

MAR 03 2011

SENATE CONCURRENT RESOLUTION

REQUESTING THE CITY AND COUNTY OF HONOLULU TO ASSESS MAXIMUM FINES, SETTLEMENTS, AND LIENS FOR MULTIPLE AND EGREGIOUS VIOLATIONS OF COUNTY PROPERTY AND PUBLIC HEALTH AND SAFETY ORDINANCES.

1 WHEREAS, Hawaii is the most beautiful state in America and
2 Honolulu is the loveliest capital city, and tourists and
3 residents alike enjoy the beautiful scenery and charming
4 neighborhoods; and

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6 WHEREAS, most residents take pains to maintain their
7 properties, but there are those who neglect their homes and
8 allow them to become run-down; and

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10 WHEREAS, there may be cases where a person or other legal
11 entity may own five, ten, or more separate properties within a
12 one-mile radius where some homes have been allowed to remain
13 vacant, to be broken into and/or used by vagrants, to become
14 overgrown, and may cause neighboring homes to lose value; and

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16 WHEREAS, as an example, the City has issued 53 citations to
17 a property owner in one neighborhood who has failed to obtain
18 timely demolition permits, allowed several properties to become
19 overgrown and blighted, and allowed other county ordinances to
20 be violated; and

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22 WHEREAS, the State Department of Health has also been
23 called in to investigate potential health violations on the
24 properties of this property owner; and

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26 WHEREAS, a few violations may not seriously impact one
27 neighborhood, but when an owner allows several properties to
28 amass multiple uncorrected violations in a relatively short
29 period of time, then the sheer number becomes an egregious
30 insult to other owners and could reduce the value of nearby
31 homes; and



1 WHEREAS, a reduction in the property value of homes in an
 2 area could provide grounds for the reduction of real property
 3 taxes, creating a perfect storm of events in a time of global
 4 recession when the City and County of Honolulu, like other
 5 counties and the State, are facing budget problems; and
 6

7 WHEREAS, if a person or other legal entity owns at least
 8 five properties that incur three violations within a one-mile
 9 radius within a five year period, then it is incumbent on the
 10 City to assess sufficiently significant fines or liens to
 11 encourage that person to maintain his or her property in
 12 accordance with community standards or subdivision covenants;
 13 now, therefore,
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15 BE IT RESOLVED by the Senate of the Twenty-sixth
 16 Legislature of the State of Hawaii, Regular Session of 2011, the
 17 House of Representatives concurring, that the City and County of
 18 Honolulu is requested to assess maximum fines and issue liens
 19 when an owner is cited for at least three violations over a
 20 five-year period for property violations within a one mile
 21 radius; and
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23 BE IT FURTHER RESOLVED that the Corporation Counsel is
 24 requested to settle such cases keeping in mind the egregious
 25 nature of the violations and consider the maximum amount of
 26 fines assessed by the Department of Planning and Permitting; and
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28 BE IT FURTHER RESOLVED that certified copies of this
 29 Concurrent Resolution be transmitted to the Honorable Peter
 30 Carlisle, Mayor of the City and County of Honolulu, Honolulu
 31 City Council members, the Kahala Community Association, the
 32 Kahala Business Association, and the Waiialae-Kahala Neighborhood
 33 Board No. 3.
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OFFERED BY:

Michelle Tidwell
Cherelle Suckale
David Y Lee
Martin

Melanie J...
Josh B...
Will...
Carol...

