
HOUSE CONCURRENT RESOLUTION

URGING THE CITY AND COUNTY OF HONOLULU TO REGULATE OVERGROWN
TREES ON PRIVATE PROPERTY.

1 WHEREAS, for a majority of the year, Hawaii is blessed with
2 a warm, tropical climate, which results in prime botanical and
3 agricultural growing conditions; and
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5 WHEREAS, many local residents take pride in growing their
6 own trees and other plants that produce exquisite flowers or
7 bountiful harvests of fruit or vegetables; and
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9 WHEREAS, trees and other large flora also provide shade and
10 a welcome rest area to those looking to momentarily escape from
11 the heat of Hawaii's sun; and
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13 WHEREAS, unkempt and overgrown plants and trees not only
14 look unsightly but can also pose a threat to surrounding
15 infrastructure and people; for example, over-hanging branches
16 may break and fall, potentially causing damage to property or
17 injury to bystanders; and
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19 WHEREAS, neglected plants and trees may also give rise to
20 unsanitary conditions and can serve as habitat for vermin and
21 plant diseases, including blight, an infectious plant disease
22 that causes wilting and browning and can ultimately lead to the
23 destruction of plants and cause major damage to Hawaii's gardens
24 or crops; and
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26 WHEREAS, in order to preserve the natural beauty and health
27 of their greenery, as well as to sustain the health and safety
28 of other people, property owners need to ensure the proper
29 maintenance of their vegetation; and
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1 WHEREAS, each county is empowered under Section 46-1.5,
2 paragraph (12), Hawaii Revised Statutes, to enact and enforce
3 ordinances necessary to prevent or remove public nuisances, or
4 to compel the clearing and removal of undergrowth from
5 unoccupied private property; and
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7 WHEREAS, the City and County of Honolulu has enacted such
8 an ordinance under Article 10, Chapter 41 of the Revised
9 Ordinances of Honolulu, with the legislative intent being to
10 require the cutting and removal of weeds or other waste found to
11 be a public nuisance to the health, safety, and welfare of
12 residents, and to provide the necessary power and authority to
13 the City to effectuate this purpose; and
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15 WHEREAS, under Section 41-10.4, Revised Ordinances of
16 Honolulu, the definition of "weeds" includes vegetation that has
17 reached such growth or is present in such a quantity as to
18 create the risk of becoming a fire hazard, providing shelter or
19 breeding grounds for vermin or noxious insects, impeding the use
20 or maintenance of any road, alley, path or sidewalk, or
21 obstructing the flow of water in any privately owned or
22 controlled stream or other waterway; and
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24 WHEREAS, the Director and Building Superintendent of the
25 Building Department of the City and County of Honolulu are
26 empowered to notify owners of vacant property to properly cut
27 and remove weeds, garbage, trash or other waste, and property
28 owners receiving such notice have 30 days to dispose of the
29 debris, after which time the Director and Building
30 Superintendent have the right to enter the property and
31 eradicate the weeds at the expense of the property owner; and
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33 WHEREAS, overgrown and unmaintained vegetation on occupied
34 property has the same risk of becoming a public nuisance as it
35 does on vacant property; and
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37 WHEREAS, although the City and County of Honolulu oversees
38 the removal of weeds on property where the owner is noncompliant
39 with a notice to cut and remove weeds, this prescribed language
40 does not include the removal of trees; and



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1 WHEREAS, neither State nor City departments oversee or cite
2 the regulation of trees on private properties; now, therefore,

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4 BE IT RESOLVED by the House of Representatives of the
5 Twenty-eighth Legislature of the State of Hawaii, Regular
6 Session of 2015, the Senate concurring, that the City and County
7 of Honolulu is urged to consider amending the Revised Ordinances
8 of Honolulu to include trees on private property amongst the
9 items authorized to be cut or removed when the item is
10 determined to be a nuisance as prescribed under the Revised
11 Ordinances of Honolulu; and

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13 BE IT FURTHER RESOLVED that certified copies of this
14 Concurrent Resolution be transmitted to the Mayor of the City
15 and County of Honolulu and the Chair of the Honolulu City
16 Council.

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19 OFFERED BY:

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