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## HOUSE 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  
18

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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31           WHEREAS, each county is empowered under Section 46-1.5,  
32 paragraph (12), Hawaii Revised Statutes, to enact and enforce



1 ordinances necessary to prevent or remove public nuisances, or  
2 to compel the clearing and removal of undergrowth from  
3 unoccupied private property; and  
4

5 WHEREAS, the City and County of Honolulu has enacted such  
6 an ordinance under Article 10, Chapter 41 of the Revised  
7 Ordinances of Honolulu, with the legislative intent being to  
8 require the cutting and removal of weeds or other waste found to  
9 be a public nuisance to the health, safety, and welfare of  
10 residents, and to provide the necessary power and authority to  
11 the City to effectuate this purpose; and  
12

13 WHEREAS, under Section 41-10.4, Revised Ordinances of  
14 Honolulu, the definition of "weeds" includes vegetation that has  
15 reached such growth or is present in such a quantity as to  
16 create the risk of becoming a fire hazard, providing shelter or  
17 breeding grounds for vermin or noxious insects, impeding the use  
18 or maintenance of any road, alley, path or sidewalk, or  
19 obstructing the flow of water in any privately owned or  
20 controlled stream or other waterway; and  
21

22 WHEREAS, the Director and Building Superintendent of the  
23 Building Department of the City and County of Honolulu are  
24 empowered to notify owners of vacant property to properly cut  
25 and remove weeds, garbage, trash or other waste, and property  
26 owners receiving such notice have 30 days to dispose of the  
27 debris, after which time the Director and Building  
28 Superintendent have the right to enter the property and  
29 eradicate the weeds at the expense of the property owner; and  
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31 WHEREAS, overgrown and unmaintained vegetation on occupied  
32 property has the same risk of becoming a public nuisance as it  
33 does on vacant property; and  
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35 WHEREAS, although the City and County of Honolulu oversees  
36 the removal of weeds on property where the owner is noncompliant  
37 with a notice to cut and remove weeds, this prescribed language  
38 does not include the removal of trees; and



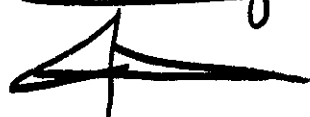
# H.R. NO. 66


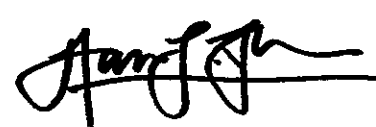
1 WHEREAS, neither State nor City departments oversee or cite  
2 the regulation of trees on private properties; now, therefore,

3  
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, that the City and County of Honolulu is urged  
7 to consider amending the Revised Ordinances of Honolulu to  
8 include trees on private property amongst the items authorized  
9 to be cut or removed when the item is determined to be a  
10 nuisance as prescribed under the Revised Ordinances of Honolulu;  
11 and

12  
13 BE IT FURTHER RESOLVED that certified copies of this  
14 Resolution be transmitted to the Mayor of the City and County of  
15 Honolulu and the Chair of the Honolulu City Council.  
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OFFERED BY:

*Lindaalchizama*  


*Takashi Omi*  
*Calvin K. Y. Amy*  
*Arny M. Iwata*  
*John M. ...*  
*Brend Kolyachi*  
  
  
*Oliver. Omi*  
