

MAR 03 2011

SENATE 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

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33 WHEREAS, a reduction in the property value of homes in an
34 area could provide grounds for the reduction of real property



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

