(3), to fulfill part or all of the affordable housing requirements of the other project. The developer shall obtain approval for the transfer of excess credits from the housing administrator before initiating any such transfer. The housing administrator shall validate any such transfer of excess credits upon completion of the transaction. Excess credits that are transferred in violation of this section are voidable at the discretion of the County.

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- (e) If the project applying for the excess credits was developed with a direct subsidy from the federal, state, or county governments, the administrator shall either (1) discount the excess credits earned by the value of the subsidy, or (2) require that the Agency or other public entity subsidizing the project share equitably in the proceeds from the transfer of the excess credits. If the project was developed by a nonprofit corporation and sold to qualified households earning not more than 80% of the median, or rented to qualified households earning not more than 60% of the median, the discount shall not exceed 50% of the credits. The administrator may waive these requirements if the project earning the excess credits addresses a critical housing need and the excess credits, in addition to the direct subsidy, are or were a necessary inducement to the construction of the project, or if the excess credits are earned by a nonprofit entity that will use the proceeds for the construction of more affordable housing.
- (f) For the purposes of this section, a “direct financial subsidy” includes the provision of land at below market value, or governmental construction of infrastructure necessary for a housing project, but does not include density bonuses, zoning or other permitting exemptions under section 201G-118, Hawai‘i Revised Statutes, or federal or state tax credits for the construction of rental housing.  
(2005, ord 05-23, sec 2; am 2005, ord 05-111, sec 4; am 2024, ord 24-18, sec 1.)

**Section 11-16. Section 201G projects.**

The County’s exemption authority, as contained in chapter 201G, Hawai‘i Revised Statutes, may be utilized to expedite change of zone requests, subdivision applications, and plan review as well as the consideration of reduced development standards.  
(2005, ord 05-23, sec 2.)

**Section 11-17. Effect on existing requirements.**

This policy supersedes all previous affordable housing requirements and Hawai‘i County Housing Agency Resolution 65 dated May 2, 1990 and Ordinance 98-1. Any affordable housing condition or portion thereof in any prior rezoning ordinance which has not been fully satisfied as of the effective date of this policy shall be reassessed pursuant to this policy unless the County has previously agreed as to the specific means of satisfying the requirements, in which case, this amended policy shall apply only to the extent it is not inconsistent with the agreement. In no event shall the County of Hawai‘i reimburse or be obligated to reimburse any person or entity for the partial or full satisfaction of an affordable housing condition in any ordinance which became effective prior to the effective date of this policy.  
(2005, ord 05-23, sec 2.)

**Section 11-18. Adoption of rules.**

The housing administrator is authorized to adopt such rules pursuant to Chapter 91, Hawaii Revised Statutes, as are necessary to carry out this ordinance.

(2005, ord 05-23, sec 2.)

**Section 11-19. Reports by housing administrator.**

- (a) Affordable housing agreements. Within thirty calendar days following the date of execution of any affordable housing agreement executed in satisfaction of this chapter, the housing administrator shall submit a copy of the affordable housing agreement to the council.
- (b) Quarterly reporting. The housing administrator shall provide reports to the council relating to the activities of each quarter. Reports shall cover the following periods: January through March; April through June; July through September; and October through December and be submitted to the council within sixty calendar days following the end of each period. The first report shall be submitted to the council by March 1, 2023 and include information relating to the period October through December 2022. Each report shall include the following:
- (1) A list of developers in possession of excess affordable housing credits and the number of affordable housing credits each developer has earned, transferred, redeemed, and remains in possession of as of the end of the quarterly reporting period;
  - (2) A summary of the current affordable housing inventory; and
  - (3) An accounting of significant actions taken under authority of this chapter including, but not limited to:
    - (A) For sale affordable housing units developed and sold;
    - (B) Finished affordable housing lots constructed and sold;
    - (C) Affordable housing rental units constructed and being rented;
    - (D) Developable land conveyed;
    - (E) Infrastructure conveyed;
    - (F) Affordable housing units resold; and
    - (G) Density bonuses granted.

(2005, ord 05-23, sec 2; am 2014, ord 14-8, sec 7; 2023, ord 23-20, sec 1.)

**Article 2. Housing Production Funding.****Section 11-21. Appropriation of funds for housing production.**

At least \$5,000,000 per year shall be appropriated for the office of housing and community development to facilitate programs that support affordable housing production. Any remaining balance at the end of the fiscal year should be designated for this purpose.

(2022, ord 22-77, sec 1.)

### **Article 17. Regulation of Axis Deer.**

Section 14-106.	Transporting live axis deer into the County; unlawful.
Section 14-107.	Transporting live axis deer within the County; unlawful.
Section 14-108.	Harboring axis deer; unlawful.
Section 14-109.	Exemptions.
Section 14-110.	Penalty.

### **Article 18. Animal Eradication.\***

Section 14-111.	Findings and purpose.
Section 14-112.	Aerial eradication of animals; unlawful.

\* **Editor's Note:** Application of article 18 preempted with respect to requirements of 1998 Stipulated Order, providing that State will commence aerial shooting of ungulates sighted in critical habitat area for Palila. *Palila v. Haw. Dep't of Land & Natural Res.*, No. 78-00030 JMS (D. Haw. April 8, 2013) (Order Granting Defs. Mot. for Declaratory and Injunctive Relief).

### **Article 19. Geothermal Drilling.**

Section 14-113.	Definitions.
Section 14-114.	Restrictions.

### **Article 20. Licenses to Carry Concealed and Unconcealed Firearms. \***

Section 14-115.	Definitions.
Section 14-116.	Supremacy clause.
Section 14-117.	Licenses to carry concealed and unconcealed firearms.
Section 14-118.	Sensitive places prohibition; exceptions.
Section 14-119.	Carrying firearm while intoxicated or consuming an intoxicant prohibited.
Section 14-119.1.	Duty to inform law enforcement upon contact.
Section 14-119.2.	Penalties.
Section 14-119.3.	Administrative rules.

\* **Editor's Note:** Article 20, formerly entitled "Plastic Bag Reduction," was repealed by Ordinance 20-86, section 9. Provisions relating to plastic bag reduction can now be found in chapter 20, article 6.

### **Article 21. Hydraulic Fracturing Policy.**

Section 14-120.	Definitions.
Section 14-121.	Hydraulic fracturing prohibited.
Section 14-122.	Right of entry.
Section 14-123.	Violation.
Section 14-124.	Notice of violation.
Section 14-125.	Administrative enforcement.
Section 14-126.	Penal enforcement.
Section 14-127.	Injunctive relief.

## **Article 22. Restriction of Genetically Engineered Crops and Plants.\***

Section 14-128.	Purpose.
Section 14-129.	Definitions.
Section 14-130.	Prohibition.
Section 14-131.	Exemptions.
Section 14-132.	Emergency exemption.
Section 14-133.	Registration.
Section 14-134.	Penalties.
Section 14-135.	Declaratory and injunctive relief.
Section 14-136.	Cumulative remedies.

\* **Editor's Note:** Article 22 was invalidated by *Haw. Papaya Indus. Ass'n. v. County of Haw.*, No. 14-17538 (9th Cir. 2016) (mem.).

## **Article 23. Distribution of Tobacco Products.**

Section 14-137.	Definitions.
Section 14-138.	Prohibition; verification of age; penalties.
Section 14-139.	Posted signs required.
Section 14-140.	Enforcement.

## **Article 24. Littering.**

Section 14-141.	Definitions.
Section 14-142.	Littering prohibited; use of public receptacles.
Section 14-143.	Sweeping into streets and sidewalks prohibited.
Section 14-144.	Merchant's duty to keep sidewalk clean of litter.
Section 14-145.	Litter prohibited on occupied private property.
Section 14-146.	Distributing handbills at inhabited private premises.
Section 14-147.	Summons or citation for violation.
Section 14-148.	Penalty.

## **Article 25. Clearing Occupied and Unoccupied Lots.**

Section 14-149.	Definitions.
Section 14-150.	Removal of refuse, undergrowth, and unsafe flora required.
Section 14-151.	Complaint by adjacent or abutting owner(s); request to clear.
Section 14-152.	Clearance by County; costs.
Section 14-153.	Service of notice.

## **Article 26. Real Property Owner Contact Information Registry.**

Section 14-154.	Definitions.
Section 14-155.	Owner contact information required.
Section 14-156.	Safeguarding of contact information.
Section 14-157.	Utilization of contact information.
Section 14-158.	Rules and regulations.

- (2) The office of the corporation counsel, on behalf of the County, shall submit a written itemized claim for the total recoverable expenses incurred by the County to the responsible person or persons and a written notice stating that unless the amounts are paid in full within thirty days after receipt of the claim and notice, the County will file a civil action seeking recovery for the stated amount.
- (3) The County may bring a civil action for the recovery of all recoverable expenses against any and all persons causing or responsible for the placement of the individual or individuals in a situation of imminent danger.
- (d) For the purposes of this section, “recoverable expenses” means those expenses that are reasonable, necessary, and allocable to the clearing of an occupied lot of refuse, uncultivated undergrowth, and unsafe flora pursuant to this article. Expenses allowable for recovery may include, but are not limited to:
  - (1) Materials and supplies acquired, consumed, and expended specifically for the purpose of the lot clearing.
  - (2) Compensation of employees for the time and efforts devoted specifically for the purpose of the lot clearing.
  - (3) Rental or leasing of equipment used specifically for the lot clearing, such as protective equipment or clothing, bulldozers, or backhoes.
  - (4) Repair costs for equipment owned by the County that is damaged during the lot clearing.
  - (5) Replacement costs for equipment owned by the County that is damaged beyond use or repair, if the equipment was a total loss and the loss occurred during the lot clearing.
  - (6) Special technical services specifically required for the lot clearing, such as costs associated with the time and efforts of technical experts or specialists not otherwise provided by the County.
  - (7) Other special services specifically required for the lot clearing.
  - (8) Medical expenses that may be incurred as a result of the lot clearing.
  - (9) Legal expenses that may be incurred as a result of the lot clearing, including efforts to recover expenses pursuant to this article.
- (e) Nothing in this section shall be construed to create any liability to the County for any damages incurred as a cause of action or inaction.

(2020, ord 20-86, sec 2.)

**Section 14-153. Service of notice.**

The notice to the property owner required under section 14-152 shall be sent to the property owner by mailing it to the owner’s last known address and by posting a copy of the notice upon the lot that requires the clearing.

(2020, ord 20-86, sec 2.)

**Article 26. Real Property Owner Contact Information Registry.****Section 14-154. Definitions.**

As used in this article, unless it is apparent from the context that a different meaning is intended:

“Person” includes natural persons, partnerships, joint ventures, societies, associations, clubs, trustees, trusts, corporations, or any officer, agent, employee, representative, or other entity, in any capacity, acting either on their own behalf or on the behalf of any other person, whether appointed personally or in accordance with the law.

“Property” or “real property” means and includes all land and appurtenances, including buildings, structures, fences, and improvements erected on or affixed to the same, and any fixture which is erected on or affixed to such land, buildings, structures, fences, and improvements.

“Property owner” means a person who has complete dominion over a specific property and is the legal or equitable titleholder; when applied to a building or land, “property owner” means any party with a stake, including a partial owner, joint owner, holder of a communal or partnership interest, life tenant, tenant in common, or joint tenant, of the entire property or a portion thereof.

(2024, ord 24-16, sec 2.)

**Section 14-155. Owner contact information required.**

- (a) Every property owner in the County of Hawai‘i shall provide to the real property tax division the following contact information: The property owner’s name(s), mailing address, telephone number, and email. An absentee property owner, who does not physically reside within the County, shall designate an agent and provide the designated agent’s name, mailing address, telephone number, and email to the division. An agent shall reside within the County, and be duly designated and authorized by an absentee owner to act on the owner’s behalf.
- (b) Contact information shall be provided to the real property tax division via forms or methods designated by the finance director.
- (c) If there is any change to the contact information of the property owner or the property owner’s agent, the property owner or agent shall provide the updated contact information to the real property tax division within thirty calendar days from the change.
- (d) The real property tax division shall maintain the contact information of all property owners or agents, as applicable.
- (e) Failure to submit information pursuant to this section shall be considered a violation of this section. Any property owner who violates this section shall be subject to annual fines of no less than \$100, but not exceeding \$1,000, in a schedule prescribed by the finance director.

(2024, ord 24-16, sec 2.)



**Section 14-156. Safeguarding of contact information.**

The collection and maintenance of contact information shall be strictly for the use of the County pursuant to this article and is not intended to be made available to the general public. Contact information may be shared between the County's agencies, in accordance with section 92F-19, Hawai'i Revised Statutes.

(2024, ord 24-16, sec 2.)

**Section 14-157. Utilization of contact information.**

Should the County, through any of its agencies, become aware of any potential or existing impacts to any property, the County may utilize this contact information to notify the property owner or the property owner's agent regarding potential or existing impacts to the property. The County may also use contact information for administrative enforcement, public safety, and law enforcement purposes.

(2024, ord 24-16, sec 2.)

**Section 14-158. Rules and regulations.**

The finance director, or the finance director's authorized representative, may adopt and enforce rules necessary for the effective implementation of this article, pursuant to chapter 91 of the Hawai'i Revised Statutes.

(2024, ord 24-16, sec 2.)

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**Section 15-68.1. Parks and recreational facility schedule.**

**PARKS**

North Hilo	
Laupāhoehoe Civic Building	3-6-009:031 (Por.)
Laupāhoehoe Playground	3-6-009:033
Laupāhoehoe Point Beach Park	3-6-002:013, 024, 026, 038
Laupāhoehoe Senior Center	3-6-002:031
Laupāhoehoe Swimming Pool	3-5-004:059 (Por.)
‘Ō‘ōkala Park	3-9-001:011
Pāpa‘aloha Park	3-5-003:088
Waikaumalo Park	3-2-002:062

South Hilo	
Āhualani Park	2-4-063:081
‘Āinakō Park	2-5-018:026
‘Āinaola Park	2-4-041:069
Baker’s Beach	2-1-006:077; 2-1-007:011, 025
Carlsmith Beach Park	2-1-017:019, 021, 022, 051, 058, 059
Clem Akina Park	2-6-007:027; 2-6-008:026 (Por.)
East Hawai‘i Cultural Center	2-3-006:004
Frank M. Santos Park	2-7-004:121
Gilbert Carvalho Park	2-3-026:005, 009; 2-3-025:005 (median)
Hakalau Beach Park	2-9-002:080
Hakalau Gym	2-9-002:091
Hakalau Veterans Park	2-9-002:004
Happiness Gardens	2-1-003:013
Hilo Armory	2-3-004:008
Hilo Bayfront Beach	2-2-001:027; 2-2-002:035; 2-2-002:034; 2-2-003:046; 2-2-004:056
Hilo Bayfront Park	2-2-004:028, 035; 2-2-005:002
Hilo Bayfront Soccer Fields	2-2-004:002; 2-2-006:001; 2-2-007:018; 2-2-011:001; 2-2-012:016
Hilo Drag Strip	2-1-013:153
Hilo Municipal Golf Course	2-4-016:001; 2-4-002:001, 129, 130
Hilo Skate Park	2-2-033:013
Hilo Skeet Range	2-1-013:002 (Por.)
Honoli‘i Beach Park	2-6-026:001
Honomū Park	2-8-014:001

**PARKS (continued)**

South Hilo (continued)	
Ho‘olulu Complex (1) Afook-Chinen Civic Auditorium (2) Aunty Dottie Thompson Hale (3) Aunty Sally Kaleohano’s Lū‘au Hale (4) Charles “Sparky” Kawamoto Swim Stadium (5) Edith Kanaka‘ole Multi-Purpose Stadium (6) Dr. Francis F. C. Wong Stadium • James “Jimmy” Correa Ballfield (7) Walter C.K. Victor Baseball Complex	2-2-032:031, 035, 084, 094; 2-2-033:001, 016
Hualani Park (1) Princess Abigail Wahīika‘ahu‘ula Kawananakoa Center (2) Ronald Futoshi “Harpo” Saiki Officials’ Stand	2-1-023:120
James Kealoha Beach Park	2-1-016:003
Kaipalaoa Landing	2-3-004:001
Kaiwiki Park	2-6-010:016
Kalākaua Park (1) War Memorial Pond	2-3-005:001
Kamanā Senior Center	2-4-056:019
Kanakea Pond	2-1-006:010
Kaūmana Caves	2-5-040:012
Kaūmana Lani Park	2-5-060:007
Keikiland Playground	2-2-018:043
Kolekole Gulch Park	2-8-015:015
Kuawa Ballfields	2-2-032:003, 004, 008, 019, 087, 088
Kūhiō Kalaniana‘ole Park	2-1-006:013; 2-1-006:015
Kula‘imano Park	2-8-007:070, 079
Lālākea Pond Beach Park	2-1-017:018
Lehia Beach Park	2-1-013:005, 006
Leleiwi Beach Park	2-1-017:018, 053, 054
Liholiho Garden	2-3-006:003
Lili‘uokalani Gardens	2-1-003:001, 017, 018

**PARKS (continued)**

Puna	
A.J. Watt Gym	1-8-002:049
Glenwood Park	1-8-009:023
Hawaiian Beaches Park	1-5-067:035; 1-5-083:037
Herbert Shipman Park (1) Buddy Perry Soccer Field (2) Kea'au Armory	1-6-003:007 (Por.), 058, 086
Isaac Kepo'okalani Hale Beach Park	1-3-008:014, 016, 021, 033; 1-4-093:048
Kea'au Community Center	1-6-143:041
Kurtistown Park	1-7-003:019
Mountain View Park	1-8-004:030
William "Billy" Kenoi District Park (1) Ginny Aste Skate Park (2) Pāhoa Aquatic Center (3) Pāhoa Neighborhood Facility (4) Pāhoa Senior Center	1-5-002:020
Volcano Park	1-9-003:017
Waiakahi'ula Beach Park	1-5-063:001

**CEMETERIES**

North Hilo	
Kihalani Cemetery (Laupāhoehoe)	3-5-005:007
Piha Cemetery	3-2-002:030

South Hilo	
‘Alae Cemetery	2-6-012:010, 043, 048
Veterans Cemetery No. 1	2-3-017:010
Veterans Cemetery No. 2	2-3-020:007; 2-3-020:020
Waiākea ‘Uka Cemetery	2-4-003:012

Hāmākua	
Kaapahu Cemetery	4-4-011:065
Kainehe Cemetery (Kūkaiiau)	4-2-004:001
Kukuihaele Cemetery	4-8-006:014
Pa‘alaea Cemetery (Honoka‘a)	4-5-006:002 (Por.)

Ka‘ū	
Nā‘ālehu Cemetery	9-5-008:026
Wai‘ōhinu Cemetery	9-5-003:053

Kohala	
Aamakoa Cemetery	5-2-007:003
Kahei Cemetery (Hāwī)	5-5-011:001
Waimea Cemetery	6-5-004:001, 007

Kona	
Hienaloli Cemetery (Keōpū)	7-5-011:006
West Hawai‘i Veterans Cemetery-Pu‘u Ho‘omaha O Nā Po‘e Koa O Hawai‘i Komohana	7-2-004:021

**CEMETERIES (continued)**

Puna	
Kaimu Cemetery	1-2-006:036
Kehena Cemetery	1-2-009:023
Malama Cemetery	1-3-007:002, 003

(2000, ord 00-15, sec 2; ord 00-66, sec 2; ord 00-113, secs 1 and 2; am 2002, ord 02-58, sec 2; am 2003, ord 03-99, sec 2; ord 03-135, sec 2; am 2004, ord 04-79, sec 2; am 2005, ord 05-40, sec 2; ord 05-96, sec 2; am 2006, ord 06-127, sec 2; ord 06-149, sec 3; am 2007, ord 07-22, sec 4; am 2008, ord 08-7 sec 5; ord 08-22, sec 2; ord 08-35, sec 2; ord 08-121, sec 2; ord 08-142, sec 2; am 2009, ord 09-32, sec 3; am 2010, ord 10-11, sec 3; am 2011, ord 11-90, sec 3; am 2012, ord 12-164, sec 2; am 2014, ord 14-57, sec 2; am 2015, ord 15-60, sec 4; am 2016, ord 16-111, sec 2; ord 16-112, sec 2; ord. 16-113, sec 4; am 2017, ord 17-61, sec 2; am 2018, ord 18-2, sec 2; ord 18-20, sec 3; ord 18-21, sec 2; ord 18-22, sec 2; ord 18-44, sec 2; ord 18-61, sec 2; ord 18-83, sec 2; am 2019, ord 19-43, sec 2; am 2020, ord 20-59, sec 2; am 2021, ord 21-3, sec 2; am 2022, ord 22-9, sec 3; ord 22-115, sec 3; am 2023, ord 23-14, sec 2; am 2024, ord 24-3, sec 3; ord 24-23, sec 3.)

HAWAII COUNTY CODE

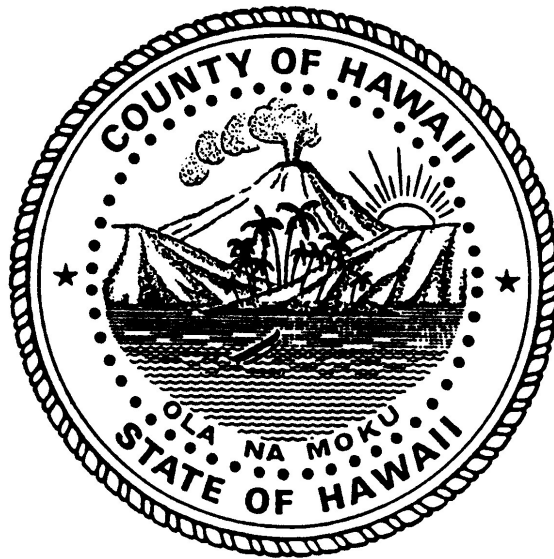
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# THE HAWAI‘I COUNTY CODE

## 1983 (2016 Edition, as amended)

Update to include: Supplement 16 (7-2024)  
Contains ordinances effective through: 06-30-24



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

## Volume Two



Section 19-57.1.	Community food sustainability use assessment.
Section 19-58.	Certain lands dedicated for residential use.
Section 19-58.1.	Repealed.
Section 19-58.2.	Repealed.
Section 19-58.3.	Repealed.
Section 19-58.4.	Repealed.

### **Article 8. Dedications.**

Section 19-59.	Native forest dedications.
Section 19-60.	Long-term commercial agricultural use dedication.
Section 19-61.	Short-term commercial agricultural use dedication.
Section 19-62.	Repealed.
Section 19-63.	Repealed.
Section 19-64.	Repealed.
Section 19-65.	Repealed.
Section 19-66.	Repealed.

### **Article 9. Nontaxable Property; Assessment.**

Section 19-67.	Nontaxable property.
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### **Article 10. Exemptions.**

Section 19-68.	Claims for certain exemptions.
Section 19-69.	Repealed.
Section 19-70.	Assignment of partial exemptions.
Section 19-71.	Homes.
Section 19-72.	Home, lease, lessees defined.
Section 19-73.	Homes of disabled or unemployable veterans.
Section 19-74.	Persons affected with Hansen's disease.
Section 19-75.	Exemption, persons who are blind, deaf, and/or totally disabled.
Section 19-76.	Nonprofit medical, hospital indemnity associations; tax exemption.
Section 19-77.	Charitable, etc., purposes.
Section 19-78.	Property used in manufacture of pulp and paper.
Section 19-79.	Crop shelters.
Section 19-80.	Exemption, dedicated lands in urban districts.
Section 19-81.	Water tanks.
Section 19-82.	Alternate energy improvements, exemption.
Section 19-83.	Repealed.
Section 19-84.	Public property, etc.
Section 19-85.	Lessees of exempt real property.
Section 19-86.	Property of the United States leased under the National Housing Act.

Section 19-87.	Exemption for low and moderate-income housing.
Section 19-88.	Claim for exemption.
Section 19-89.	Exemptions for certain Hawaiian Homes property, and other agencies.
Section 19-89.1.	Historic residential real property dedicated for preservation; exemption.
Section 19-89.2.	Credit union exemption.
Section 19-89.3.	Exemptions for enterprise zones.
Section 19-89.4.	Hawai'i Island housing trust exemption.
Section 19-89.5.	Kuleana land exemption.*

### **Article 11. Determination of Rates.**

Section 19-90.	Real property tax; determination of rates.
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### **Article 12. Appeals.**

Section 19-91.	Appeals.
Section 19-92.	Appeals by persons under contractual obligations.
Section 19-93.	Grounds of appeal, real property taxes.
Section 19-94.	Second appeal.
Section 19-95.	Small claims.
Section 19-96.	Appointment, removal, compensation.
Section 19-97.	Board of review; duties, powers, procedure before.
Section 19-98.	Tax appeal court.
Section 19-99.	Appeal to board of review.
Section 19-100.	Cost; deposit for an appeal.
Section 19-101.	Repealed.
Section 19-102.	Taxes paid pending appeal.
Section 19-103.	Amendment of assessment list to conform to decision.

### **Article 13. Tax Credits.**

Section 19-104.	Solar water heater tax credit established.
Section 19-105.	Administration.

- (d) When a condominium property regime is declared for a property, each unit shall be classified upon consideration of its actual use into one of the general classes in the same manner as land.
- (e) Classification of land:
  - (1) Except as otherwise provided in subsection (e)(2) of this section, land shall be classified, upon consideration of its highest and best use, into the following general classes:
    - (A) Residential;
    - (B) Affordable rental housing;
    - (C) Apartment;
    - (D) Hotel and resort;
    - (E) Commercial;
    - (F) Industrial;
    - (G) Agricultural or native forests;
    - (H) Conservation; and
    - (I) Homeowner.
  - (2) In assigning land to one of the general classes the director of finance shall give major consideration to the districting established by the land use commission pursuant to chapter 205, Hawai'i Revised Statutes, the districting established by the County in its general plan and zoning ordinance, use classifications established in the general plan of the State, and such other factors which influence highest and best use, except that parcels which are used as the owner's principal residence shall be classified as "homeowner" without regard to the highest and best use, provided that the director has granted to the owner a home exemption in accordance with sections 19-71 to 19-72.
    - (A) The homeowner class is exclusively reserved for properties which are used as the owner's principal residence. Uses which shall not qualify as "homeowner" include:
      - (i) Real property which is used for commercial or income-producing purposes, except as exempted under section 19-71(a) or (b).
      - (ii) Real property which is used for residential rental purposes, whether for short-term or long-term lease, except as exempted under section 19-71(a) and affordable rental housing.
      - (iii) Real property which is used for any purpose other than the owner's principal residence, with the exception of any property valued according to its agricultural use pursuant to sections 19-57, 19-59, or 19-60.
    - (B) The affordable rental housing class is exclusively reserved for properties which meet the eligible requirements for this class and have the annual required application timely filed. Real property which is used for commercial or income-producing purposes shall not qualify as "affordable rental housing," except:
      - (i) Real property with uses legally permitted as a home occupation in accordance with the zoning code; or

- (ii) Real property with agricultural use pursuant to sections 19-57, 19-59, or 19-60.
- (3) Whenever there is an overlap or contradiction in districting or use classification between the County and the State, zoned districts by the County shall take precedence.
- (f) In determining the value of buildings, consideration shall be given to any additions, alterations, remodeling, modifications or other new construction, improvement or repair work undertaken upon or made to existing buildings as the same may result in higher assessable valuation of said buildings; provided, however, that the increase in value resulting from any additions, alterations, modifications or other new construction, improvements or repair work to buildings undertaken or made by the owner-occupant thereof pursuant to the requirements of any urban redevelopment, rehabilitation or conservation project under the provisions of part II of chapter 53, Hawaii Revised Statutes, shall not increase the assessable valuation of any building for a period of seven years from the date of certification as hereinafter provided.

It is further provided that the owner-occupant shall file with the director of finance, in the manner and place which the director may designate, a statement of the details of the improvements certified in the following manner:

- (1) In the case of additions, alterations, modifications or other new construction, improvements or repair work to a building that are undertaken pursuant to any urban redevelopment, rehabilitation or conservation project as hereinabove mentioned, the statement shall be certified by the mayor or any government official designated by the mayor and approved by the council, that the additions, alterations, modifications, or other new construction, improvement or repair work to the buildings were made and satisfactorily comply with the particular urban redevelopment, rehabilitation or conservation act provision, or
- (2) In the case of maintenance or repairs to a residential building undertaken pursuant to any health, safety, sanitation or other governmental code provision, the statement shall be certified by the mayor or any governmental official designated by the mayor and approved by the council, that:
  - (A) The building was inspected by them and found to be substandard when the owner-occupant made the claim, and
  - (B) The maintenance or repairs to the buildings were made and satisfactorily comply with the particular code provision.

(g) Limitation on homeowner assessment.

For properties in the homeowner class as of January 1, 2004, the assessed value of the property shall not increase more than three percent per tax year until the parcel is sold or any portion thereof sold by way of conveyance which is subject to conveyance tax under terms of chapter 247, Hawai'i Revised Statutes, at which time the property will be assessed at market value. In addition to the three percent limit of this subsection any improvements undertaken on the property within the tax year shall be assessed at market value. All parcels entering this class after January 1, 2004 shall have the assessed value as of January 1 of the following year and be subject to the above provisions.

(h) Eligibility for affordable rental housing class.

- (1) Real property occupied as affordable rental housing must be rented at a rate not to exceed the affordable rental rate for the entire calendar year claimed and must be legally permitted by all codes.
- (2) All rental units on affordable rental housing properties must be rented at the affordable rental rates.
- (3) Affordable rental housing properties shall not be excluded by the owner's principal residence also being on the property.
- (4) For properties in the affordable rental housing class as of January 1, 2008, the assessed value of the property shall not increase more than three percent per tax year until the parcel is sold or any portion thereof sold by way of conveyance which is subject to conveyance tax under terms of chapter 247, Hawai'i Revised Statutes, at which time the property will be assessed at market value. In addition to the three percent limit of this subsection, any improvements undertaken on the property within the tax year shall be assessed at market value. All parcels entering this class after January 1, 2008, shall have the assessed value as of January 1 of the following year and be subject to the above provisions.

- (i) Application for the affordable rental housing class.
    - (1) No affordable rental housing classification shall be granted unless the claimant shall annually have filed with the department of finance, on or before December 31 preceding the tax year for which such classification is claimed, a claim for such classification in such form as shall be prescribed by the department and shall include but not be limited to rental agreements signed by the renter or excise tax returns.
    - (2) No affordable rental housing classification shall be granted unless and until a Hawai'i County real property tax assessor evaluates the property and establishes its current market value.
    - (3) The landowner shall submit a certification of rental rates affirming that the rental rates charged to all renters on that parcel shall be at the affordable rental rate and that rate will be maintained for the calendar year.
  - (j) Breach of affordable rental housing class.
    - (1) Rental of any unit during the calendar year at a rate higher than the affordable rental rate shall breach the classification.
    - (2) Any conveyance of the parcel or portion of the parcel subject to conveyance tax under terms of chapter 247, Hawai'i Revised Statutes, shall breach the classification.
    - (3) Upon breach of the classification, the tax assessment shall be cancelled retroactive to the date of the classification, but for not more than the current year, and all difference in the amount of taxes that were paid and those that would have been due from the assessment in the higher classification shall be payable with a ten percent penalty.
- (1983 CC, c 19, art 7, sec 19-53; am 1982, ord 834, sec 2; am 1984, ord 84-21, sec 1; am 1990, ord 90-136, sec 2; ord 90-157, sec 1; am 1991, ord 91-143, sec 2; am 1996, ord 96-71, sec 2; am 1997, ord 97-84, sec 1; ord 97-153, sec 2; am 2000, ord 00-48, sec 2; am 2003, ord 03-103, secs 2 and 3; am 2004, ord 04-67, sec 1; ord 04-121, sec 2; ord 04-143, sec 2; am 2006, ord 06-147, sec 2; am 2007, ord 07-107, secs 3 and 4; ord 07-163, sec 2; am 2008, ord 08-156, sec 2; am 2013, ord 13-72, sec 2; am 2014, ord 14-97, sec 2; am 2021, ord 21-32, sec 1; am 2023, ord 23-54, sec 2.)



- (E) Those portions of the real property and/or structures, including the principal home, used by any person for commercial purposes, which are legally permitted as a home occupation in accordance with the zoning code, shall be excluded from this exemption, but shall be entitled to an exemption with respect to the portion thereof used exclusively as a home;
  - (F) Notwithstanding paragraph 19-71(a)(2)(E) above, having portions of the principal home located on the real property used exclusively as residential housing rental for a term of not less than six months and legally permitted by all codes, shall not prevent eligibility for the exemption; and
  - (G) In the case of a lease of Hawaiian homestead lands, where either a husband or wife is of non Hawaiian descent, either spouse shall be entitled to the home exemption in the same manner as if either spouse was considered the owner thereof, provided proof of marriage is submitted to the director of finance.
- (b) The use of a portion of any real property, accessory buildings, or structures used for the sole purpose of agricultural activities as defined in section 25-1-5 shall not affect the exemptions otherwise provided by this section.
  - (c) Where two or more individuals by life estate and remainder, jointly, by the entirety, or in common own or lease land on which their homes are located, each home, if otherwise qualified for the exemption granted by this section, shall receive the exemption. If a portion of land held by life estate and remainder, jointly, by the entirety, or in common by two or more individuals is not qualified to receive an exemption, such disqualification shall not affect the eligibility for an exemption or exemptions of the remaining portion.
  - (d) A taxpayer who is sixty years of age or over and who qualifies under subsection (a) shall be entitled to one of the following home exemptions:

<b>Age of Taxpayer</b>	<b>Exemption Amount</b>
60 years of age or over but not 65 years of age or over	\$85,000
65 years of age or over but not 70 years of age or over	\$90,000
70 years of age or over but not 75 years of age or over	\$105,000
75 years of age or over but not 80 years of age or over	\$110,000
80 years of age or over	\$125,000

For the purpose of this subsection, a husband and wife who own property by life estate and remainder, jointly, by the entirety, or in common, on which a home exemption under the provisions of subsection (a) has been granted shall be entitled to the applicable home exemption set forth above when at least one of the spouses qualifies each year for the applicable home exemption.

- (e) For purposes of this section, the term “real property owned and occupied as a principal home” is defined as the place where an individual has a true, fixed, permanent home and principal establishment, and to which place the individual has, whenever absent, the intention of returning. It is the place in which an individual has voluntarily fixed habitation, not for mere special, temporary, or vacation purpose, but with the intention of making a permanent home.
- (1) Four elements are necessary for real property to be considered a “principal home.”
- (A) The owner has no other home exemption or principal home in any other jurisdiction;
  - (B) The owner maintains the principal home residence within the County;
  - (C) The owner’s actual physical occupancy of the principal home within the County; and
  - (D) The owner has filed a Hawai‘i state income tax return as a full time resident for each fiscal year that the exemption is sought, or:
    - (i) In the case of an owner who has not earned sufficient income to require the filing of a Hawai‘i state income tax return, the owner may seek a conditional waiver of this requirement from the director by certifying that the only reason the waiver is sought is insufficient income to require the filing of a Hawai‘i state income tax return, and by providing evidence to the satisfaction of the director that the owner is a full time resident; or
    - (ii) In the case of an owner who relocated to the County of Hawai‘i and has not yet had the opportunity to file a Hawai‘i state income tax return, but intends to file a Hawai‘i state income tax return at the next tax return filing deadline, that owner may seek from the director a conditional waiver of this requirement by certifying that the owner shall file a Hawai‘i state income tax return within the next twelve months. In the event the owner does not file a Hawai‘i state income tax return within the twelve month period, the owner shall be charged the amount of tax that was exempted and shall not be eligible to apply for the exemption under this section for one year.
- (2) Maintaining a principal residence may be evidenced by one or more of the following:
- (A) Occupancy of the home in the County for more than two hundred calendar days of the calendar year for which the exemption is sought;
  - (B) Registering to vote in the County;
  - (C) Being stationed in the County under military orders of the United States and must claim residency only in Hawai‘i; or
  - (D) Possession of any of the following with a reported address within the County of Hawai‘i:
    - (i) Valid Hawai‘i driver’s license.
    - (ii) Hawai‘i state identification card.
    - (iii) Resident aliens possessing a valid resident alien card (“green card”) must claim residency only in Hawai‘i.

- (iv) Completed and signed copy of the owner's Hawai'i County voter registration application, with only the last four digits of the owner's social security number visible.
- (v) U.S. Internal Revenue Service tax return with only the last four digits of the social security number visible.

The director of finance may require documentation of the above or additional evidence of residence in the County from a property owner applying for an exemption or from an owner as evidence of continued qualification for an exemption. Failure to respond fully to the director's request, or in the event the director receives satisfactory evidence that a claimant occupies a permanent home outside the County or there is documented evidence the claimant resides outside of the County for more than one hundred sixty-five calendar days, shall be deemed grounds for denying a claim for exemption or disallowing an existing exemption.

- (f) Real property qualifying under subsection (a) shall be entitled to an additional exemption of twenty percent of the assessed value of the property not to exceed an additional \$100,000.

(1983 CC, c 19, art 10, sec 19-71; am 1990, ord 90-138, sec 5; am 1997, ord 97-84, sec 1; am 2004, ord 04-123, sec 3; am 2006, ord 06-147, sec 3; am 2014, ord 14-135, sec 2; am 2022, ord 22-90, secs 2-4; am 2023, ord 23-54, secs 3 and 4; ord 23-65, sec 1.)

**Section 19-72. Home, lease, lessees defined.**

For the purpose of section 19-71 the word "home" includes:

- (1) The entire homestead when it is occupied by the taxpayer as such;
- (2) A residential building on land held by the lessee or the lessee's successor in interest under a lease for a term of ten years or more for residential purposes and owned and used as a residence by the lessee or the lessee's successor in interest, where the lease and any extension, renewal, assignment, or agreement to assign the lease, have been duly entered into and recorded by the respective date set forth in subsection 19-68(a)(3), and whereby the lessee agrees to pay all taxes during the term of the lease;
- (3) An apartment which is a living unit (held under a proprietary lease by the tenant thereof) in a multi-unit residential building on land held by a cooperative apartment corporation (of which the proprietary lessee of such living unit is a stockholder) under a lease for a term of ten years or more for residential purposes and which apartment is used as a residence by the lessee-stockholder, where the lease and any extension or renewal have been duly entered into and recorded by the respective date set forth in subsection 19-68(a)(3), and whereby the lessee-stockholder agrees to pay all taxes during the term of the lease;
- (4) An apartment in a multi-unit apartment building which is occupied by the owner of the entire apartment building as the owner's residence;

- (5) That portion of a residential duplex and that portion of land appurtenant to the duplex which are occupied by the owner of the duplex and land as the owner's residence;
- (6) An apartment which is a living unit (held under a lease by the tenant thereof) in a multi-unit residential building used for retirement purposes under a lease for a term to last during the lifetime of the lessee and the lessee's surviving spouse and which apartment is used as a residence by the lessee and the lessee's surviving spouse, and where the apartment unit reverts back to the lessor upon the death of the lessee and the lessee's surviving spouse, and where the lease has been duly entered into and recorded by the respective date set forth in subsection 19-68(a)(3), and whereby the lessee agrees to pay all taxes during the term of the lease.

As used in section 19-71, in the first paragraph of section 19-48 and in section 19-68, the word "lease" shall be deemed to include a sublease, and the word "lessee" shall be deemed to include a sublessee.

(1983 CC, c 19, art 10, sec 19-72; am 1997, ord 97-84, sec 1; am 2004, ord 04-123, sec 4.)

**Section 19-73. Homes of disabled or unemployable veterans.**

- (a) Real Property owned and occupied as a home by any person who is 100 percent disabled or 100 percent unemployable, or both, due to injuries received while on duty with the armed forces of the United States, or owned by any such person together with such person's spouse and occupied by either or both spouses as a home, or owned or occupied by a widow or widower of such veteran who shall remain unmarried and who shall continue to own and occupy the premises as a home, is hereby exempted except for fifty percent of the minimum tax from property taxes, other than special assessments, provided:
  - (1) That such disability or unemployable status is the result of injuries incurred while on duty as a member of the armed forces of the United States, and that the department of finance may require proof of disability or unemployable status;
  - (2) That the home exemption shall be granted only as long as the veteran claiming exemption remains 100 percent disabled or 100 percent unemployable, or both; and
  - (3) That a person living on premises, a portion of which is used for commercial purposes, shall not be entitled to an exemption with respect to such portion, but shall be entitled to an exemption with respect to the portion used exclusively as a home; provided, that this exemption shall not apply to any structure, including the land thereunder, which is used for commercial purposes.

**Section 19-99. Appeal to board of review.**

The notice of appeal of a real property assessment must be lodged with the director on or before the date fixed by law for the taking of the appeal. An appeal to the board of review shall be deemed to have been taken in time if the notice thereof shall have been postmarked and properly addressed to the director, on or before such date.

The notice of appeal must be in writing and any such notice, however informal it may be, identifying the assessment involved in the appeal, stating the valuation claimed by the taxpayer and the grounds of objection to the assessment shall be sufficient. Upon the necessary information being furnished by the taxpayer to the director, the director shall prepare the notice of appeal upon request of the taxpayer or County and any notice so prepared by the director shall be deemed sufficient as to its form.

The appeal shall be considered and treated for all purposes as a general appeal and shall bring up for determination all questions of fact and all questions of law, excepting questions involving the Constitution or laws of the United States, necessary for the determination of the objections raised by the taxpayer in the notice of appeal. Any objection involving the Constitution or laws of the United States may be included by the taxpayer in the notice of appeal and in such case the objections may be heard and determined by the tax appeal court on appeal from a decision of the board of review; but this provision shall not be construed to confer upon the board of review the power to hear or determine such objections. Any notice of appeal may be amended at any time prior to the board's decision; provided the amendment does not substantially change the dispute or lower the valuation claimed.

(1983 CC, c 19, art 12, sec 19-99; am 1997, ord 97-84, sec 1.)

**Section 19-100. Cost; deposit for an appeal.**

The nonrefundable cost to be deposited by the taxpayer for an appeal to the board of review shall be \$50 for each real property tax appeal.

The cost to be deposited by the taxpayer on any appeal to the tax appeal court or the State supreme court shall be as provided in sections 232-22 and 232-23, Hawai'i Revised Statutes.

(1983 CC, c 19, art 12, sec 19-100; am 1991, ord 91-61, sec 2; am 1997, ord 97-84, sec 1; am 2010, ord 10-22, sec 2; am 2023, ord 23-28, sec 1.)

**Section 19-101. Repealed.**

(1983 CC, c 19, art 12, sec 19-101; am 1997, ord 97-84, sec 1; am 2010, ord 10-22, sec 3; rep 2023, ord 23-28, sec 2.)

**Section 19-102. Taxes paid pending appeal.**

The tax paid upon the amount of any assessment, actually in dispute and in excess of that admitted by the taxpayer, and covered by an appeal to the tax appeal court duly taken, shall be paid by the director into the "litigated claims account." If the final determination is in whole or in part in favor of the appealing taxpayer, the director shall repay to the taxpayer out of the account, or if investment of the account should result in a deficit therein, out of the general fund of the County, the amount of the tax paid upon the amount held by the court to have been excessive or nontaxable, together with interest at a rate to be determined by the director based upon the average interest rate earned on County investments during the previous fiscal year. Interest shall be calculated from the date of each payment into the litigated claims account. The balance, if any, of the payment made by the appealing taxpayer, or the whole of the payment, in case the decision is wholly in favor of the director, shall, upon the final determination become a realization of the general fund.

In a case of an appeal to a board of review, the tax paid upon the amount of the assessment actually in dispute and in excess of that admitted by the taxpayer, shall during the pendency of the appeal and until and unless an appeal is taken to the tax appeal court, be held by the director in the general fund of the County. In the event of final determination of the appeal in the board of review, the director shall repay to the appealing taxpayer out of the general fund the amount of the tax paid upon the amount held by the board to have been excessive or nontaxable, together with interest at a rate to be determined by the director based upon the average interest rate earned on County investments during the previous fiscal year. Interest shall be calculated from the date of each payment into the general fund of the County. The balance, if any, of the payment made by the appealing taxpayer, or the whole of the payment, in case the decision is wholly in favor of the director, shall, upon the final determination become a realization of the general fund.

(1983 CC, c 19, art 12, sec 19-102; am 1991, ord 91-61, sec 3; am 1997, ord 97-84, sec 1.)

**Section 19-103. Amendment of assessment list to conform to decision.**

The director shall alter or amend the assessment and the assessment list in conformity with the decision or judgment of the last board or court to which an appeal may have been taken.

(1983 CC, c 19, art 12, sec 19-103; am 1997, ord 97-84, sec 1.)

**Article 13. Tax Credits.****Section 19-104. Solar water heater tax credit established.**

- (a) An owner of real property that has a single-family dwelling, ohana dwelling, farm dwelling, duplex, or double-family dwelling unit(s) and who installs a solar water heater on the owner's property on or after January 1, 2008, shall be entitled to a one-time tax credit per tax map key of up to \$1,000 under this article against the owner's real property tax liability, except for the minimum tax from all property taxes.

<b>(g) Puna (Continued)</b>
<ul style="list-style-type: none"> <li>• Haunani Road, from a point six hundred thirty-five feet northwest of Maile Avenue to its northwestern terminus.</li> </ul>
<ul style="list-style-type: none"> <li>• Kaiewe Place.</li> </ul>
<ul style="list-style-type: none"> <li>• Kea'au Loop, from the access road serving the new Kea'au Self Help Subdivision to Route 11.</li> </ul>
<ul style="list-style-type: none"> <li>• Mahi'ai Road, from Amaumau Road to its southwestern terminus.</li> </ul>
<ul style="list-style-type: none"> <li>• North Oshiro Road, from Route 11 to Komo Street.</li> </ul>

(1996, ord 96-163, sec 2; am 1996, ord 96-139, sec 1; am 1997, ord 97-119, sec 1; am 2005, ord 05-148, sec 1; am 2009, ord 09-133, sec 2; ord 09-137, sec 2; am 2012, ord 12-82, sec 2; am 2014, ord 14-44, sec 2; am 2015, ord 15-20, 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:

<b>(a) Hāmākua</b>
<ul style="list-style-type: none"> <li>• Āhualoa Homestead Road.</li> </ul>
<ul style="list-style-type: none"> <li>• Honoka'a-Waipio Road, makai side, from a point three thousand eight hundred thirty feet (0.7 miles) northwest of Highway 19 and extending to a point two thousand five hundred fifteen feet northwest of Lehua Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Honoka'a-Waipio Road, mauka side, from a point thirty-eight thousand eight hundred thirty-seven feet (7.4 miles) southeast of Waipi'o Valley Road and extending three thousand four hundred eighty-six feet southeast of Lehua Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Lehua Street in Honoka'a, from the junction of Lehua and Plumeria Streets to Māmane Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Māmalahoa Highway (Āhualoa Road), from Honoka'a to the Hawai'i Belt Road at Waimea.</li> </ul>
<ul style="list-style-type: none"> <li>• Pakalana Street in Honoka'a, from a point four hundred feet mauka of Kukui Street to Māmane Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Plumeria Street in Honoka'a, from Hawai'i Belt Road entrance to Lehua Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Pōhākea Road, from the Old Māmalahoa Highway to the terminus of the paved portion.</li> </ul>
<b>(b) North Hilo</b>
<ul style="list-style-type: none"> <li>• Laupāhoehoe Beach Road access road.</li> </ul>
<ul style="list-style-type: none"> <li>• 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.</li> </ul>

<b>(c) South Hilo (Subdivision included at end)</b>
<ul style="list-style-type: none"> <li>• Ainaola Drive, from Malaai Road to its terminus in the mauka direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Akolea Road, from Haleloke Street to Kaūmana Drive.</li> </ul>
<ul style="list-style-type: none"> <li>• Aupuni Street, Kīlauea Avenue to Pauahi Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Banyan Drive.</li> </ul>
<ul style="list-style-type: none"> <li>• Banyan Way, from Kalanianaʻole Avenue to Banyan Drive.</li> </ul>
<ul style="list-style-type: none"> <li>• Chin Chuck Road, beginning at a point 1.6 miles west of the Hawaiʻi Belt Road and extending .7 mile in the westerly direction to the end of the paved section of Chin Chuck Road.</li> </ul>
<ul style="list-style-type: none"> <li>• Haleloke Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Hualālai Villa, on the following streets:               <ul style="list-style-type: none"> <li>- Hale Nani Place.</li> <li>- Hale Nani Street.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Kaiwiki Road, beginning at a point 0.6 mile mauka of the Old Hawaiʻi Belt Road and extending to its mauka terminus.</li> </ul>
<ul style="list-style-type: none"> <li>• Kalanianaʻole Street, James Kealoha Park Access Road to Leleiwi Street.</li> </ul>
<ul style="list-style-type: none"> <li>• All streets within the area bounded by Kamehameha Avenue, Ponahawai Street, Kinoʻole Street, and Wailuku Drive.</li> </ul>
<ul style="list-style-type: none"> <li>• Kawailani Street, from its western terminus to a point one hundred sixty-five feet east of Makani Circle.</li> </ul>
<ul style="list-style-type: none"> <li>• Kūkūau Street, from Komohana Street to Kapiʻolani Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Lanakila Homes area, all streets.</li> </ul>
<ul style="list-style-type: none"> <li>• Lihikai Street, from Kamehameha Avenue to the unnamed roadway into the pier and lighthouse.</li> </ul>
<ul style="list-style-type: none"> <li>• Māmalahoa Highway in Papaʻikou, from Yoshiyama Store to Kalanianaʻole School.</li> </ul>
<ul style="list-style-type: none"> <li>• Piʻihonua Road, beginning from its start at the southern terminus of Bridge 25-2, extending to a point approximately .7 mile in the northerly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Waiānuenu Avenue, from Akolea Road to its terminus at the southern terminus of Bridge 25-2.</li> </ul>
<ul style="list-style-type: none"> <li>• Waiānuenu Avenue, from Halaʻi Street to Bayfront Highway.</li> </ul>
<ul style="list-style-type: none"> <li>• Wainaku Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Wiliwili Street, from Kaūmana Drive to Uluwai Street.</li> </ul>
<i>ʻAlae Point Subdivision, South Hilo:</i>
<ul style="list-style-type: none"> <li>• Kahoa Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Makakai Place.</li> </ul>
<ul style="list-style-type: none"> <li>• Nahala Street.</li> </ul>
<i>Mohouli Subdivision in Waiākea, South Hilo:</i>
<ul style="list-style-type: none"> <li>• Hilinaʻi Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Hoopuni Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Iloko Street.</li> </ul>



<b>(g) Puna (Continued)</b>
• Ali'i Koa Street.
• Amaumau Road.
• Anuheha Street.
• Hāpu'u Road, from Nānāwale Boulevard to Maui Road.
• Haunani Road, from Highway 11 to a point six hundred thirty-five feet northwest of Maile Avenue.
• Huina Road, beginning at a point 0.8 mile west of Volcano Highway and extending 1.6 miles to Luhi Road.
• Kahakai Boulevard, from the property line between parcels 1-5-9:09 and 1-5-9:59 and extending fifty eight feet northeast of 'A'ama Street.
• Kēhau Road, from Nānāwale Boulevard to Maui Road.
• Kōloa Maoli Road.
• Kukui Camp Road, from the Hawai'i Belt Road to its terminus.
• Mahi'ai Road, from its northeastern terminus to Amaumau Road.
• Moho Road
• Mokuna Street.
• North Ala Road, Route 11 to Huina Road.
• North Glenwood Road, from Route 11 to a point 2.2 miles in the westerly direction.
• North Kulani Road, Route 11 to Pacific Paradise Gardens Subdivision.
• Old Volcano Highway, in Volcano Village.
• Old Volcano Road.
• 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.
• 'Opihikao-Kamā'ili Road, between a point 3 miles makai of Route 130 and Route 137.
• 'Opihikao-Kamā'ili Road, between points 1.1 and 2.8 miles makai of Route 130.
• Pa Ali'i Street.
• Pāhoa Road, from a point 0.75 miles Pāhoa of Kahakai Boulevard to the Kapoho Pāhoa-Kalapana Road junction.
• Pāhoa Solid Waste Disposal Road, known as the Pāhoa By Pass Road, for its entire length.
• Pohoiki Road, between a point 1.55 miles makai of Route 132 and Route 137.
• South Kūlani Road, from a point three hundred feet northwest of bridge 18-1 to its southeastern terminus.

<b>(g) Puna (Continued)</b>
<ul style="list-style-type: none"> <li>• South Kūlani Road, from Volcano Road to the property line between parcels 1-8-086:026 and 1-8-086:027.</li> </ul>
<ul style="list-style-type: none"> <li>• Wright Road, from a point six thousand six hundred eighty-five feet northwest of Olomea road to its northwestern terminus.</li> </ul>
<ul style="list-style-type: none"> <li>• Wright Road, from its southeastern terminus to Olomea Road.</li> </ul>

(1996, ord 96-163, sec 2; am 1996, ord 96-145, sec 2; am 1997, ord 97-2, sec 2; ord 97-76, sec 1; ord 97-94, sec 1; ord 97-97, sec 1; am 1998, ord 98-131, secs 1 and 2; am 1999, ord 99-65, secs 7 and 8; ord 99-85, sec 2; ord 99-135, sec 2; am 2000, ord 00-39, sec 1; am 2001, ord 01-62, sec 2; ord 01-96, sec 2; am 2008, ord 08-63, sec 2; am 2009, ord 09-24, sec 1; ord 09-61, sec 1; ord 09-95, sec 1; ord 09-98, sec 1; ord 09-99, sec 1; ord 09-130, sec 2; ord 09-134, sec 2; am 2010, ord 10-39, sec 1; ord 10-40, sec 1; ord 10-41, sec 1; ord 10-86, sec 1; am 2012, ord 12-60, sec 2; ord 12-71, sec 2; ord 12-117, secs 2 and 3; ord 12-166, sec 2; ord 12-167, sec 2; am 2013, ord 13-55, secs 2 and 3; am 2014, ord 14-26, sec 2; ord 14-45, sec 2; ord 14-93, secs 2 and 3; am 2015, ord 15-21, secs 2 and 3; ord 15-108, sec 3; am 2016, ord 16-64, sec 2; am 2017, ord 17-60, sec 2; am 2023, ord 23-58, sec 3; am 2024, ord 24-15, sec 2.)

**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:

<b>(a) Hāmākua</b>
<ul style="list-style-type: none"> <li>• Mauna Kea Road, from a point 2.46 miles north of the Saddle Road intersection to Hale Pōhaku.</li> </ul>
<b>(b) North Hilo</b>
<b>(c) South Hilo</b>
<ul style="list-style-type: none"> <li>• Hoaka Road, Ainaola Drive to Malaai Road.</li> <li>• Kīlauea Avenue from Ponahawai Street to Lono Street.</li> <li>• Kūkūau Street, from Komohana Street to a point one hundred fifty feet southwest of Kahikini Street.</li> <li>• Lama Street, Kanoelehua Street to Railroad Avenue.</li> <li>• Leilani Street, from Kanoelehua Avenue to Kekūanaō‘a Street.</li> <li>• Makalika Street, Kanoelehua Street to Railroad Avenue.</li> <li>• Māmaki Street, Stainback Highway to Awa Street.</li> </ul>
<b>(d) Ka‘ū</b>
<ul style="list-style-type: none"> <li>• Kamā‘oa Road, from a point 0.4 mile west of Route 11 for a distance of 2.6 miles towards South Point Road.</li> </ul>

<b>(e) Kohala</b>
<ul style="list-style-type: none"> <li>• Kawaihae Road (FAP Route 19), Māmalahoa Highway to the beginning of the State Highway.</li> </ul>
<ul style="list-style-type: none"> <li>• Māmalahoa Highway in Waimea, from Lindsey Road to a point five thousand five hundred feet in the Honoka‘a direction, in the vicinity of Fukushima Store.</li> </ul>
<b>(f) Kona</b>
<ul style="list-style-type: none"> <li>• Ali‘i Drive, from Mākole‘ā Street to Kamehameha III Road.</li> </ul>
<ul style="list-style-type: none"> <li>• Ali‘i Drive, from Wālua Road to the property line between parcels 7-8-014:005 and 7-8-014:006.</li> </ul>
<ul style="list-style-type: none"> <li>• Hawai‘i Belt Road (Highway 11), from a point five thousand one hundred feet south of the terminus of the State Highway in Honalo to a point two hundred thirty-five feet north of Haukapila Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Hawai‘i Belt Road (Highway 11), from a point one thousand feet south of Hale Ke‘eke‘e Place to the beginning of the State Highway in Captain Cook.</li> </ul>
<ul style="list-style-type: none"> <li>• Māmalahoa Highway, from Honokōhau (Palani) Junction to the Keauhou Junction.</li> </ul>
<b>(g) Puna</b>
<ul style="list-style-type: none"> <li>• Government Beach Road, from Pāhoa-Kapoho Road to Papaya Farms Road.</li> </ul>
<ul style="list-style-type: none"> <li>• Huina Road, Volcano Highway to a point 0.8 mile west.</li> </ul>
<ul style="list-style-type: none"> <li>• Kalapana-Kapoho Beach Road, from a point six thousand three hundred sixty-one feet south of Kapoho Kai Drive to its southern terminus.</li> </ul>
<ul style="list-style-type: none"> <li>• North Kūlani Road, Pacific Paradise Gardens Subdivision to Ihope Road.</li> </ul>
<ul style="list-style-type: none"> <li>• Pāhoa Road, from Kahakai Boulevard for a distance of 0.75 mile in the Pāhoa direction.</li> </ul>

(1996, ord 96-163, sec 2; am 1997, ord 97-76, sec 2; ord 97-97, sec 2; am 1998, ord 98-131, secs 3 and 4; am 2003, ord 03-95, sec 1; am 2008, ord 08-63, sec 1; am 2009, ord 09-96, sec 1; am 2012, ord 12-74, sec 2; ord 12-75, sec 2; ord 12-83, sec 2; am 2014, ord 14-94, secs 2 and 3; am 2016, ord 16-51, sec 2; am 2019, ord 19-42, sec 1; am 2023, ord 23-58, sec 2.)

**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:

<b>(a) Hāmākua</b>
<ul style="list-style-type: none"> <li>Honoka‘a-Waipī‘o Road, from a point thirty-one thousand nine hundred ninety-eight feet (6.1 miles) northwest of Lehua Street and extending three thousand one hundred forty-two feet in the northwesterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>Honoka‘a-Waipī‘o Road, makai side, from a point eight thousand five hundred sixty-three feet (1.6 miles) northwest of Lehua Street and extending one thousand two hundred feet in the northwesterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>Honoka‘a-Waipī‘o Road, makai side, from a point eighteen thousand six hundred fifty-five feet (3.5 miles) northwest of Lehua Street and extending five thousand three hundred forty-one feet in the northwesterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>Honoka‘a-Waipī‘o Road, makai side, from a point thirty-nine thousand eight hundred thirty-eight feet (7.5 miles) northwest of Lehua Street and extending to the intersection of Waipi‘o Valley Road.</li> </ul>
<ul style="list-style-type: none"> <li>Honoka‘a-Waipī‘o Road, mauka side, from a point five thousand nine hundred fifteen feet (1.1 miles) east of Waipi‘o Valley Road and extending three thousand nine feet in the southeasterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>Honoka‘a-Waipī‘o Road, mauka side, from a point seventeen thousand three hundred eighteen feet (3.3 miles) southeast of Waipi‘o Valley Road and extending five thousand ninety-seven feet in the southeasterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>Honoka‘a-Waipī‘o Road, mauka side, from a point thirty-one thousand five hundred seventy-three feet (6.0 miles) southeast of Waipi‘o Valley Road and extending one thousand two hundred ten feet in the southeasterly direction.</li> </ul>
<b>(b) North Hilo</b>
<b>(c) South Hilo</b>
<ul style="list-style-type: none"> <li>Ainako Avenue.</li> </ul>
<ul style="list-style-type: none"> <li>Ainaola Drive, from Kawailani Street to Māla‘ai Road.</li> </ul>
<ul style="list-style-type: none"> <li>‘Ākōlea Road, from Waiānuenue Avenue to Haleloke Street.</li> </ul>
<ul style="list-style-type: none"> <li>Chin Chuck Road, Hawai‘i Belt Road to a point 1.6 miles west.</li> </ul>
<ul style="list-style-type: none"> <li>Haihai Street.</li> </ul>
<ul style="list-style-type: none"> <li>‘Iwalani Street, between Kawailani Street and Puainako Street.</li> </ul>
<ul style="list-style-type: none"> <li>Kaiwiki Road, beginning at the Old Hawai‘i Belt Road and extending a distance of 0.6 mile in the mauka direction.</li> </ul>

<b>(c) South Hilo (Continued)</b>
<ul style="list-style-type: none"> <li>• Kalanianaʻole Street, from Kamehameha Avenue to James Kealoha Park Access Road.</li> </ul>
<ul style="list-style-type: none"> <li>• Kamehameha Avenue, from Ponahawai Street to Route 19, in the vicinity of the old Hilo Iron Works.</li> </ul>
<ul style="list-style-type: none"> <li>• Kaūmana Drive.</li> </ul>
<ul style="list-style-type: none"> <li>• Kawaiiani Street, from a point one hundred sixty-five feet east of Makani Circle to Highway 11.</li> </ul>
<ul style="list-style-type: none"> <li>• Kāwili Street between Kinoʻole Street and Puainako Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Kekūanaōʻa Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Kīlauea Avenue, from Lono Street to Hale Manu Drive.</li> </ul>
<ul style="list-style-type: none"> <li>• Kinoʻole Street, from Haihai Street to Ponahawai Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Komohana Street, between Ponahawai Street and Waiānuenu Avenue.</li> </ul>
<ul style="list-style-type: none"> <li>• Komohana Street, from Ainaola Drive to Puainako Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Kūkūau Street, from a point one hundred fifty feet southwest of Kahikini Street to its southwestern terminus.</li> </ul>
<ul style="list-style-type: none"> <li>• Kumukoʻa Street, from Mohouli Street to Lanikāula Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Lanikāula Street, from Kumukoʻa Street to Kanoelehua Avenue.</li> </ul>
<ul style="list-style-type: none"> <li>• Māmalahoa Highway, from its junction with the Hawaiʻi Belt Road at Andrade Camp Road toward Hilo to its junction with the Hawaiʻi Belt Road at Pāpaʻikou in the vicinity of Kalanianaʻole School.</li> </ul>
<ul style="list-style-type: none"> <li>• Manono Street, from Kamehameha Avenue to Kāwili Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Mohouli Street, from Komohana Street to Kinoʻole Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Mohouli Street, Uluwai Street to Kaūmana Drive.</li> </ul>
<ul style="list-style-type: none"> <li>• Pauahi Street, from Kamehameha Avenue to Kīlauea Avenue.</li> </ul>
<ul style="list-style-type: none"> <li>• Puainako Street, westbound lane, from a point four hundred fifty feet west of Kaūmana Drive to its western terminus and eastbound lane, from a point 3.57 miles east of Wilder Road to Komohana Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Railroad Avenue, from a point eight hundred forty feet south of Kūkila Street to its southern terminus.</li> </ul>
<ul style="list-style-type: none"> <li>• Saddle Road, from Country Club Drive to the 18.8 mile point.</li> </ul>
<ul style="list-style-type: none"> <li>• Stainback Highway, Route 11 to a point eight hundred ninety feet west of the Panaʻewa Zoo access road.</li> </ul>
<ul style="list-style-type: none"> <li>• Waiānuenu Avenue, from mauka terminus to Hālaʻi Street.</li> </ul>
<b>(d) Kaʻū</b>
<ul style="list-style-type: none"> <li>• South Point Road.</li> </ul>
<b>(e) Kohala</b>
<ul style="list-style-type: none"> <li>• Māmalahoa Highway (Highway 190), from Lindsey Road to the end of the County-maintained portion eighty-one feet south of Lalamilo Farm Road.</li> </ul>

<b>(e) Kohala (Continued)</b>
<ul style="list-style-type: none"> <li>• Mānā Road, from Māmalahoa Highway for a distance of two thousand two hundred feet.</li> </ul>
<ul style="list-style-type: none"> <li>• Paniolo Avenue from Paniolo Place to its terminus.</li> </ul>
<ul style="list-style-type: none"> <li>• Puakō Beach Road, from the Queen Ka‘ahumanu Highway to a point five hundred feet makai of the Rubbish Dump Road.</li> </ul>
<ul style="list-style-type: none"> <li>• Waikoloa Road, beginning at ‘Auwaiakeakua Gulch Bridge and extending 1.1 miles in the mauka direction.</li> </ul>
<b>(f) Kona</b>
<ul style="list-style-type: none"> <li>• Ali‘i Drive, from Kamehameha III Road to Māmalahoa Bypass Highway.</li> </ul>
<ul style="list-style-type: none"> <li>• Hina-Lani Street, Māmalahoa Highway (Route 190) to ‘Anini Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Hiona Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Ka‘iminani Drive, from Ane Keohokālole Highway to Highway 190.</li> </ul>
<ul style="list-style-type: none"> <li>• Ka‘iminani Drive, from Highway 19 to Lau‘i Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Ka‘iminani Drive, Queen Ka‘ahumanu Highway to Lau‘i Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Kaloko Drive, from the Hawai‘i Belt Road (Route 190) to a point .5 mile in the easterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Kamehameha III Road, from Kuakini Highway to Ali‘i Drive.</li> </ul>
<ul style="list-style-type: none"> <li>• Kuakini Highway, from a point four hundred feet south of Hualālai Road to the property line between the parcels identified as Tax Map Key Numbers (3) 7-5-017:005 and (3) 7-5-017:002.</li> </ul>
<ul style="list-style-type: none"> <li>• Palani Road, from FASC Route 180 (Hōlualoa Road) to Queen Ka‘ahumanu Highway.</li> </ul>
<b>(g) Puna</b>
<ul style="list-style-type: none"> <li>• Ainaloa Boulevard, from Highway 130 to Stardust Drive.</li> </ul>
<ul style="list-style-type: none"> <li>• Hāpu‘u Road, from Maui Road to its northern terminus.</li> </ul>
<ul style="list-style-type: none"> <li>• Kahakai Boulevard, from a point fifty eight feet northeast of ‘A‘ama Street to its northeastern terminus.</li> </ul>
<ul style="list-style-type: none"> <li>• Kalapana-Kapoho Beach Road, from its northern terminus to Kapoho Kai Drive.</li> </ul>
<ul style="list-style-type: none"> <li>• Kēhau Road, from Maui Road to its northern terminus.</li> </ul>
<ul style="list-style-type: none"> <li>• Leilani Estates Avenue.</li> </ul>
<ul style="list-style-type: none"> <li>• Nānāwale Boulevard.</li> </ul>
<ul style="list-style-type: none"> <li>• North Kūlani Road, Ihope Road to Stainback Highway.</li> </ul>
<ul style="list-style-type: none"> <li>• ‘Opihikao-Kamā‘ili Road, between Route 130 and a point 1.1 miles in the makai direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Pāhoa-Kapoho Road, from a point seven hundred fifty feet west of Kalapana-Kapoho Beach Road to its eastern terminus.</li> </ul>

<b>(g) Puna (Continued)</b>
<ul style="list-style-type: none"> <li>• Pohoiki Road, between Route 132 and a point 1.55 miles in the makai direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Route 132, from Route 130 to the Pohoiki Road Junction.</li> </ul>
<ul style="list-style-type: none"> <li>• South Glenwood Road, from Route 11, to a point 0.86 mile in the southeasterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• South Kopua Road.</li> </ul>
<ul style="list-style-type: none"> <li>• South Kūlani Road, from the property line between parcels 1-8-086:026 and 1-8-086:027 and extending three hundred feet northwest of Bridge 18-1.</li> </ul>
<ul style="list-style-type: none"> <li>• Wright Road, from Olomea Road and extending six thousand six hundred eighty-five feet northwest of Olomea Road.</li> </ul>

(1996, ord 96-163, sec 2; am 1997, ord 97-2, sec 1; ord 97-94, sec 2; ord 97-96, sec 1; am 1998, ord 98-42, sec 1; ord 98-101, sec 1; am 1999, ord 99-84, sec 1; ord 99-135, sec 3; am 2000, ord 00-39, sec 2; ord 00-96, secs 1 and 2; am 2001, ord 01-62, sec 3; am 2003, ord 03-8, secs 1 and 2; ord 03-95, sec 2; am 2009, ord 09-12, sec 1; am 2010, ord 10-78, sec 1; ord 10-86, sec 2; am 2012, ord 12-61, sec 2; ord 12-100, sec 2; ord 12-118, sec 2; am 2013, ord 13-33, sec 2; ord 13-54, sec 2; am 2014, ord 14-27, sec 2; am 2015, ord 15-28, sec 2; ord 15-108, sec 2; am 2016, ord 16-53, sec 2; ord 16-64, sec 3; am 2017, ord 17-10, sec 2; ord 17-60, sec 3; am 2018, ord 18-38, secs 1 and 2; am 2019, ord 19-41, sec 1; am 2024, ord 24-15, sec 3.)

**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.

**Section 24-259. Schedule 7. 40 mile per hour limit.**

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

<b>(a) Hāmākua</b>
<ul style="list-style-type: none"> <li>• Honoka‘a-Waipio Road, makai side, from Highway 19 to a point three thousand eight hundred thirty feet in the northwesterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Honoka‘a-Waipio Road, mauka side, from a point three thousand four hundred eighty-six feet (0.7 miles) southeast of Lehua Street to Highway 19.</li> </ul>
<ul style="list-style-type: none"> <li>• Mauna Kea Road, from Saddle Road intersection to a point 2.45 miles north.</li> </ul>
<b>(b) North Hilo</b>

<b>(c) South Hilo</b>
<ul style="list-style-type: none"> <li>• Ponahawai Street, from a point 0.2 mile mauka of Kapi‘olani Street to Komohana Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Puainako Street, westbound lane, from a point 3.30 miles west of Komohana Street to a point four hundred fifty feet west of Kaūmana Drive and eastbound lane from its western terminus to a point 0.46 mile east of Wilder Road.</li> </ul>
<b>(d) Ka‘ū</b>
<ul style="list-style-type: none"> <li>• Kamā‘oa Road, from a point three miles west of Route 11 to South Point Road.</li> </ul>
<b>(e) Kohala</b>
<b>(f) Kona</b>
<ul style="list-style-type: none"> <li>• Kaloko Drive, from a point .5 mile east of Hawai‘i Belt Road (Route 190) to its eastern terminus.</li> </ul>
<b>(g) Puna</b>

(1996, ord 96-163, sec 2; am 1997, ord 97-97, sec 3; am 1998, ord 98-101, sec 2; ord 98-131, secs 5 and 6; am 2010, ord 10-78, sec 2; am 2024, ord 24-15, sec 4.)

**Section 24-260. Schedule 8. 45 mile per hour limit.**

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

<b>(a) Hāmākua</b>
<ul style="list-style-type: none"> <li>• Honoka‘a-Waipio Road, makai side, from a point nine thousand seven hundred sixty-three feet (1.8 miles) northwest of Lehua Street and extending eight thousand eight hundred ninety-two feet in the northwesterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Honoka‘a-Waipio Road, makai side, from a point thirty-five thousand one hundred forty feet (6.7 miles) northwest of Lehua Street and extending four thousand six hundred ninety-eight feet in the northwesterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Honoka‘a-Waipio Road, makai side, from a point twenty-three thousand nine hundred ninety-six feet (4.5 miles) northwest of Lehua Street and extending eight thousand two feet in the northwesterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Honoka‘a-Waipio Road, makai side, from a point two thousand five hundred fifteen feet (0.5 miles) northwest of Lehua Street and extending six thousand forty-eight feet in the northwesterly direction.</li> </ul>



<b>(a) Hāmākua (Continued)</b>
<ul style="list-style-type: none"> <li>• Honoka‘a-Waipio Road, mauka side, from a point eight thousand nine hundred twenty-four feet (1.7 miles) southeast of Waipi‘o Valley Road and extending eight thousand three hundred ninety-four feet in the southeasterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Honoka‘a-Waipio Road, mauka side, from a point thirty-two thousand seven hundred eighty-three feet (6.2 miles) southeast of Waipi‘o Valley Road and extending six thousand fifty-four feet in the southeasterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Honoka‘a-Waipio Road, mauka side, from a point twenty-two thousand four hundred fifteen feet (4.2 miles) southeast of Waipi‘o Valley Road and extending nine thousand one hundred fifty-eight feet in the southeasterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Honoka‘a-Waipio Road, mauka side, from the intersection of Waipi‘o Valley Road to a point five thousand nine hundred fifteen feet in the easterly direction.</li> </ul>
<b>(b) North Hilo</b>
<b>(c) South Hilo</b>
<ul style="list-style-type: none"> <li>• Komohana Street, from Puainako Street to Ponahawai Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Mohouli Street, Komohana Street to Uluwai Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Puainako Street, eastbound lane, from a point 3.44 miles east of Wilder Road to a point seven hundred feet in the easterly direction.</li> </ul>
<b>(d) Ka‘ū</b>
<b>(e) Kohala</b>
<ul style="list-style-type: none"> <li>• Māmalahoa Highway in Waimea, from Mud Lane to a point five thousand five hundred feet Honoka‘a (Fukushima Store) of the Waimea to Hāwī Road.</li> </ul>
<ul style="list-style-type: none"> <li>• Saddle Road, from the 18.8 mile point to the Māmalahoa Highway in South Kohala.</li> </ul>
<ul style="list-style-type: none"> <li>• Waikoloa Road, from a point 1.1 miles mauka of ‘Auwaiakeakua Gulch Bridge and extending 1.7 miles in the mauka direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Waikoloa Road, Queen Ka‘ahumanu Highway to ‘Auwaiakeakua Gulch Bridge.</li> </ul>

<b>(f) Kona</b>
<ul style="list-style-type: none"> <li>• Hina-Lani Street, Anini Street to Kamanu Street.</li> <li>• Ka'iminani Drive, from Ane Keohokālole Highway to Lau'i Street.</li> <li>• Kuakini Highway, from the property line between the parcels identified as Tax Map Key Numbers (3) 7-5-017:005 and (3) 7-5-017:002 to Highway 11.</li> <li>• Māmalahoa Bypass Highway.</li> </ul>
<b>(g) Puna</b>
<ul style="list-style-type: none"> <li>• Kahakai Boulevard, Highway 130 to the property line between parcels 1-5-9:09 and 1-5-9:59.</li> <li>• Kalapana-Kapoho Beach Road, from Kapoho Kai Drive and extending six thousand three hundred sixty-one feet in the southerly direction.</li> <li>• Māmalahoa Highway in Kea'au, from Milo Street to the lower Kea'au Connection.</li> </ul>

(1996, ord 96-163, sec 2; am 1998, ord 98-42, sec 2; ord 98-88, sec 1; ord 98-130, sec 1; am 1999, ord 99-84, sec 2; am 2000, ord 00-96, sec 3; am 2003, ord 03-8, sec 3; am 2009, ord 09-11, sec 1; am 2010, ord 10-78, sec 3; ord 10-86, sec 3; am 2012, ord 12-62, sec 2; ord 12-115, sec 2; am 2013, ord 13-53, sec 2; am 2016, ord 16-52, sec 2; am 2017, ord 17-11, sec 2; am 2018, ord 18-39, sec 1; am 2024, ord 24-15, sec 5.)

**Section 24-261. Schedule 9. Reserved.\***

\* **Editor's Note:** Since this schedule duplicated schedule 8, the streets listed under this schedule were moved to schedule 8.

**Section 24-262. Schedule 10. 50 mile per hour limit.**

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

<b>(a) Hāmākua</b>
<b>(b) North Hilo</b>

Intentionally left blank.

<b>(c) South Hilo</b>
<ul style="list-style-type: none"> <li>• Waiānuenuenu Avenue in South Hilo, from Kapi'olani Street to Hāla'i Street, during the school hours of 7:00 a.m. to 8:00 a.m. and 2:00 p.m. to 3:00 p.m., except at marked crosswalks.</li> </ul>
<b>(d) Ka'ū</b>
<b>(e) Kohala</b>
<b>(f) Kona</b>
<b>(g) Puna</b>

(1996, ord 96-163, sec 2; am 2010, ord 10-82, sec 1; am 2013, ord 13-52, sec 2.)

### Division 5. Parking.

#### Section 24-279. Schedule 27. Parking on pavement prohibited at all times.

When signs are erected giving notice thereof, no person shall at any time park a vehicle upon any of the following described streets or portions of streets:

<b>(a) Hāmākua</b>
<ul style="list-style-type: none"> <li>• Loke Street, both sides, between Ohia Street and Miulana Place.</li> </ul>
<b>(b) North Hilo</b>
<b>(c) South Hilo</b>
<ul style="list-style-type: none"> <li>• Desha Avenue, both sides, between Andrews Avenue and Baker Avenue.</li> <li>• Government Road (TMK 2-7-029), North Hāmākua side, from a point five hundred fifty-seven feet West of Old Māmalahoa Highway to Western terminus.</li> <li>• Government Road (TMK 2-7-029), South Hilo side.</li> <li>• Hualilili Street, both sides, beginning at Kaūmana Drive and extending one hundred sixty-eight feet in the southeasterly direction.</li> <li>• Ka'ie'ie Homestead Road, for its entire length.</li> <li>• Kīlauea Avenue, both sides, between Kawaiiani Street and Ohea Street.</li> <li>• The old Māmalahoa Highway, mauka side, beginning at the Plantation Road and ending at the unnamed roadway leading into Onomea Park Subdivision.</li> <li>• Pukihae Street, for its entire length.</li> </ul>

<b>(d) Ka‘ū</b>
<ul style="list-style-type: none"> <li>• Government Road, east side, from a point two hundred and three feet south of Ninole Loop Road and extending one hundred ten feet in the northern direction.</li> </ul>
<b>(e) Kohala</b>
<ul style="list-style-type: none"> <li>• Pomaika'i Place, both sides, for its entire length.</li> <li>• Kaomoloa Road, from Highway 190 to Kaleiohu Street.</li> </ul>
<b>(f) Kona</b>
<ul style="list-style-type: none"> <li>• Ahikawa Street.</li> <li>• Ali'i Drive from Disappearing Sands Beach to the County park adjacent to Keauhou Hotel, except as provided in schedule 28, sections 24-280(d)(9) and (d)(10).</li> <li>• Belt Highway, mauka side, beginning at station 30+30 and extending four hundred thirty-five feet in the southerly direction to the Phillips 66 service station in Kainaliu.</li> <li>• Kilohana Street, east side, from a point seventy-one feet north of Sunset Drive to a point one hundred seventy-four feet south of Ailina Street.</li> <li>• Kilohana Street, west side, from a point one hundred eighty-seven feet south of Ailina Street to Sunset Drive.</li> <li>• The first street off Kinue Road mauka of Māmalahoa Highway and located between Māmalahoa Highway and Muliwai Place in the J. M. Tanaka Subdivision in Kealakekua, South Kona.</li> <li>• Marlin Road.</li> <li>• Ono Road.</li> <li>• Puuhalo Street, from a point thirty-five feet northwest of Konalani Street to a point thirty-five feet southeast of Palihilo Street, both sides.</li> </ul>
<b>(g) Puna</b>
<ul style="list-style-type: none"> <li>• Kalapana-Kapoho Beach Road, on the north (mauka) side, from a point four hundred feet southwest of Oliana Drive and extending four hundred fifty feet in the southwesterly direction.</li> <li>• Kalapana-Kapoho Beach Road, on the north (mauka) side, from a point one thousand feet southwest of Oliana Drive and extending one hundred fifty feet in the southwesterly direction.</li> </ul>

<b>(g) Puna (Continued)</b>
<ul style="list-style-type: none"> <li>• Kalapana-Kapoho Beach Road, on the north (mauka) side, from a point one thousand three hundred eighty-five feet southwest of Oliana Drive and extending four hundred forty-five feet in the southwesterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Kalapana-Kapoho Beach Road, on the south (makai) side, from Oliana Drive to the Kehena Beach Parking Lot.</li> </ul>

(1996, ord 96-163, sec 2; am 1997, ord 97-141, sec 1; am 2008, ord 08-41, sec 1; am 2014, ord 14-104, sec 2; am 2015, ord 15-3, sec 2; ord 15-90, sec 2; am 2018, ord 18-19, sec 1; ord 18-37, sec 1; am 2022, ord 22-15, sec 1; am 2024, ord 24-20, sec 2; ord 24-30, sec 2.)

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**Section 24-280. Schedule 28. No parking at anytime.**

When signs are erected giving notice thereof, no person shall at any time park a vehicle upon any of the following described streets or portion of streets:

<b>(a) Hāmākua</b>
• Kika Street, Waipi'o side, in Honoka'a.
• Ko'a Street, makai side, in Honoka'a.
• Koniaka Place, for its entire length.
• Kukui Street, beginning at Pakalana Street and extending five hundred ninety feet in the easterly direction.
• Lehua Street, Hilo side from Māmane Street to the Catholic Church.
• Lehua Street, Waipio side, beginning from Māmane Street and ending one hundred seventy feet in the mauka direction.
• Māmalahoa Highway, mauka side, from the Pa'auilo School Road to the Hawai'i Belt Road (Project DF-019-2(5)) in Pa'auilo.
• Old Mamalahoa Highway (Route 222), beginning from 3.7 miles east of the northwest junction to Highway 19 and extending one thousand five hundred and nine feet in the easterly direction on both sides of the roadway.
• Pakalana Street, Waipio side, from Māmane Street to a distance of one hundred feet mauka of Kukui Street.
• Plumeria Street, Waipio side, in Honoka'a.

Intentionally left blank.

<b>(f) Kona (Continued)</b>
<ul style="list-style-type: none"> <li>• Ali'i Drive, northeast (mauka) side, from a point seven hundred eighty feet southeast of Queen Kalama Avenue and extending two thousand nine hundred five feet southeast of Royal Poinciana Drive.</li> </ul>
<ul style="list-style-type: none"> <li>• Ali'i Drive, northeast (mauka) side, from a point two thousand six hundred ninety-five feet southeast of Royal Poinciana Drive and extending seventy-five feet northwest of Royal Poinciana Drive, except for the parking fronting the parcel identified by Tax Map Key Number (3) 7-6-015:009.</li> </ul>
<ul style="list-style-type: none"> <li>• Ali'i Drive, northeast (mauka) side, from the property line between parcels identified by Tax Map Key Numbers (3) 7-5-020:072 and 7-5-020:073 and extending two thousand nine hundred thirty-five feet southeast of Lunapule Road.</li> </ul>
<ul style="list-style-type: none"> <li>• Ali'i Drive, west (makai) side, from a point one hundred feet south of Makole'a Street and extending six hundred twenty-two feet north of Makole'a Street.</li> </ul>
<ul style="list-style-type: none"> <li>• Ali'i Drive, west (makai) side, from a point nine hundred thirty-six feet north of Makole'a Street and extending thirty-three feet in northerly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Ali'i Drive, west (makai) side, from a point seven hundred eighty-one feet north of Makole'a street and extending seventy-three feet in a northerly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Ali'i Drive, west (makai) side, from a point two thousand six feet north of La'aloa Avenue and extending twenty-eight feet in a northerly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Belt Highway, mauka side, beginning at Station 8+00 across the Honalo Shopping Center and extending 0.4 mile in the southerly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Captain Cook, on the west side of Route 11, beginning at a point 0.15 mile south of Nāpō'opo'o Road (Palipoko Road) intersection for a distance of four hundred feet in a southerly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Haleki'i Street, both sides, from a point four hundred ten feet west of Muli Street and extending one hundred sixty feet in the westerly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Hanama Place, from its terminus to a point one hundred eighty feet in the southerly direction, except the fifty-five foot section on the makai side fronting the Kailua Trade Center.</li> </ul>
<ul style="list-style-type: none"> <li>• Hanama Place, on the southeast side from Kuakini Highway and extending makai for a distance of four hundred feet.</li> </ul>
<ul style="list-style-type: none"> <li>• Hina-Lani Street, from Queen Ka'ahumanu Highway to Ane Keohokālole Highway.</li> </ul>
<ul style="list-style-type: none"> <li>• Hōnaunau Beach Road, both sides, from City of Refuge Access Road and extending three hundred fifty feet west.</li> </ul>
<ul style="list-style-type: none"> <li>• Hōnaunau Beach Road, east side, from a point two hundred ninety feet north of the Hōnaunau Boat Ramp and extending three hundred seventeen feet in the northerly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Hooper Road, Māmalahoa Highway to its northern terminus.</li> </ul>

<b>(f) Kona (Continued)</b>
<ul style="list-style-type: none"> <li>• Hualālai Road, between Kuakini Highway and Ali'i Drive.</li> </ul>
<ul style="list-style-type: none"> <li>• Kahakai Road, both sides, except the six hundred forty foot section on the mauka side fronting the Kona Hilton Hotel parking lot.</li> </ul>
<ul style="list-style-type: none"> <li>• Kahauloa Road, north (makai) side.</li> </ul>
<ul style="list-style-type: none"> <li>• Kahauloa Road, south (mauka) side, from a point five feet west of Kahauloa Street to its western terminus.</li> </ul>
<ul style="list-style-type: none"> <li>• Kahauloa Road, south (mauka) side, from Pu'uhonua Road and extending eighty feet in the westerly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Kahauloa Street, north (makai) side.</li> </ul>
<ul style="list-style-type: none"> <li>• Kahauloa Street, south (mauka) side, from a point seventy-two feet west of Manini Beach Road to its western terminus.</li> </ul>
<ul style="list-style-type: none"> <li>• Kahauloa Street, south (mauka) side, from Kahauloa Road to a point thirty-six feet west of Manini Beach Road.</li> </ul>
<ul style="list-style-type: none"> <li>• Kailua Bay seawall, extending forty feet eastward along the seawall from the western end of the seawall beside the Kailua Wharf in Kailua-Kona.</li> </ul>
<ul style="list-style-type: none"> <li>• Kaiwi Street, on the Ka'u (easterly) side, from a point thirty feet north of the driveway into Hawaii Electric Light Company and extending southerly to Pawai Place.</li> </ul>
<ul style="list-style-type: none"> <li>• Kaiwi Street, on the Kohala Side, beginning at Kuakini Highway and extending four hundred feet in the mauka direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Kakina Lane, both sides, in Kailua-Kona.</li> </ul>
<ul style="list-style-type: none"> <li>• Kalawa Street, southwest (makai) side, from Kalani Street to its southeastern terminus.</li> </ul>
<ul style="list-style-type: none"> <li>• Kealakaa Street, northeast side, beginning at Palani Road and extending two hundred two feet in the westerly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Kealakaa Street, southwest side, beginning at Palani Road and extending four hundred eight feet in the northwesterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Kinue Street, Ka'u side, in Kealakekua.</li> </ul>
<ul style="list-style-type: none"> <li>• Kona Hospital Road in Kealakekua, both sides.</li> </ul>
<ul style="list-style-type: none"> <li>• Kopiko Street, on the north side, beginning at Palani Road and extending three hundred eighty feet in the easterly direction toward the Lanihau Shopping Center.</li> </ul>
<ul style="list-style-type: none"> <li>• Kopiko Street, on the south side, beginning at the Lanihau Shopping Center property line and extending two hundred ten feet in the southerly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Kuakini Highway, between Palani Road and Old Kona Airport.</li> </ul>
<ul style="list-style-type: none"> <li>• Kuakini Highway, makai side, between Palani Road and Likana Lane.</li> </ul>
<ul style="list-style-type: none"> <li>• Lako Street, from Kuakini Highway to its western terminus.</li> </ul>
<ul style="list-style-type: none"> <li>• Likana Lane in Kailua-Kona, both sides, from Ali'i Drive north for a distance of one hundred fifty-seven feet and on the mauka side for the remainder of the lane.</li> </ul>
<ul style="list-style-type: none"> <li>• Māmalahoa Highway, beginning at a point one hundred ten feet north of the National Guard Armory Road and extending southward for a distance of one hundred fifty feet.</li> </ul>



<b>(g) Puna</b>
<ul style="list-style-type: none"> <li>• Hale Pule Loop, from its northernmost intersection with the Volcano Highway to its intersection with Hale Kula Road.</li> </ul>
<ul style="list-style-type: none"> <li>• 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.</li> </ul>
<ul style="list-style-type: none"> <li>• Kahakai Boulevard, northeast (makai) side, between the two driveways of Keonepoko Elementary School along the southwest property line of parcel number 1-5-009:059.</li> </ul>
<ul style="list-style-type: none"> <li>• Kalapana Beach Road, from the Kapoho-Pāhoā-Kaimū intersection for a distance of two hundred forty feet in the Kapoho direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Kalapana/Kapoho Beach Road, on the mauka side directly across from Pualā'a Beach Park for a total distance of four hundred thirty feet.</li> </ul>
<ul style="list-style-type: none"> <li>• Kalapana-Kapoho Beach Road, on the north (mauka) side, from a point eight hundred fifty feet southwest of Oliana Drive and extending one hundred fifty feet in the southwesterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Kalapana-Kapoho Beach Road, on the north (mauka) side, from a point one thousand one hundred fifty-five feet southwest of Oliana Drive and extending two hundred thirty-five feet in the southwesterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Kalapana-Kapoho Beach Road, on the north (mauka) side, from Oliana Drive to a point four hundred feet in the southwesterly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• 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.</li> </ul>
<ul style="list-style-type: none"> <li>• Ka'ōhe 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.</li> </ul>
<ul style="list-style-type: none"> <li>• Ka'ōhe Homestead Road, west side, from the Pāhoā Road to and including the Pāhoā School gym.</li> </ul>
<ul style="list-style-type: none"> <li>• Kauhale Street, on the west side, beginning at Pāhoā Road and extending two hundred twelve feet in the southerly direction.</li> </ul>
<ul style="list-style-type: none"> <li>• Kea'au Civic Center Road, Puna (makai) side.</li> </ul>
<ul style="list-style-type: none"> <li>• Kea'au-Pāhoā Road, north side, from Ka'ōhe Homestead Road and extending five hundred fifteen feet to the Sacred Hearts Church driveway.</li> </ul>
<ul style="list-style-type: none"> <li>• Māmalahoa Highway in Kea'au, from the Kea'au Store for a distance of one thousand feet in the volcano direction.</li> </ul>
<ul style="list-style-type: none"> <li>• On the roadway on the 'Ōla'a to Kapoho Road from the 'Ōla'a boundary of Pāhoā Park to a point four hundred feet on the 'Ōla'a side of the Pāhoā Garage.</li> </ul>
<ul style="list-style-type: none"> <li>• 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.</li> </ul>

<b>(g) Puna (Continued)</b>
<ul style="list-style-type: none"> <li>• 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.</li> </ul>
<ul style="list-style-type: none"> <li>• Mauka side between Pāhoa town and the school.</li> </ul>
<ul style="list-style-type: none"> <li>• Route 130, east side, beginning at Kahakai Boulevard and extending three hundred fifty feet in the southerly direction toward Pāhoa Village.</li> </ul>

(1996, ord 96-163, sec 2; am 1996, ord 96-155, sec 1; am 1997, ord 97-25, sec 1; ord 97-28, secs 1 and 2; ord 97-58, sec 1; ord 97-109, sec 1; ord 97-110, sec 1; ord 97-123, sec 1; ord 97-129, secs 1 and 2; am 1998, ord 98-31, secs 1, 2, and 3; ord 98-40, sec 2; ord 98-62, sec 1; ord 98-73, secs 1 and 2; ord 98-74, secs 2, 3, 4, and 5; ord 98-85, sec 2; ord 98-89, secs 1 and 2; am 1999, ord 99-62, sec 1; ord 99-84, sec 3; ord 99-90, sec 1; ord 99-92, secs 1 and 2; ord 99-128, sec 1; ord 99-134, secs 1-5; am 2000, ord 00-12, sec 1; ord 00-29, secs 1 and 2; ord 00-79, sec 4; ord 00-80, sec 1; ord 00-129, sec 1; ord 00-130, sec 2; am 2001, ord 01-8, sec 1; ord 01-9, sec 3; ord 01-119, sec 3; am 2002, ord 02-91, sec 1; am 2004, ord 04-25, secs 1 and 2; am 2008, ord 08-174, sec 1; am 2009, ord 09-22, sec 1; ord 09-61, sec 2, ord 09-145, sec 2; am 2010, ord 10-3, sec 2; am 2011, ord 11-15, sec 1; ord 11-33, sec 1; ord 11-89, sec 2; ord 11-120, sec 2; am 2012, ord 12-2, sec 2; ord 12-8, sec 2; ord 12-22, sec 2; ord 12-48, sec 2; ord 12-104, sec 2; ord 12-121, sec 2; am 2013, ord 13-1, sec 2; ord 13-69, sec 2; ord 13-71, sec 2; am 2014 ord 14-7, sec 2; ord 14-29, sec 2; ord 14-47, sec 2; ord 14-49, secs 2, 3, and 4; ord 14-62, sec 2; am 2015, ord 15-14, secs 2 and 3; ord 15-89, sec 2; ord 15-92, sec 2, ord 15-107, sec 2; ord 15-112, sec 2; am 2016, ord 16-1, secs 2, 3, and 4; ord 16-25, sec 2; ord 16-78, secs 2 and 3; am 2017, ord 17-27, sec 2; ord 17-51, sec 2; ord 17-52, sec 2; am 2022, ord 22-15, sec 2; am 2023, ord 23-98, secs 2 and 3; ord 23-99, sec 2; am 2024, ord 24-4, 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:

<b>(a) Hāmākua</b>
<b>(b) North Hilo</b>
<ul style="list-style-type: none"> <li>• 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.</li> </ul>

<b>(c) South Hilo (Continued)</b>
<ul style="list-style-type: none"> <li>• Waiānuenu 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.</li> </ul>
<ul style="list-style-type: none"> <li>• Waiānuenu Avenue, Hāmākua side, fronting the Hilo Methodist Church, from 7:00 a.m. to 6:00 p.m. except on Saturdays, Sundays, and holidays.</li> </ul>
<ul style="list-style-type: none"> <li>• Waiānuenu 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.</li> </ul>
<ul style="list-style-type: none"> <li>• Waiānuenu 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.</li> </ul>
<ul style="list-style-type: none"> <li>• Waiānuenu 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.</li> </ul>
<ul style="list-style-type: none"> <li>• Waiānuenu 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.</li> </ul>
<b>(d) Ka‘ū</b>
<b>(e) Kohala</b>
<b>(f) Kona</b>
<ul style="list-style-type: none"> <li>• Alapa Street, Kona Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Ali‘i Drive, east (mauka) side, from a point sixty-eight feet north of Makole‘a Street and extending two hundred forty-one feet in a northerly direction from 8:00 p.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Ali‘i Drive, west (makai) side, from a point eight hundred fifty-four feet north of Makole‘a Street and extending eighty-two feet in a northerly direction from 8:00 p.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Ali‘i Drive, west (makai) side, from a point five hundred twenty-two feet north of Makole‘a Street and extending two hundred fifty-nine feet in a northerly direction from 8:00 p.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Ali‘i Drive, west (makai) side, from a point nine hundred sixty-nine feet north of Makole‘a Street and extending one hundred forty-four feet in a northerly direction from 8:00 p.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Ali‘i Drive, west (makai) side, from a point one thousand eight hundred twenty-six feet north of La‘aloa Avenue and extending one hundred eighty feet in a northerly direction from 8:00 p.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Ali‘i Drive, west (makai) side, from a point two thousand thirty-four feet north of La‘aloa Avenue and extending two hundred twenty feet in a northerly direction from 8:00 p.m. to 5:00 a.m.</li> </ul>

<b>(f) Kona (Continued)</b>
<ul style="list-style-type: none"> <li>• The County parking lot between Kuakini Highway and Likana Lane, between the hours of 2:00 a.m. and 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Eho Street, Kona Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Ka'ahumanu Place, south side, one hundred twenty feet west of Ali'i Drive and extending fifty-six feet in the easterly direction, from 6:00 a.m. to 6:00 p.m. everyday.</li> </ul>
<ul style="list-style-type: none"> <li>• Kaiwi Street, Kona Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• 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.</li> </ul>
<ul style="list-style-type: none"> <li>• Kamanu Street, Kaloko Light Industrial Subdivision, from 10:00 p.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Kanalani Street, Kaloko Light Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Kauhola Street, Kaloko Light Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Keanalehu Drive, 8:00 a.m. to 3 p.m. on school days.</li> </ul>
<ul style="list-style-type: none"> <li>• Lawehana Street, Kaloko Light Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Luhia Street, Kona Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Maiiau Street, Kaloko Light Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Olowalu Street, Kaloko Light Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Pawai Place, Kona Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.</li> </ul>
<ul style="list-style-type: none"> <li>• Puohulihuli Street, 8:00 a.m. to 3:00 p.m. on school days.</li> </ul>
<b>(g) Puna</b>
<ul style="list-style-type: none"> <li>• 'Ola'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.</li> </ul>

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 96-163, sec 2; am 1997, ord 97-57, sec 1; ord 97-70, sec 1; ord 97-85, sec 1; ord 97-129, sec 3; am 1998, ord 98-32, sec 1; ord 98-85, sec 3; ord 98-89, sec 3; am 1999, ord 99-8, sec 1; ord 99-14, secs 1 and 2; am 2000, ord 00-10, sec 1; ord 00-12, sec 2; ord 00-27, sec 1; am 2001, ord 01-7, sec 1; am 2003, ord 03-168, secs 1 and 2; am 2006, ord 06-167, sec 1; am 2009, ord 09-146, sec 2; am 2010, ord 10-3, sec 3; am 2011, ord 11-92, sec 2; am 2012, ord 12-49, sec 2; ord 12-119, sec 2; am 2014, ord 14-5, secs 2 and 4; ord 14-6, sec 2; ord 14-50, secs 2, 3, and 4; ord 14-110, sec 2; am 2016, ord 16-104, sec 2; am 2017, ord 17-28, sec 1; am 2020, ord 20-46, sec 1; am 2023, ord 23-98, sec 4; am 2024, ord 24-4, sec 3.)

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(55)	92-102	9-11-1992	Waiaha 2nd, North Kona	7-5-18:56	RD-3.75	CV-10	
(56)	93-64	6-22-1993	Waiaha 2nd, North Kona	7-5-18:40	RD-3.75	CV-10	
(57)	94-110	9-23-1994	Puaa 3rd, North Kona	7-5-18:28	(Amends Ord. 714) (Effective Date 8-31-1981)		
(58)	95-118	10-12-1995	Hienaloli 4th and 5th, North Kona	7-5-10:13 and 7-5-23:63	(Amends Ord. 92-36) (Effective Date 4-24-1992)		
(59)	96-61	5-22-1996	Waiaha 2nd and Kahului 1st, North Kona	7-1-18:61 and 7-5-19: Por. 5	(Amends Ord. 86-79) (Effective Date 7-9-1986)		
(60)	96-34	3-18-1996	Puaa 3rd, North Kona	7-5-18:14	RM-1	CV-10	
(61)	97-40	3-13-1997	Puaa 3rd, North Kona	7-5-18:19	RM-1	CV-10	
(62)	98-70	7-2-1998	Hienaloli 2nd, North Kona	7-5-10:15	RD-3.75, A-5a	RM-1	
(63)	98-113	11-19-1998	Keopu 1st, North Kona	7-5-04:6 and 13	(Amends Ord. 90-85) (Effective Date 7-16-1990)		
(64)	00-90	8-21-2000	Keahuolu, North Kona	7-4-15:15	(Amends Ord. 91-27) (Effective Date 3-21-1991)		
(65)	00-122	10-30-2000	Puaa 3rd, North Kona	7-5-18:15	RM-1	CV-10	
(66)	03-18	2-20-2003	Waiaha 1st, North Kona	7-5-18:8	RS-10	RM-4	
(67)	03-115	8-14-2003	Honuauula, North Kona	7-5-22:40	RM-1	CV-7.5	
(68)	06-44	4-12-2006	Puaa 1st, North Kona	7-5-9:23	RM-1	V-75	

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(69)	06-138	11-8-2006	Hienaloli 5th and 6th, North Kona	7-5-10:Por. of 13 (Formerly 7-5-23:64 and 67)	(Amends Ord. 90-010 that amended Ord. 86-49 Effective 2-13-1990)		
(70)	09-50	5-11-2009	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 Effective 11-8-2006)		
(71)	16-80	7-25-2016	Honuaula, North Kona	7-5-022:040	(Amends Ord. 03-115 Effective 8-14-2003)		
(72)	24-38	6-14-2024	Keahuolu, North Kona	7-4-015:015 (portion)	(Amends Ord. 00-90 that amended Ord. 91-27 Effective 8-21-2000)		

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(102)	08-179	12-31-2008	Waikā, North Kohala	5-9-007:003	(Amends Ord. 95-119) (Effective Date 10-12-95)		
(103)	09-129	10-20-09	Kahuā and Waikā, North Kohala	5-9-005:004 and 005	A-20a	FA-3a	
(104)	10-99	10-22-10	Kapu‘a and Pūehuehu	5-4-008:001	A-20a	FA-2a	
(105)	10-101	10-22-10	Pahoa, North Kohala	5-5-019:025 and 027 (portions)	A-20a, RS-7.5	RS-15, RS-10, RS-7.5, Open	
(106)	13-28	3-13-2013	Waikoloa, South Kohala	6-8-002:Por. 021	A-5a	CV-20	
(107)	13-29	3-13-2013	Waikoloa, South Kohala	6-8-002:Por. 016	(Amends Ord. 07-127, that amended Ord. 05-157, Ord. 95-51, and 90-160 – Effective Date 9-20-2007)		
(108)	13-30	3-13-2013	Kahuā 1st, North Kohala	5-9-007:007	(Amends Ord. 07-106, which amended Ord. 02-21, Ord. 98-87, and Ord. 90-08 -- Effective Date 8-14-2007)		
(109)	15-72	7-20-2015	Ouli, Waimea, South Kohala	6-2-005:008	A-3A	RA-1.5a	
(110)	15-18	3-16-2016	Kānehoea Subdivision, South Kohala	6-2-009:013	A-5a	RA-2a	
(111)	20-25	4-20-2020	Kahuā 1st, North Kohala	5-9-001:008	RS-15	RA-5a	
(112)	22-66	6-15-2022	Waimea, South Kohala	6-5-007:045-0001 and 0002	A-1a	RS-15	
(113)	23-2	1-03-2023	Kawaihae, South Kohala	6-2-009:015	A-5a	RA-2a	
(114)	24-37	6-14-2024	Pahoa, North Kohala	5-5-019:025 and 027 (portions)	(Amends Ord. 10-101) (Effective Date 10-22-10)		

ZONING MAP (‘Upolu Point-Ka‘auhuhu Homesteads)

§ 25-8-8

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(1)	167	11-20-1968	Kaaauhuhu Homesteads, North Kohala	5-5-01:25	A-20a	A-3a	7.06(b)
(2)	298	1-28-1970	Kahei Homesteads, North Kohala	5-5-01:56	A-20a	A-1a	7.06(d)
(3)	571	4-13-1973	Kaaauhuhu Homesteads, Kaaauhuhu, North Kohala	5-5-01:Por. 22, 41 and 69	A-20a	A-3a	7.06(j)
(4)	131	7-14-1975	Kokoiki, North Kohala	5-5-04:20	A-20a	A-1a	7.06(m)
(5)	247	2-9-1977	Kahei Homesteads, North Kohala	5-5-01:53 and 55	A-20a	A-5a	7.06(q)
(6)	437	5-31-1979	Kaaauhuhu, Mahukona 1st and Niunulunui, North Kohala	5-5-01:Por. 5	A-20a	A-10a	7.06(t)
(7)	619	9-11-1980	Kaaauhuhu, North Kohala	5-5-01:29	A-20a	A-5a	7.06(v)
(8)	815	8-24-1982	Kaaauhuhu Homesteads, North Kohala	5-5-01:22	A-20a	A-5a	7.06(w)
(9)	865	3-24-1983	Mahukona 2nd and Puuokumau, North Kohala	5-4-01:10 and 11, 5-7-02:13	A-20a	A-3a, A-10a	7.06(x-1 to x-3)
(10)	867	3-24-1983	Kaaauhuhu Homesteads 2nd, North Kohala	5-5-02:10	A-20a	A-3a	7.06(z)
(11)	83-15 (Am. Ord. 865)	9-14-1983	Puuokumau, North Kohala	5-4-01:11	A-20a	A-10a	
(12)	83-40	10-26-1983	Kahei, North Kohala	5-5-07:Por. 10	A-20a	A-5a	



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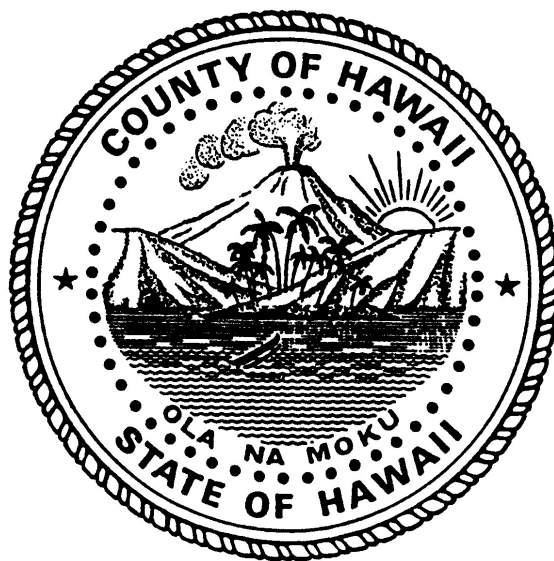
Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(450)	23-105	12-29-23	Hilo, South Hilo	2-4-079:002	A-3a	RS-20	
(451)	24-35	06-19-24	Hilo, South Hilo	2-2-036:076	RS-10	MCX-20	

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# THE HAWAI‘I COUNTY CODE

## 1983 (2016 Edition, as amended)

Update to include: Supplement 16 (7-2024)  
Contains ordinances effective through: 06-30-24



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

# Volume Three



**CHAPTER 37****SUSTAINABILITY, CLIMATE, EQUITY, AND RESILIENCE****Article 1. General Provisions.****Section 37-1-1. Title.**

This chapter shall be known as the “sustainability, climate, equity, and resilience code.”

(2023, ord 23-56, sec 3.)

**Section 37-1-2. Declaration of policy.**

It is declared to be the policy of the County to address sustainability, climate change, equity, and resilience in the County through immediate, direct, and coordinated trauma-informed action. To this end, the office of sustainability, climate, equity, and resilience is created to coordinate and manage policies and programs to address sustainability, mitigate greenhouse gas emissions, and adapt to the impacts of climate change and other natural and human caused hazards. Through regular stakeholder engagement these policies and programs shall promote the County’s sustainability and resilience in a manner that is immediate, direct, coordinated, and equitable in their impact on various communities in the County.

(2023, ord 23-56, sec 3; am 2024, ord 24-8, sec 2.)

**Section 37-1-3. Definitions.**

As used in this chapter, unless it is apparent from the context that a different meaning is intended:

“Adaptation” means the process of observing changes in social, environmental, and economic systems and adjusting operations with a trauma informed approach to meet present and anticipated future needs.

“Climate change impacts” means the effect on social, economic, and environmental systems that are caused by human-driven climate change including, but not limited to, increases in natural disaster severity, unstable and extreme weather patterns, and loss of native ecosystems.

“Environmental justice” means the fair treatment and meaningful involvement of all people in the development, implementation, and enforcement of environmental laws, regulations, and policies.

“Equity” means the consideration of cumulative impacts on lower- and middle-income individuals and historically marginalized groups during all aspects of decision making, including and not limited to assessment, planning, implementation, and evaluation.

“Mitigation” means actions and strategies aimed at reducing the risk of harm and damage to human communities, natural ecosystems, infrastructure, and the economy due to the impacts of climate change. These actions and strategies shall include but not be limited to reduction of greenhouse gas emissions and removal of greenhouse gases from the atmosphere.

“Office” means the office of sustainability, climate, equity, and resilience.

“Resilience” means the ability to withstand social, environmental, and economic shocks and stressors with minimal human, environmental, and economic costs, risks, and damages.

“Sustainability” means a balanced approach of managing present day environmental, social, and economic needs and maintaining a healthy lifecycle through a trauma informed framework to fulfill the needs of current populations that does not compromise the needs of future generations, and ensures harmony between economic growth, environmental systems, and social well-being.

“Trauma” means an event, series of events, or set of circumstances that is experienced as physically or emotionally harmful or life-threatening and that has lasting adverse effects on the individual’s functioning and mental, physical, social, emotional, or spiritual well-being.

“Trauma informed” means an approach to service provision that infuses knowledge about trauma into agency programs, policies, and procedures to promote the safety and well-being of clients, visitors, staff and volunteers by actively resisting the re-traumatization of participants, individually and as a whole.

(2023, ord 23-56, sec 3; am 2024, ord 24-8, secs 3 and 4.)

**Section 37-1-4. Authority to adopt rules and regulations.**

The sustainability administrator is authorized to adopt rules and regulations as the office deems necessary for the administration of the conduct of the office’s business.

Rules shall be adopted pursuant to chapter 91, Hawai‘i Revised Statutes.

(2023, ord 23-56, sec 3.)

**Article 2. Office of Sustainability, Climate, Equity, and Resilience.**

**Section 37-2-1. Duties of the office of sustainability, climate, equity, and resilience.**

(a) Policy and program development. The office shall:

- (1) Establish policies and programs to promote sustainability, mitigate greenhouse gas emissions, and build the County’s resilience to the impacts of climate change and other natural and human caused hazards. These policies and programs shall be developed after consideration of resources such as the County’s general plan, County community development plans, County multi-hazard mitigation plan and County climate action plan, State law, the United Nations Sustainable Development Goals, and the 2015 Paris Climate Agreement.



- (2) Improve environmental justice and equity by promoting specific policies and actions to ensure that sustainability, change mitigation and adaptation, and resilience efforts also benefit lower and middle income, Native Hawaiian, and historically marginalized communities. These policies and actions should include utilization of place-based, Native Hawaiian guiding principles, tools, and frameworks to guide, inform, coordinate, and evaluate proposed actions and activities.
  - (3) Regularly engage with stakeholders to assess and assure that policies and actions are implemented in a manner that is immediate, direct, and coordinated, and employs strategies that are equitable in their impact on various communities in the County.
  - (4) Ensure policies, practices, and actions are trauma-informed to promote resilience, health, and wellness.
- (b) Shared metrics.
- The office shall develop metrics, benchmarks, and data visualization tools to track and communicate progress towards sustainability, climate mitigation and adaptation, equity, and resilience goals.
- (c) Coordination, collaboration, and education. The office shall:
- (1) Coordinate communication among County departments and with community partners to develop and promote a shared vision and collaborative approach to implementing solutions that are based upon a clear understanding of the issues and challenges related to sustainability, climate change mitigation and adaptation, equity, and resilience within a trauma-informed framework and approach.
  - (2) Coordinate and provide technical support to County departments to create policies and programs designed to implement and measure sustainability, climate change mitigation and adaptation, equity, trauma informed, and resilience strategies.
  - (3) Collaborate with County departments and community stakeholders on sustainability, climate change mitigation and adaptation, equity, trauma informed, and resilience strategies to maximize collective impact through mutually reinforcing activities.
  - (4) Provide education, outreach, and support, both internally and externally, that promotes climate sustainability and climate change mitigation and adaptation initiatives in a manner utilizing trauma informed principles and best practices that promotes equity and resilience and the capability to adapt effectively in the face of adversity.
- (d) Legislation and budget. The office shall:
- (1) Evaluate potential impacts of climate change on County human resources, facilities, and infrastructure and provide operating and capital improvement budget recommendations for consideration in addition to the recommendations of the planning department.

- (2) Provide policy analysis and propose legislation to the Council to implement this section.
  - (3) Provide the Council with an annual sustainability report.
  - (e) Grants and funding. The office shall:
    - (1) Investigate and provide technical support for grant applications and grant management to support funding to implement this section.
    - (2) Prepare programs and contracts with the Federal government to carry out the purposes of this article and transmit to the Council for approval.
  - (f) The office shall perform other related duties necessary to fulfill the mandate of the office.
- (2023, ord 23-56, sec 3; am 2024, ord 24-8, sec 5.)

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### **LITTERING**

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**LEGISLATIVE HISTORY TABLE**

Ordinances are listed by the Code chapter affected.

Abbreviations:

- A = Amended or repealed section(s) of the chapter, or added new section(s)
- R = Repealed and replaced chapter in its entirety
- C = Created new chapter
- X = Repealed the chapter

CHAPTER NO.	CHAPTER TITLE	2023	2024	2025	2026	2027	2028	2029	2030
1	General Provisions								
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3	Signs								
4	Animals	23-33A	24-26A, 24-46A (Eff: 7-1-24)						
5	Construction Administrative Code	23-87A, 23-88A	24-45A (Eff: 7-5-24)						
5A	Building Code								
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6	Businesses	23-29A	24-51A (Eff. 7-12-24)						
7	Disaster and Emergency Management								
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9	Reserved								
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15	Parks and Recreation	23-11A, 23-12A, 23-13A, 23-14A, 23-19A	24-3A 24-23A						
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17	Fire	23-8C							

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18	Public Transportation								
19	Real Property Taxes	23-55A, 23-59A, 23-60A	23-28A, 23-54A, 23-65A						
20	Integrated Solid Waste Management								
21	Sewers								
22	County Streets								
23	Subdivisions								
24	Vehicles and Traffic								
24	Traffic Schedules	23-58A, 23-98A, 23-99A	24-4A, 24-15A, 24-20A, 24-30A						

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CHAPTER NO.	CHAPTER TITLE	2023	2024	2025	2026	2027	2028	2029	2030
25	Zoning	23-38A							
25	Zoning Annex	23-2A, 23-23A, 23-34A, 23-52A, 23-57A, 23-69A, 23-96A, 23-97A, 23-105A	24-35A, 24-36A, 24-37A, 24-38A						
26	Reserved	23-8R							
27	Flood Control								

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CHAPTER NO.	CHAPTER TITLE	2023	2024	2025	2026	2027	2028	2029	2030
28	State Land Use District Boundary Amendment Procedures								
29	Water Use and Development								
30	Development Agreements								
31	Enterprise Zone Program								
32	Special Improvement Financing by Community Facilities Districts								
33	Tax Incremental Districts								
34	Public Access								
35	Business Improvement Districts								
36	Redistricting								
37	Sustainability, Climate, Equity, and Resilience	23-56C	24-8A						

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<b>ORD. NO.</b>	<b>EFFECTIVE DATE</b>	<b>DESCRIPTION</b>	<b>CODE SECTION</b>
23-85	11-17-23	Capital improvements budget	--
23-86	11-17-23	Capital improvements budget	--
23-87	12-01-23	Cancellation of construction code permit applications, permit expirations, and permit extensions	5-4-7, 5-5-4, 5-5-5
23-88	12-07-23	Installation of photovoltaic systems	5-4-3
23-89	12-05-23	Operating budget	--
23-90	12-05-23	Operating budget	--
23-91	12-05-23	Operating budget	--
23-92	12-05-23	Operating budget	--
23-93	12-05-23	Capital improvements budget	--
23-94	12-05-23	Capital improvements budget	--
23-95	12-05-23	General Obligation Bonds (\$187,000,000 – Various public improvement projects)	--
23-96	12-06-23	City of Hilo Zone Map	ZA
23-97	12-06-23	Hāmākua District Zone Map	ZA
23-98	12-20-23	Traffic Schedules	24-280, 24-281
23-99	12-20-23	Traffic Schedules	24-280
23-100	12-20-23	Operating budget	--
23-101	12-20-23	Capital improvements budget	--
23-102	12-20-23	Operating budget	--
23-103	12-20-23	Operating budget	--
23-104	12-29-23	Operating budget	--
23-105	12-29-23	City of Hilo Zone Map	ZA

**2024**

<b>ORD. NO.</b>	<b>EFFECTIVE DATE</b>	<b>DESCRIPTION</b>	<b>CODE SECTION</b>
24-1	01-23-25	Improving, grading, repairing, or construction work upon private, nondedicated, and non-surrendered roads	2-40, and adds new article to chapter 14 14-26-1 to 14-26-9
24-2	Shall take effect forty-two days after the State of Hawai'i's preemptive authority is repealed or suspended	Prohibition of flavored tobacco products	Adds new article to chapter 14

<b>ORD. NO.</b>	<b>EFFECTIVE DATE</b>	<b>DESCRIPTION</b>	<b>CODE SECTION</b>
24-3	06-15-24	Names the ballfield at the Dr. Francis F.C. Wong stadium in the Hoʻolulu Complex the “James “Jimmy” Correa Ballfield” in honor of James “Jimmy” Correa	15-68.1
24-4	01-23-24	Traffic Schedules	24-280, 24-281
24-5	01-23-24	Capital improvements budget	--
24-6	02-05-24	Operating budget	--
24-7	02-05-24	Operating budget	--
24-8	02-23-24	Sustainability, Climate, Equity, and Resilience	2-271, 37-1-2, 37-1-3, 37-2-1
24-9	02-23-24	Operating budget	--
24-10	02-23-24	Operating budget	--
24-11	02-23-24	Operating budget	--
24-12	02-23-24	Operating budget	--
24-13	02-23-24	Operating budget	--
24-14	02-23-24	Operating budget	--
24-15	02-23-24	Traffic Schedules	24-255, 24-257, 24-259, 24-260
24-16	02-23-24	Establishing a registry of real property owner information	Adds new article to chapter 14
24-17	03-01-24	Wind design criteria for residential buildings	5B-2-1
24-18	03-20-24	Transfer of excess affordable housing credits	11-15
24-19	03-20-24	Operating budget	--
24-20	03-20-24	Traffic Schedules	24-279
24-21	03-20-24	Capital improvements budget	--
24-22	03-20-24	Operating budget	--
24-23	04-03-24	Renames the Kahakai Park to the “Waiakahi‘ula Beach Park”	15-68.1
24-24	04-03-24	Operating budget	--
24-25	--	Charter amendment (term of office of department heads)	--
24-26	05-01-24	Animal control and protection agency	4-1-1, 4-2-4, 4-4-31, 4-4-34, 4-4-35
24-27	05-01-24	Operating budget	--
24-28	07-01-24	Salary Ordinance of 2024	--
24-29	05-28-24	Operating budget	--
24-30	05-28-24	Traffic Schedules	24-279
24-31	05-28-24	Capital improvements budget	--

<b>ORD. NO.</b>	<b>EFFECTIVE DATE</b>	<b>DESCRIPTION</b>	<b>CODE SECTION</b>
24-32	07-01-24	Operating budget FY 2024-2025	--
24-33	07-01-24	Capital improvements budget FY 2024-2025	--
24-34	06-17-24	Operating budget	--
24-35	06-19-24	City of Hilo Zone Map	ZA
24-36	06-14-24	Waikoloa Village Zone Map	ZA
24-37	06-14-24	North and South Kohala Zone Map	ZA
24-38	06-14-24	Kailua Urban Zone Map	ZA
24-39	06-19-24	Capital improvements budget	--
24-40	06-19-24	Capital improvements budget	--
24-41	06-19-24	Operating budget	--
24-42	06-19-24	Operating budget	--
24-43	06-19-24	Operating budget	--
24-44	06-19-24	Operating budget	--
24-45	07-05-24	Pre-approved plans for residential dwellings	5-1-5, 5-4-21, 5-7-2
24-46	07-01-24	Animals; noisy dog; reasonable attempts to reduce noise; penalties	4-4-26
24-47	06-30-24	Operating budget	--
24-48	06-30-24	Operating budget	--
24-49	06-30-24	Operating budget	--
24-50	06-30-24	Operating budget	--
24-51	07-12-24	Commercial bicycle tours	Adds new article to chapter 6 6-8 to 6-15
24-52	07-31-24	Planning; Semiannual reports	Adds new section 2-35.2

