TITLE 2

OFFICE OF THE MANAGING DIRECTOR

SUBTITLE 2 NEIGHBORHOOD COMMISSION

CHAPTER 11

RULES AND PROCEDURES OF THE NEIGHBORHOOD COMMISSION

Subchapter 1 General Provisions

§2-11-101 Short title.
§2-11-102 Definitions.
§2-11-103 To obtain information.
§2-11-104 Declaratory rulings by the commission.
§2-11-105 Severability.
§2-11-106 Computation of time; reestablishment of deadline dates.
§2-11-107 Executive secretary.
§2-11-108 Inquiries to the corporation counsel.
§2-11-109 Reimbursable expenses.
§2-11-110 Transition.

Subchapter 2 Powers, Duties, and Functions

§2-11-201 General powers, duties, and functions of the commission.
§2-11-202 Political activity.
§2-11-203 Conference of chairs

Subchapter 3 Rules of the Commission

§2-11-301 Attendance of commissioners.
§2-11-302 Absences and removal recommendation process; resignation.
§2-11-303 Meetings.
§2-11-304 Executive meetings.
§2-11-305 Meeting notice and agenda.

§2-11-306 Priority of business.
§2-11-307 Meeting minutes.
§2-11-308 Quorum and majority vote.
§2-11-309 Voting.
§2-11-310 Disclosure.
§2-11-311 Order and decorum.
§2-11-312 Adjournment.
§2-11-313 Officers.
§2-11-314 Removal of an officer.
§2-11-315 Officer vacancy.
§2-11-316 Duties of officers.
§2-11-317 Committees.
§2-11-318 Appointment of delegates.
§2-11-319 Parliamentary authority.

Subchapter 4 Review of Actions and Activities

§2-11-401 Request for review.
§2-11-402 Review process of the commission.

SUBCHAPTER 1

GENERAL PROVISIONS

§2-11-101 Short title. This chapter shall be known and may be cited as the "Rules and Procedures of the Neighborhood Commission". [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-102 Definitions. As used in this subtitle, unless the context otherwise requires:

"Board" means a duly formed, qualified, and authorized neighborhood board established in accordance with this plan.

"Board member" means a member of a board duly qualified, elected or appointed and affirmed in accordance with the plan.

"Charter" means the Revised Charter of the City and County of Honolulu 1973, as amended.

"City" means the City and County of Honolulu.

"City clerk" means the clerk of the city.

"City council" means the legislative body of the city.

"Commission" means the neighborhood commission of the city established pursuant to section 14-102, RCH.

"Commission office" means the administrative agency for the commission under the direction of the executive secretary.

"Commissioner" means a member of the commission duly qualified and appointed in accordance with section 14-102, RCH.

"Delegate" means any individual duly appointed to a delegate position established by the commission pursuant to section 2-11-318 or by a board pursuant to section 2-14-125.

"Executive secretary" means the executive secretary to the commission duly appointed in accordance with section 14-105, RCH.

"Individual" means a natural person.

"Mailing list" means a compilation of names and addresses of those persons that have requested to receive meeting notices of the commission or specific boards.

"Mayor" means the mayor of the city.

"Meeting" means the duly noticed convening of the commission or board at which a quorum is present and able to make a decision or to deliberate toward a decision upon a matter over which the commission or board has authority or advisory power.

"Neighborhood board system" includes the commission, executive secretary, commission office and staff, and boards.

"Person" includes any individual, partnership, firm, association, business, corporation, trust, estate, or other entity.

"Plan" means the neighborhood plan as defined by section 14-104, RCH, and as otherwise described in article XIV, RCH. The plan is set forth in chapters 12 - 20 of this subtitle.

"Quorum" means a majority of the total authorized number of members to which the commission, board, or any committee of the commission or board is entitled.

"Residence" means that place where an individual's habitation is fixed, wherein the individual intends to remain, and to where, whenever absent, the individual intends to return.

"Resident" means an individual who physically and legally dwells in a fixed place.

"Subdistrict" means a geographical subunit within the neighborhood district. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-103 <u>To obtain information.</u> (a) The public may obtain information as to the matters pertaining to the commission and boards by inquiring during regular business hours at the commission office.

(b) Inquiries may be made in person or by telephone during regular business hours, or by submitting a request for information in writing to the commission office by letter, fax, or e-mail.

(c) The rules and procedures of the commission, the plan, and all commission and board agendas, minutes of meetings, and other public documents are on file and available for public inspection at the commission office, or are otherwise retrievable with assistance from the commission office.

(d) Copies of the agendas, minutes of meetings, and other public documents of the commission and each board are available to the public at a price fixed by law.

(e) Any person that requests to receive notice of the meetings of the commission or a specific board shall be placed on an appropriate mailing list to be maintained by the commission office. The commission office and boards may periodically update the mailing

list by inquiring whether those persons on the mailing list wish to continue to receive notices, and may remove from the mailing list any person that does not respond to the inquiry. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-104 Declaratory rulings by the commission. (a) Any interested person may petition the commission in writing for a declaratory order as to the applicability of any statute or ordinance relating to the commission, or of any rule or order of the commission.

(b) The petition shall be submitted in duplicate to the commission through the commission office. It shall contain:

(1) The name, address and telephone number of the petitioner.
(2) A statement of the nature of petitioner's interest, including reasons for the submission of the petition.
(3) A designation of the specific provision, rules or order in question.
(4) A complete statement of facts.
(5) A statement of the position or contention of the petitioner.
(6) A memorandum of authorities, containing a full discussion of the reasons, including any legal authority, in support of the position or contention.

(c) The commission may reject any petition which does not conform to the foregoing requirements.

(d) The commission may for good cause refuse to issue a declaratory ruling. Without limiting the generality of the foregoing, the commission may so refuse where:

(1) The question is speculative or purely hypothetical and does not involve fact, or facts which can reasonably be expected to exist in the near future.
(2) The petitioner's interest is not of the type which would give the petitioner standing to

maintain an action if the petitioner were to seek judicial relief.

(3) The issuance of the declaratory ruling may adversely affect the interests of the city, the commission, the boards, or any of their commissioners, members, officers or employees in any litigation which is pending or may reasonably be expected to arise.

(4) The matter is not within the jurisdiction of the commission.

(e) Where any question of law is involved, the commission may refer the matter to the corporation counsel. The commission may also request the assistance of other agencies, where necessary or desirable.

(f) Upon the disposition of the petition, the petitioner shall be promptly informed thereof by the commission through the commission office.

(g) Orders disposing of petitions shall have the same status as other commission orders. Orders shall be applicable only to the fact situation alleged in the petition or set forth in the order. They shall not be applicable to different fact situations or where additional facts not considered in the order exist. [Eff. 10/20/08; ren §2-11-104 2/5/11] (Auth: HRS §91-8; RCH §§4-105(4), 14-102) (Imp: HRS §91-8; RCH §§4-105(4), 14-102)

§2-11-105 Severability. If any section or provision or its application to any person or circumstance is held invalid by a court of competent jurisdiction, the invalidity shall not affect other provisions or applications of this chapter that can be given effect without the invalid section or provision or application, and to this end the provisions of this chapter are severable. [Eff. 10/20/08; ren §2-11-105 2/5/11] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-106 Computation of time; reestablishment of deadline dates. (a) Unless otherwise provided by statute or rule, in computing any period of time prescribed or allowed by this chapter or by the plan, the first day of the designated period of time shall not be included. The last day of the period so computed shall be included unless it is a Saturday, Sunday, or legal holiday in the State, in which event the period runs until the next day which is not a Saturday, Sunday, or holiday.

(b) If unforeseen conditions or circumstances affect the election process timetable, including weather catastrophe, power outage, computer failure, delay in the procurement process, delay in the arrival of election materials, or civil unrest, the commission may reestablish suitable deadline dates for the election process timetable.

(c) For filings with the commission office, if weather catastrophe or other unforeseen conditions or circumstances make the commission office inaccessible or inoperative on the last day of the time period computed as set forth in subsection (a), the period shall run until the next day which is not a Saturday, Sunday, or holiday, and on which the commission office is accessible and operative. [Eff. 10/20/08; ren §2-11-106 2/5/11] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-107 Executive secretary. The executive secretary reports to the managing director, and serves as administrator for the commission and the commission office. [Eff. 10/20/08; ren §2-11-107 2/5/11] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102, 14-105)

§2-11-108 Inquiries to the corporation counsel. All legal inquiries by the commission and the commissioners that are directed to the department of the corporation counsel shall be submitted in writing through the executive secretary, unless otherwise

directed by the corporation counsel. [Eff. 10/20/08; ren §2-11-108 2/5/11] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-109 Reimbursable expenses. The commissioners shall be entitled to reimbursement of authorized expenses incurred by them in the performance of their official duties as approved by the executive secretary and as provided by law. [Eff. 10/20/08; ren §2-11-109 2/5/11] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-110 Transition. (a) This subtitle supersedes the Rules of the Neighborhood Commission adopted December 19, 1974, amended May 12, 1998, and effective June 29, 1998, and the Revised Neighborhood Plan 1986 (1998 edition), as amended. Both sets of rules are expressly repealed upon the effective date of this subtitle.

(b) All proceedings pending before the commission including initiative petitions, other petitions, hearings and investigations not completed by the effective date of this subtitle shall continue in accordance with the rules in effect when the proceedings were initiated. [Eff. 10/20/08; ren §2-11-110 2/5/11] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

SUBCHAPTER 2

POWERS, DUTIES, AND FUNCTIONS

§2-11-201 General powers, duties, and functions of the commission. (a) The commission shall be responsible for establishing policy and providing oversight evaluation for the neighborhood board system, and shall develop a neighborhood plan and

review and evaluate the effectiveness of the plan and neighborhood boards.

(b) The commission shall not be responsible for nor control the administrative affairs or day-to-day operations of the commission office. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-202 Political activity. (a) The commission and its commissioners shall not use the official commission title or membership position to:

(1) Endorse a candidate for elective public office; or

(2) Engage in any political activity which could reasonably be implied to endorse or support a candidate for elective public office.

(b) The commission may conduct candidate forums.

(c) This section shall not preclude the right of any commissioner, while not engaged in the performance of the commissioner's official duties, (1) to engage in these political activities as a private citizen, or (2) to list the commissioner's position as part of the commissioner's experience if the commissioner is a candidate for elective public office. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-203 Conference of chairs. (a) The commission shall at least biennially assemble a conference of chairs, to include the chair and one vice chair, or their designees, of each board. Not more than two representatives of each board shall attend any conference.

(b) The purpose of the conference includes: (1) evaluation of the administration and operations of the neighborhood board system; (2) evaluation of the plan; and (3) promotion of communication, cooperation, and collaboration among the commission, the commission office and the boards.

(c) The commission may assemble the conference at any time or location. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

SUBCHAPTER 3

RULES OF THE COMMISSION

§2-11-301 Attendance of commissioners. (a) Commissioners shall be expected to attend all meetings of the commission. If a commissioner cannot attend a meeting, the commissioner should promptly notify the commission chair or the executive secretary before the meeting.

(b) The absence of any commissioner shall be noted as such and not as excused or unexcused.

(c) The commission shall keep a record of attendance of all commissioners. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-302 Absences and removal recommendation process; resignation. (a) If a commissioner is absent for more than three meetings within a one year period, beginning July 1 and ending June 30, the commission shall notify the commissioner of the absences in writing, sent by both United States registered or certified mail with return receipt requested and first class mail, at the commissioner's last known address.

(b) The notice shall:

(1) Inform the commissioner of the accumulated three absences; and

(2) Inform the commissioner that at its next regular meeting the commission will consider whether to recommend to the appointing authority the removal and replacement of the commissioner based on the absences.

(c) A commissioner who has accumulated three absences and received written notice from the commission shall have the opportunity to appear before the commission at its next regular meeting to explain the circumstances of the absences and request to be retained on the commission. After hearing the matter, the commission may recommend to the appointing authority the removal and replacement of the commissioner.

(d) If the commissioner remains and accumulates an additional three absences within the one year period beginning July 1 and ending June 30, the commission shall again consider recommending removal of the commissioner pursuant to subsections (a), (b), and (c).

(e) A commissioner may resign from the seat held at any time and for any reason in writing to the commission chair, executive secretary, and the appointing authority. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-303 Meetings. (a) The commission shall hold a regular meeting on a pre-established day of the month in not less than six of the twelve months within a one year period, beginning July 1 and ending June 30.

(b) The commission shall hold an annual meeting in July to elect officers, present an annual review of the neighborhood board system, and consider any other commission business.

(c) A special meeting may be called at any time by the commission chair or by the commission.

(d) All commission meetings shall be open public meetings held within the city on the island of Oahu except for executive meetings as provided in section 2-11-304.

(e) All or any part of a meeting, except an executive meeting, may be recorded by any person in attendance by means of a tape recorder or any other

means of sonic reproduction; provided the recording does not interfere with the conduct of the meeting. [Eff 10/20/08; am 01/06/13] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-304 Executive meetings. The commission may hold executive meetings closed to the public in accordance with section 92-4, HRS. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-305 Meeting notice and agenda. (a) The commission shall give written public notice of any and all regular, special, or anticipated executive meetings. The notice shall state the day, date, time, and place of the meeting, and include an agenda which lists all of the items to be considered. In the case of an anticipated executive meeting, the purpose shall be stated on the agenda.

(b) The meeting notice and agenda shall be prepared by the commission chair or presiding officer and shall be filed with the office of the city clerk and the commission office for public inspection at least six calendar days before the meeting. The notice and agenda shall also be posted at the site of the meeting whenever feasible.

(c) Each commissioner shall be sent a meeting notice and agenda. Commissioners may also request receipt of meeting notices and agendas by fax, e-mail, or other reasonable means. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-306 Priority of business. (a) The commission may designate any matter properly placed on the agenda to be a special item of business, which may take precedence over other business.

(b) All questions relating to the priority of business to be acted upon by the commission shall be decided without debate. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-307 Meeting minutes. (a) The commission shall keep written minutes of all meetings. Unless otherwise required by law, neither a full transcript nor a recording of the meeting is required, but the written minutes shall give a true reflection of the matters discussed at the meeting and the views expressed by the commissioners and participants. The minutes shall include, but need not be limited to:

(1) The day, date, time, and place of the meeting;
(2) The commissioners recorded as either present or absent;
(3) The time of arrival or departure of any commissioner;
(4) The substance of all matters proposed, discussed, or decided; and a record, by individual commissioner, of any vote taken and any recusal (and related disclosure) made; and
(5) Any other information that any commissioner, during the applicable meeting, requests be included or reflected in the meeting minutes.

(b) The minutes shall be publicly available within thirty calendar days after the meeting, except where disclosure would be inconsistent with chapter 92F, HRS; provided that minutes of executive meetings may be withheld so long as their publication would defeat the lawful purpose of the executive meeting, but for no longer.

(c) If quorum is not attained to convene a meeting, the commission shall prepare a memorandum for the record of the absence of quorum and the status of the noticed meeting.

(d) The commission may approve or amend the minutes at a subsequent meeting of the commission. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-308 Quorum and majority vote. (a) The presence of a majority of all the commissioners to

which the commission is entitled shall constitute a quorum to do business.

(b) The vote of not less than the majority of the entire membership to which the commission is entitled shall be necessary to take any official action, unless otherwise provided by law.

(c) A commissioner who is present at the meeting shall be counted for the purpose of determining quorum.

(d) If a quorum is lost by any commissioner leaving the meeting, the meeting shall be suspended and no business shall be conducted. The meeting shall not resume until a quorum is re-established. If the meeting cannot be resumed within a reasonable period of time, it shall be adjourned.

(e) If no quorum is present for a scheduled meeting or quorum is lost and the meeting is adjourned, the presiding officer may remain and listen to persons and allow the presentation of reports from government agencies, elected officials, or engaged presenters, provided that no other commissioners are present and that the presiding officer first reads aloud a statement advising those persons present that:

(1) Due to lack of quorum, no meeting is being held by the commission and no minutes are being taken;

(2) Presentations are not being received on behalf of the commission and shall not be in the commission's record;

(3) Any communication to the presiding officer shall not be considered public testimony and shall not be in the commission's record; and

(4) Any communication by the presiding officer is not made on behalf of the commission and shall not be on the commission's record.

[Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-309 <u>Voting.</u> (a) Each commissioner shall have a duty to participate in a vote except when the commissioner is recused or otherwise unable to vote. To participate in a vote on any matter, a commissioner

shall be personally present at the meeting when the vote is taken. No proxy shall be allowed.

(b) A commissioner may choose to be recused and not participate in the discussion and vote on any matter, provided the reason is disclosed and announced to the commission.

(c) Four voting methods shall be allowed to ascertain the decision of the commission upon any matter: roll call; by show of hands; by voice vote; and by unanimous consent. The commissioners shall vote in the affirmative, negative, or may abstain. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-310 Disclosure. (a) Any commissioner who knows he or she has a personal or private interest, direct or indirect, in any proposal before the commission shall disclose the interest either orally or in writing to the commission. The disclosure shall also be made a matter of public record before the commission takes any action on the proposal.

(b) A commissioner who makes any disclosure shall not be disqualified from participation in the discussion or vote on the matter. A commissioner may choose to be recused. A recused commissioner shall not participate in the discussion or vote. The recusal shall be recorded in the meeting minutes. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-311 Order and decorum. (a) All commissioners shall promote and preserve the order and decorum of the commission's proceedings.

(b) The presiding officer of the commission or the commission may expel any individual whose conduct at the commission meeting is disruptive, disorderly, contemptuous, or improper for the conduct of business at the commission meeting. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-312 Adjournment. A meeting is adjourned when:

(1) A motion to adjourn is adopted;
(2) There is no further business on the agenda;
(3) The presiding officer adjourns the meeting due to exigent circumstances that require immediate attention; or
(4) Quorum is lost pursuant to section 2-11-308(d). [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-313 Officers. (a) The officers of the commission shall consist of the chair, one or more vice chairs, and any other officers the commission determines it needs to conduct its business.

(b) All officers shall be elected annually by and from the membership of the commission. The term of an officer shall be for one year, beginning in July and ending the following June, or until the election of a successor.

(c) The usual duties of a secretary and treasurer may be performed by the executive secretary or designee. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-314 Removal of an officer. An officer may be removed from office by the commission, with or without cause, at a meeting of the commission. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-315 Officer vacancy. (a) If the office of chair becomes vacant before the expiration of the term of office, the vice chair shall serve as the temporary presiding officer until a successor is elected to serve the remainder of the term.

(b) If a vacancy in any officer position occurs, the commissioners shall promptly elect a successor to serve the remainder of the term at a meeting of the

commission. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§ 4-105(4), 14-102)

§2-11-316 Duties of officers. (a) The chair shall be the presiding officer of the commission. In the absence or disability of the chair, the vice chair shall act as the presiding officer. If the chair and vice chair(s) are absent or otherwise disabled, the commissioner present with the longest continuous membership with the commission shall convene the meeting and the commission shall elect a chair pro tem to serve temporarily as the presiding officer.

(b) It shall be the duty of the chair to:

(1) Serve as the spokesperson and representative of the commission;

(2) Prepare the agenda;

(3) Review or cause to be reviewed, the draft meeting minutes before distribution to the commissioners and availability to the public;

(4) Open all meetings of the commission at or after the appointed time once quorum is present by taking the chair and calling the commission to order;

(5) Call for the approval of the minutes as appropriate;

(6) Maintain order and decorum, with the assistance of all commissioners;

(7) Make known any standing or special rule of order when necessary or so requested;

(8) Make known any rule governing the neighborhood board system when necessary or requested;

(9) Announce the business before the commission;

(10) Receive and submit all appropriate matters properly brought before the commission, to call for votes upon the same, and to announce the results;

(11) Receive and promptly present or report all communications to the commission;

(12) Appoint and remove committee chairs and members, unless otherwise directed by the commission;
(13) Appoint and remove commission delegates, unless otherwise directed by the commission;
(14) Refer matters to committees as appropriate;
(15) Authenticate all acts of the commission as may be required;
(16) Maintain records of the commission's proceedings with the assistance of the commission office; and
(17) Perform any other duties as may be assigned by the commission, as may properly appertain to the office, or as may be required by law.

(c) It shall be the duty of the vice chair(s) to:

(1) Assist the chair with conducting meetings and the administration of the commission's activities;
(2) Serve as the presiding officer and perform all duties and exercise all powers of the chair in the absence or disability of the chair;
(3) Ensure accurate minutes of commission meetings are taken;
(4) Assist the chair with the maintenance of records of the commission's proceedings; and
(5) Perform other duties as may be assigned by the commission.

(d) The duties of any other officer shall be as directed by the commission. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-317 Committees. (a) The commission may establish committees.

(b) Committees shall prepare meeting notices, agendas, and minutes, and shall hold meetings at places reasonably accessible to the public. Committee meeting notices and agendas shall be distributed to the commissioners and persons on the mailing list.

(c) The manner of committee conduct and decision making, whether by consensus, voting, or some other means, may be established by the commission or the specific committee.

(d) Committees shall report to the commission at commission meetings the committee's activities, findings, recommendations, and the means by which any recommendation was determined.

(e) No committee may speak for the commission unless specifically authorized by the commission.

(f) The presiding officer of the committee or the committee may expel any individual who engages in disruptive, disorderly, contemptuous, or improper conduct at any committee meeting. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-318 Appointment of delegates. (a) The commission may appoint delegates from among its membership to represent the commission as necessary and appropriate to perform its duties.

(b) The commission shall define the scope of representation granted and duties assigned to the delegate. Delegate responsibilities may include, but not be limited to, information gathering, attendance at meetings relevant to commission business, evaluation of matters presented to the commission, and initiation of proposals to the commission.

(c) No delegate shall exceed the scope of representation granted by the commission.

(d) Delegates shall report to the commission at commission meetings the delegates' activities, findings, proposals, and the means by which any proposal was determined. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-319 Parliamentary authority. The most current edition of Robert's Rules of Order Newly Revised shall be the parliamentary authority of the commission when

the Hawaii Revised Statutes, the charter, the Revised Ordinances of Honolulu, and this chapter are silent. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

SUBCHAPTER 4

REVIEW OF ACTIONS AND ACTIVITIES

§2-11-401 Request for review. (a) Any person may seek the review of:

(1) Any commission action or activity; or

(2) The official action or activity of any current commissioner;

by written request to the commission within forty-five calendar days after the action or activity.

(b) The commission chair or any duly authorized representative of the commission may, where practicable, seek to resolve with the requester any issue set forth in the request.

(c) If the commission chair or the authorized representative of the commission:

(1) Does not seek to resolve the issues in the request; or

(2) Is unable to obtain a voluntary resolution of the issues under review;

the request, and any recommendation for resolving the issues set forth in the request, if any, shall be presented to the commission at a meeting.

(d) The commission may authorize the executive secretary to perform the actions set forth in subsections (b) and (c). [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-11-402 Review process of the commission. (a) The commission shall initiate a review of any request presented pursuant to section 2-11-401. The

commission may seek any additional relevant information in furtherance of its review.

(b) The commission shall resolve the matter in the best interests of fairness and adherence to law.

(c) If the commission finds that the actions or activities of the commission were inappropriate, the commission may determine appropriate actions for resolving the matter.

(d) If the commission finds that the actions or activities of a commissioner were inappropriate, the commission may provide written notice to the commissioner or the appropriate appointing authority or both. The notice shall set forth:

(1) The actions or activities reviewed by the commission;

(2) The commission's conclusions on the review; and

(3) The appropriate actions recommended by the commission for resolving the matter. [Eff 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

TITLE 2

OFFICE OF THE MANAGING DIRECTOR

SUBTITLE 2 NEIGHBORHOOD COMMISSION

NEIGHBORHOOD PLAN
OF THE CITY & COUNTY OF HONOLULU

CHAPTER 12

GENERAL PROVISIONS OF THE NEIGHBORHOOD PLAN

§2-12-101	Short title.
§2-12-102	Definitions.
§2-12-103	Severability.
§2-12-104	Inquiries to the corporation counsel.
§2-12-105	No compensation; reimbursable expenses.
§2-12-106	Transition
§2-12-107	Force and effect of law.

§2-12-101 Short title. Chapters 12 to 20 of this subtitle shall be known and may be cited as the "Neighborhood Plan". [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-12-102 Definitions. As used in this plan, unless the context otherwise specifically requires:

"Agency" means any office, department, board, commission or other governmental unit of the federal,
state, city, or other municipal government, or any other legal public governmental entity.

"Ballot" means a written or printed, or partly written and partly printed, paper or card containing
the names of persons to be voted for and the office to be filled. A ballot may be in electronic form.

"Candidate" means an individual who seeks election to a seat on a board as provided in chapter 17.

"Chief elections officer" means the individual authorized under section 2-17-102 to direct the administration and conduct of all board elections.

"Chief monitoring officer" means the independent person appointed by the commission pursuant to section 2-17-103 to observe the conduct of an election and report the results to the chief elections officer.

"Election" means all board elections, biennial or special, unless otherwise specifically stated.

"Initiative petition" means the document submitted to the commission pursuant to section 2-15-101 for the purpose of establishing a board.

"Invalid ballot" means any ballot which does not meet the requirements for a ballot to be counted.

"Legal resident alien" means any individual who is not a citizen or national of the United States of America, but who is allowed under federal law to reside in the United States and resides in the city.

"Military family member" means an individual who: (1) is a spouse or child of a member of the uniformed forces of the United States of America who is stationed in and resides in the city, and (2) resides in the city even if registered to vote in another jurisdiction.

"Military personnel" means an individual who: (1) is a member of the uniformed forces of the United States of America, and (2) is stationed in and resides in the city even if registered to vote in another state.

"Neighborhood assistant" means an individual employed by the city in the commission office whose duties include providing administrative and recording assistance to the commission and boards, and who is duly authorized to administer oaths.

"Registered voter" means any individual registered to vote in a board election pursuant to section 2-17-202.

"Replacement ballot" means a ballot issued to a voter who spoils or loses a ballot, or reports no delivery or receipt of a ballot, pursuant to section 2-17-303.

"Spoiled ballot" means a ballot which is marked incorrectly by the voter, is misprinted, is illegibly printed, or contains some other defect.

"Uncontested race" means an election contest in which the number of registered candidates is equal to or less than the number of open seats available.

"Vote cast" means any ballot which is properly returned to the commission, including a ballot that is blank or a ballot that is later rejected or disqualified for any reason.

"Voting system" means the use of electronic ballot cards, paper ballots, or any other system designated by the commission or the chief elections officer by which votes are cast and counted in a board election. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-12-103 Severability. If any provision of this plan or its application to any person or circumstance is held invalid by a court of competent jurisdiction, the invalidity shall not affect other provisions or applications of this plan that can be given effect without the invalid provision or application, and to this end the provisions of this plan are severable. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-12-104 Inquiries to the corporation counsel. All legal inquiries by the boards and for their members that are directed to the department of the corporation counsel shall be submitted in writing through the executive secretary, unless otherwise directed by the
corporation counsel. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-12-105 No compensation; reimbursable expenses. The members of the boards shall receive no compensation, but shall be entitled to reimbursement of authorized expenses incurred by them in the performance of their official duties as approved by the executive secretary and as provided by law. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-12-106 Transition. (a) All neighborhood board rules approved by the commission in conjunction with the approval of a neighborhood's initiative petition shall be amended, where necessary, by its board to comply with this subtitle.

(b) Except as set forth in subsection (a), the adoption of this plan shall not affect the validity of any neighborhood's initiative petition previously accepted by the commission and those initiative petitions shall remain in full force and effect.

(c) Notwithstanding any other provisions set forth in this subtitle, initiative petitions may be amended by the commission to comply with this subtitle in accordance with chapter 15. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-12-107 Force and effect of law. This plan and any rule adopted in accordance with chapter 20 shall have the force and effect of law. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

TITLE 2

OFFICE OF THE MANAGING DIRECTOR

SUBTITLE 2 NEIGHBORHOOD COMMISSION

NEIGHBORHOOD PLAN
OF THE CITY & COUNTY OF HONOLULU

CHAPTER 13

POWERS, DUTIES, AND FUNCTIONS
OF THE NEIGHBORHOOD BOARDS

§2-13-101	Purpose.
§2-13-102	General powers, duties, and functions of the boards.
§2-13-103	Political activity.
§2-13-104	Standards of conduct.
§2-13-105	Conflicts of interest.
§2-13-106	Community forum limitations.
§2-13-107	Representative capacity of board members.
§2-13-108	Membership.
§2-13-109	Concurrent holding of elective public office prohibition.

§2-13-101 Purpose. The purpose of this neighborhood plan and the neighborhood boards is to increase and assure effective citizen participation in the decisions of government. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-13-102 General powers, duties, and functions of the boards. (a) The boards are responsible for actively participating in the functions and processes of government by identifying, addressing, communicating, and seeking solutions to neighborhood issues and concerns, both within and outside of their

respective neighborhood areas. Their actions should reflect the needs, wants, and interests of the neighborhood. Boards may take the initiative in selecting and prioritizing their activities, and provide reasonable means to increase and assure effective citizen participation in the decisions of government.

(b) The powers, duties, and functions of boards shall include:

(1) Increase and assure effective citizen participation in the decisions of government by providing additional and improved opportunities for public input and interaction, and communicating that input to the appropriate persons and agencies;

(2) Initiate, review, comment, and make recommendations concerning any general plan, development and sustainable communities plan, zoning, planning, permitting, and other land use issues within the city;

(3) Identify, prioritize, review, comment, and make recommendations concerning any government capital improvement proposal, plan, or project;

(4) Assist with evaluations of the efficiency and effectiveness of government services and programs, whether provided by government agencies or their contractors;

(5) Initiate, review, comment, and make recommendations concerning any other substantive issue reasonably related to the processes or decisions of government;

(6) Encourage understanding of the decision-making processes of government; and

(7) Encourage the role of the board as a public and informational forum on community and governmental issues.

(c) Boards, in compliance with this plan and all other applicable laws, may communicate and cooperate with each other, especially on a regional basis, to promote general awareness and understanding of issues of mutual concern, explore opportunities for collaboration, and foster beneficial relationships to further increase and assure effective citizen participation in the decisions of government.

(d) Each board may express its neighborhood's view, opinion, or advice on matters within the scope of the board's jurisdiction to properly fulfill its duty. No deference is required of a board to any other board.

(e) Boards may cooperate and collaborate with persons, agencies, and community organizations so long as the cooperation and collaboration does not exceed the powers, duties, and functions of boards as allowed by law.

(f) The commission shall provide reasonable assistance and reasonable operating expenses for the boards for the performance of their powers, duties, and functions. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-13-103 Political activity. (a) The boards and their members shall not use the official board title or membership position to:

(1) Endorse a candidate for elective public office; or

(2) Engage in any political activity which could reasonably be implied to endorse or support a candidate for elective public office.

(b) The boards may conduct candidate forums.

(c) This section shall not preclude the right of any member, while not engaged in the performance of the member's scope of official duties, (1) to engage in these political activities as a private citizen, or (2) to list the member's position as part of the member's experience if the member is a candidate for elective public office. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-13-104 Standards of conduct. (a) Board members, in the performance of their duties, shall demonstrate
by their example the highest standards of ethical conduct, to the end that the public may justifiably have trust and confidence in the integrity of the neighborhood board system. Board members shall hold their offices or positions for the benefit of the public, shall recognize that the public's interest is their primary concern, and shall faithfully discharge the duties of their offices regardless of personal considerations.

(b) Board members shall not use their positions to secure or grant special consideration, treatment, advantage, privilege, or exemption to themselves or any person beyond that which is available to every other person.

(c) Board members are not officers or employees of the city by reason of their position. However, the standards of conduct policy shall apply to all board members. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-13-105 Conflicts of interest. (a) No board member shall:

(1) Solicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, favor, service, thing or promise, or in any other form, under circumstances in which it can reasonably be inferred that the gift is intended to influence the member in the performance of the member's official duties. Nothing herein shall preclude the solicitation or acceptance of lawful contributions for election campaigns;

(2) Disclose confidential information gained by reason of the member's office or position, or use that information for the member's personal gain or benefit of anyone; or

(3) Engage in any business transaction or activity, or have a financial interest, direct or indirect, which is incompatible with the proper discharge of a member's official duties or which may tend to impair the independence of judgment in the performance of the member's official duties. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-13-106 Community forum limitations. (a) The democratic and advisory duty of the boards is to increase and assure effective citizen participation in the decisions of government in accordance with law.

(b) Board meetings, held by boards in the performance of their powers, duties, and functions, shall serve as community forums by the promotion of open expression and discussion of ideas relating to government and community processes and activities by the board members and public. Boards shall ensure that any public discussion is responsibly conducted and is reasonably related to the purpose stated in subsection (a). [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-13-107 Representative capacity of board members. (a) Each member of a board shall represent the entire district and act responsibly to fulfill the board's democratic and advisory duty.

(b) All discussion and consideration of public affairs shall avoid private matters or matters under litigation except to the extent that policies, processes, or decision-making of government are involved.

(c) Boards may reasonably engage in activities which recognize and celebrate the participation, contributions, and accomplishments of persons, agencies, and community organizations in the life of that neighborhood area or the community at large. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-13-108 Membership. (a) A member of the board shall be a resident, including military personnel, military family members, and legal resident aliens:

(1) Whose primary residence is in the neighborhood district and subdistrict, as applicable;

(2) Who is at least eighteen years of age; and

(3) Who is duly elected by vote of the respective neighborhood district or subdistrict, as applicable, or appointed by vote of the respective board to fill a vacancy, in accordance with this plan and all other applicable laws.

(b) The city residence of any military personnel and any military family member shall serve as the primary residence for purposes of membership requirements under this section.

(c) Except as set forth in section 2-13-109, no officer or employee of any branch or agency of the federal, state, or city government shall be precluded from membership on a board.

(d) No term limits shall apply to board members.

(e) Upon the death of a board member, the executive secretary shall declare the member's seat vacant. The vacancy shall become effective upon the mailing of a letter to the presiding officer of the board at which time the vacancy can be included on the board agenda as provided for by section 2-14-104 [Eff 10/20/08; am 01/06/13] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-13-109 Concurrent holding of elective public office prohibition. (a) An individual shall not serve concurrently in an elective public office and as a member of any board.

(b) A board member elected or appointed to an elective public office shall be disqualified from membership on the board upon the earlier of the start of the term of office for which elected or upon the administration of the oath of office for which appointed.

(c) A board member shall not be required to resign from the member's seat to run as a candidate for elective public office. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

TITLE 2

OFFICE OF THE MANAGING DIRECTOR

SUBTITLE 2 NEIGHBORHOOD COMMISSION

NEIGHBORHOOD PLAN
OF THE CITY & COUNTY OF HONOLULU

CHAPTER 14

RULES OF THE NEIGHBORHOOD BOARDS

§2-14-101	Oath of office.
§2-14-102	Board term.
§2-14-103	Transition and initial convening.
§2-14-104	Membership vacancy.
§2-14-105	Attendance of members.
§2-14-106	Absences and removal process; resignation.
§2-14-107	Reporting change of residency.
§2-14-108	Disqualification by relocation. (REPEALED)
§2-14-109	Meetings.
§2-14-110	Executive meetings.
§2-14-111	Meeting notice and agenda.
§2-14-112	Priority of business.
§2-14-113	Meeting minutes.
§2-14-114	Quorum and majority vote.
§2-14-115	Voting.
§2-14-116	Disclosure.
§2-14-117	Order and decorum.
§2-14-118	Discussion.
§2-14-119	Adjournment.
§2-14-120	Officers.
§2-14-121	Removal of an officer.
§2-14-122	Officer vacancy.
§2-14-123	Duties of officers.
§2-14-124	Committees.
§2-14-125	Appointment of delegates.
§2-14-126	Parliamentary authority.
§2-14-127	Board prohibited from suspending plan.

§2-14-101 Oath of office. (a) Before entering upon the duties of office, each member elected or appointed shall subscribe to the following oath or affirmation before a current member of the Neighborhood Commission, the Executive Secretary, a current employee of the Neighborhood Commission Office or a notary public:

> "I solemnly swear (or affirm) that I will faithfully support the Constitution and laws of the United States of America, the Constitution and laws of the State of Hawaii, the charter and laws of the City and County of Honolulu, and the provisions of the neighborhood plan, and will conscientiously and impartially discharge my duties, to the best of my ability, as a member of the neighborhood board to which I have been elected (or appointed)."

(b) Newly elected or appointed members shall not assume the duties of office, participate in the election of officers, or otherwise conduct board business until they subscribe to the required oath or affirmation of office.

(c) A member shall be disqualified and the seat vacant if a member fails to subscribe to the required oath of office within sixty days after:

(1) The date the board term begins; or

(2) If filling a vacancy, the date of appointment by the board or the commission.

(d) Newly elected members who are unable to take the oath of office within the sixty day time period due to military service or other extraordinary circumstances, may request an extension of time from the Executive Secretary. [Eff 10/20/08; am 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-102 Board term. (a) The term of office for the members of the boards shall be for a period of two years, from July 1 of an odd numbered year to June 30 of the next successive odd numbered year.

(b) All board members shall serve non-staggered terms of office, and all board seats shall be up for election at the same time in odd numbered years.

(c) The Neighborhood Commission may extend the term of all Neighborhood Board members by one two-year term. [Eff 10/20/08; am 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-103 Transition and initial convening. (a) The elected board member who most recently served as an officer on the Board shall serve as the Chair pro tem of the new board, with priority being given to the Chair, then the Vice-Chair, then the Secretary, then the Treasurer. If no former officers serve on the new board, the member who holds the longest continuous tenure on the board shall serve as

Chair pro tem. The chair pro tem shall be responsible for the preparation and filing of the agenda for the first board meeting, whether regular or special, held on or after July 1 of the new term. The agenda for the first board meeting of the new term shall include the election of officers as the first item of business.

(b) The chair pro tem shall convene the first board meeting of the new term and conduct business until the first election is concluded of an officer who is qualified under this plan to serve as the presiding officer. The chair pro tem shall then pass the gavel to the newly elected presiding officer.

(c) If no newly elected member of the board has previously served on the board, or if two or more board members hold equal lengths of tenure on the board, the chair pro tem shall be decided by lot.

(d) If the board is unable to elect a chair or other presiding officer, no agenda item may be taken out of order except for actions to:

(1) Fill any vacant seat on the board;

(2) Pre-establish a specific day of the month on which the board will hold its regular meetings;

(3) Pre-establish a specific location at which the board will hold its regular meetings; and

(4) Take any budgetary action necessary for the board to continue convening its regular meetings. [Eff 10/20/08; am 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-104 <u>Membership vacancy.</u> (a) Any board member vacancy occurring shall be filled by the board as soon as practicable after its occurrence. The remaining members of the board shall appoint a successor of requisite qualifications to fill the vacancy for the remainder of the unexpired term. The Board may only fill vacancies for the board's current term.

(b) A vacancy shall be filled at a regular meeting of the board.

(c) A majority vote of all the members to which the board is entitled shall be necessary to appoint an individual of requisite qualifications to fill any vacancy.

(d) Before a board may fill a vacancy, each individual seeking appointment to the vacant seat shall provide evidence, satisfactory to the executive secretary or designee, that the individual is duly qualified to fill the vacancy.

(e) If one or more vacancies on a board or the failure of a board to achieve quorum in successive meetings interferes with the ability of a board to conduct its business, the commission may take action to fill any vacancy. [Eff 10/20/08; am 9/14/09; am 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-105 Attendance of members. (a) Members shall be expected to attend all meetings of the board. If a member cannot attend a meeting, the member shall, when possible, promptly notify the chair, the chair designee, or the presiding officer before the meeting.

(b) The absence of any member shall be noted as such and not as excused or unexcused.

(c) Each board shall keep a record of attendance of all its members. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-106 Absences and removal process; resignation. (a) If a board member is absent for three regular board meetings within a one year period, beginning July 1 and ending June 30, the executive secretary shall notify the member of the absences in writing sent by both United States registered or certified mail with return receipt requested and first class mail at the member's last known address not less than seven calendar days prior to the regular board meeting that is held immediately after the board member's third absence.

(b) The notice shall:

(1) Inform the member of the accumulated three absences; and

(2) Inform the member that at the board's next regular meeting the board will consider whether to remove the member based on the member's absences and declare the seat vacant.

(c) A board member who has accumulated three absences and has received written notice from the executive secretary shall have the opportunity to appear before the board to explain the circumstances of the absences and request to be retained on the board. After hearing the matter, the board may declare the seat vacant.

(d) No board shall adopt any policy providing for the automatic removal of a board member based on absences; a board must take specific action to declare a seat vacant.

(e) So long as a board member remains on the board, the board shall continue to formally consider removal of the member pursuant to subsections (a), (b), and (d) whenever the member accumulates an additional two absences during the one year period set forth in subsection (a) which were not considered previously by the board.

(f) If the board is unable to hold a meeting pursuant to this section due to lack of quorum caused by three successive absences of any board member, the commission may take action to declare the member's seat vacant and fill the vacancy.

(g) A board member may resign from the seat held at any time and for any reason in writing to the board chair and the executive secretary. [Eff 10/20/08; am 01/06/13] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-107 Reporting change of residency. (a) When a board member changes residency during the term to which the board member was elected or appointed, the member shall notify in writing the presiding officer of the respective board and the commission of the new primary residence address within ten calendar days after the change. The board member shall provide the member's actual primary residence address and not a post office box number, mailing service address, or any other address which is not the member's actual primary residence address.

(b) The executive secretary shall verify that the new primary residence address is within the neighborhood district and subdistrict, as applicable, and shall determine whether the member remains qualified to serve in the seat to which elected or appointed.

(c) The new primary residence address of a board member may be a public record to the extent allowed by law.

(d) This section shall not apply to a board member who resigns from the seat pursuant to section 2-14-106(g) before the notification deadline under subsection (a).

(e) If the executive secretary determines that the member is not eligible to continue serving under the residency requirements in section 2-13-108, a certified letter shall be sent to the member and the presiding officer of the board. The effective date of disqualification shall be the date the return receipt is received by the executive secretary indicating the member received it or seven days after the date the letter is mailed, whichever is first. [Eff 10/20/08; am 01/06/13] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-108 REPEALED [Eff 10/20/08; R 01/06/13] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-109 Meetings. (a) Unless otherwise established by the commission a board shall hold a regular meeting on a pre-established day of the month in not less than nine of the twelve months within a one year period, beginning July 1 and ending June 30,
provided that at no time shall more than two consecutive months elapse between regular meetings.

(b) A regular meeting date may be rescheduled by the presiding officer if the meeting place becomes unexpectedly unavailable or if unexpected conditions arise.

(c) The pre-established time and place shall be determined by the board at the initial convening of each term, with consideration given to (1) the board's then

established regular meeting time and place, (2) availability of the meeting place, (3) availability of commission office support services, and (4) the meeting schedule of the neighborhood board system as a whole.

(d) A special meeting may be called at any time by the presiding officer or by the board. The agenda shall be filed with the Neighborhood Commission Office at least seven calendar days prior to the meeting date.

(e) All or any part of a meeting, except an executive meeting, may be recorded by any person in attendance by means of a tape recorder or any other means of sonic reproduction; provided the recording does not interfere with the conduct of the meeting. [Eff 10/20/08; am 2/5/11; am 01/06/13] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-110 Executive meetings. A board may hold executive meetings closed to the public in accordance with section 92-4, HRS. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-111 Meeting notice and agenda. (a) A board shall give written public notice of any and all regular, special, or anticipated executive meetings.
The notice shall state the day, date, time, and place of the meeting, and include an agenda which lists all of the items to be considered. In the case of an anticipated executive meeting, the purpose shall be stated on the agenda.

(b) The meeting notice and agenda shall be prepared by the chair or presiding officer and shall be filed in the Neighborhood Commission Office at least seven calendar days before the meeting. The notice and agenda shall also be posted at the site of the meeting whenever feasible.

(c) If the chair receives a written request from any member of the chair's board to include an item on the agenda, the chair shall:

(1) Include the item on the agenda for the next regular meeting; or

(2) Include the request for inclusion of the item on the agenda for the next regular meeting for the board to decide whether to include the item on the agenda for the following regular meeting;

provided that if the request is not received at least ten days before the next regular meeting, the item or the request shall be included on the agenda for the following meeting.
Once filed with the city clerk, no item shall be added to the agenda for that duly noticed meeting except by a recorded two-thirds vote of all members to which the board is entitled, and provided that no item shall be added to the agenda if it is of reasonably major importance and action thereon by the board will affect a significant number of persons. [Eff 10/20/08; am 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-112 Priority of business. (a) After the call to order of a regular meeting, the board shall give priority to representatives of the Honolulu Fire Department and the Honolulu Police Department to
present their reports to the board and community, and respond to inquiries.

(b) The board may designate any matter properly placed on the agenda to be a special item of business, which may take precedence over other business.

(c) All questions relating to the priority of business to be acted upon by the board shall be decided without debate. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-113 Meeting minutes. (a) A board shall keep written minutes of all meetings. Unless otherwise required by law, neither a full transcript nor a recording of the meeting is required, but the written minutes shall give a true reflection of the matters discussed at the meeting and the views expressed by the members and participants. The minutes shall include, but need not be limited to:

(1) The day, date, time, and place of the meeting;
(2) The members of the board recorded as either present or absent;
(3) The time of arrival or departure of any member;
(4) The substance of all matters proposed, discussed, or decided; and a record, by individual member, of any vote taken and any recusal (and related disclosure) made; and
(5) Any other information that any member of the board, during the applicable meeting, requests be included or reflected in the meeting minutes.

(b) The minutes shall be publicly available within thirty calendar days after the meeting, except when disclosure would be inconsistent with chapter 92F, HRS; provided that minutes of executive meetings may be withheld so long as their publication would defeat the lawful purpose of the executive meeting, but for no longer.

(c) If quorum is not attained to convene a meeting, the board shall prepare a memorandum for the
record of the absence of quorum and the status of the noticed meeting.

(d) The board may approve or amend and approve the minutes at a subsequent regular board meeting. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-114 Quorum and majority vote. (a) The presence of a majority of all the members to which the board is entitled shall constitute a quorum to do business.

(b) The vote of not less than the majority of the entire membership to which the board is entitled shall be necessary to take any official action, unless otherwise specifically provided by this plan or by law.

(c) A board member who is present at the meeting shall be counted for the purpose of determining quorum. [Eff 10/20/08; am 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-115 Voting. (a) Each board member shall vote on all actions before the board except when the member is recused or otherwise unable to vote. To participate in a vote on any matter, a member shall be present at the meeting when the vote is taken. No proxy shall be allowed.

(b) A member may choose to be recused and not participate in the discussion and vote on any matter, provided the reason is disclosed and announced to the board.

(c) Four voting methods shall be allowed to ascertain the decision of the board upon any matter: roll call; by show of hands; by voice vote; and by unanimous consent. The members shall vote in the affirmative, negative, or may abstain. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-116 Disclosure. (a) Any board member who knows he or she has a personal or private interest, direct or indirect, in any proposal before the board shall disclose the interest either orally or in writing to the board. The disclosure shall also be made a matter of public record before the board takes any action on the proposal.

(b) A member who makes any disclosure shall not be disqualified from participation in the discussion or vote on the matter. A member may choose to be recused. A recused member shall not participate in the discussion or vote. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-117 Order and decorum. (a) All board members shall promote and preserve the order and decorum of the board's proceedings.

(b) The presiding officer of the board or a majority of the board may expel any individual whose conduct at the board meeting is disruptive, disorderly, contemptuous, or improper for the conduct of business at the board meeting. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-118 Discussion. When a board member or person properly before the board wishes to speak, the member or person shall address the chair, be recognized before proceeding, and shall confine remarks to the subject under

discussion, avoiding personalities and abusive language. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-119 Adjournment. A meeting is adjourned when:

(1) A motion to adjourn is adopted;

(2) There is no further business on the agenda;

(3) The presiding officer adjourns the meeting due to exigent circumstances that require immediate attention. [Eff 10/20/08; am 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-120 Officers. (a) The officers of a board shall consist of the chair, one or more vice chairs, the secretary, the treasurer, and any other officer the board determines it needs to conduct its business.

(b) All officers shall be elected annually by and from the membership of the board in July. Each officer shall be elected at a meeting by a majority vote of the entire membership to which the board is entitled.

(c) The term of an officer shall be for one year, beginning in July and ending the following June, or until the election of a successor. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-121 Removal of an officer. An officer may be removed from office at a meeting of a board by a majority vote of the entire membership to which the board is entitled. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-122 Officer vacancy. (a) If the chair's seat becomes vacant before the expiration of the term of office, the vice chair shall serve as the chair pro tem until a successor is elected to fill the remainder of the term.

(b) If a vacancy in any officer position occurs, the board members shall elect a successor to serve the remainder of the term at a meeting of the board. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-123 Duties of officers. (a) The chair shall be the presiding officer of a board. In the absence or disability of the chair, the vice chair shall act as the presiding officer. If both the chair and vice chair are absent or otherwise disabled, the secretary shall act as the presiding officer. If the chair, vice chair, and secretary are absent or otherwise disabled, the treasurer shall act as the presiding

officer or the board may elect a chair pro tem to temporarily serve as the presiding officer.

(b) It shall be the duty of the chair to:

(1) Serve as the spokesperson and representative of the board.

(2) Prepare the agenda.

(3) Review or cause to be reviewed the draft meeting minutes before distribution to the members and availability to the public.

(4) Open all meetings of the board at the appointed time once quorum is present by taking the chair and calling the board to order.

(5) Call for the approval of the minutes of the preceding meeting when a quorum is present.

(6) Maintain order and proper decorum, with the assistance of all board members.

(7) Make known any standing or special rule of order when necessary or so requested.

(8) Make known any rule of the neighborhood board system when necessary or requested.

(9) Announce the business before the board.

(10) Receive and submit all appropriate matters properly brought before the board, to call for votes upon the same, and to announce the results.

(11) Receive and promptly present or report all communications to the board.

(12) Appoint and remove all committee chairs, unless otherwise directed by the board.

(13) Appoint and remove all board delegates, unless otherwise directed by the board.

(14) Refer matters to committees as appropriate.

(15) Authenticate by signature all advisory actions of the board as may be required.

(16) Appoint a secretary pro tem in the absence of the secretary.

(17) Maintain records of the board's proceedings with the assistance of the commission office.

(18) Perform any other duty as may be assigned by the board, as may properly appertain to the office, or as may be required by law.

(c) It shall be the duty of the vice chair to:

(1) Assist the chair with conducting meetings and the administration of the board's activities.

(2) Serve as the presiding officer and perform all duties and exercise all powers of the
chair in the absence or disability of the chair.

(3) Assist the chair with the maintenance of records of the board's proceedings.
(4) Perform other duties as may be assigned by the board.
(d) It shall be the duty of the secretary to:
(1) Assist the chair and vice chair with conducting meetings and the administration of the board's activities.
(2) Serve as the presiding officer and perform all duties and exercise all powers of the chair and vice chair in their absence or disability.
(3) Ensure accurate minutes of the board meetings are taken.
(4) Assist the chair with the maintenance of records of the board's proceedings.
(5) Perform other duties as may be assigned by the board.
(e) It shall be the duty of the treasurer to:
(1) Assist the chair, vice chair, and secretary with conducting meetings and the administration of the board's activities.
(2) Serve as the presiding officer and perform all duties and exercise all powers of the chair, vice chair, and secretary in their absence or disability.
(3) Assist the chair with the maintenance of records of the board's proceedings.
(4) Perform other duties as may be assigned by the board.
(f) The duties of any other officer shall be as directed by the board. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-124 Committees. (a) The board may establish committees from among its membership and the public without regard to place of residence. The committee chair shall be a member of the board.

(b) Committee responsibilities shall include, but not be limited to, the evaluation of matters presented to the board, information gathering, and initiation of proposals for the consideration of the full board.

(c) The manner of committee conduct and decision making, whether by consensus, voting, or some other means, may be established by the board or the specific committee.

(d) Committees shall report to the board at board meetings the committees' activities, findings, recommendations, and the means by which any recommendation was determined.

(e) No committee may speak for the board unless specifically authorized by the board.

(f) The presiding officer of the committee or the committee may expel any individual who engages in disruptive, disorderly, contemptuous, or improper conduct at any committee meeting.

(g) Committees shall prepare meeting notices, agendas, and minutes, and shall hold meetings at places reasonably accessible to the public. Committee meeting notices, agendas, and minutes shall be filed with the NCO within thirty days after the Committee meeting.

(h) The term of a committee member shall begin upon appointment and end the following June or until the appointment of a successor, unless directed to expire earlier by the Board. [Eff 10/20/08; am 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-125 Appointment of delegates. (a) The board may appoint delegates from among its membership and the public to represent the board as necessary and appropriate to perform its duties.

(b) The board shall define the scope of representation granted and duties assigned to the delegate. Delegate responsibilities may include, but not be limited to, information gathering, attendance at meetings relevant to board business, evaluation of matters presented to the board and initiation of proposals to the board.

(c) No delegate may exceed the scope of representation granted by the board.

(d) Delegates shall report to the board at board meetings the delegates' activities, findings, proposals, and the means by which any proposal was determined. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-126 Parliamentary authority. The most current edition of Robert's Rules of Order Newly Revised shall be the parliamentary authority of all boards when the Hawaii Revised Statutes, the charter, the Revised Ordinances of Honolulu, and the plan are silent. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-127 Board prohibited from suspending plan. No board shall suspend any part of this plan. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

TITLE 2

OFFICE OF THE MANAGING DIRECTOR

SUBTITLE 2 NEIGHBORHOOD COMMISSION

NEIGHBORHOOD PLAN
OF THE CITY & COUNTY OF HONOLULU

CHAPTER 15

INITIATION AND FORMATION OF NEIGHBORHOODS

§2-15-101	Initiative petition; voter signatures requirement.
§2-15-102	Initiative petition components; board composition.
§2-15-103	Filing and verification.
§2-15-104	Commission consideration process.
§2-15-105	Reservation of commission powers.
§2-15-106	Amendment of the initiative petition.
§2-15-107	Amendment process.
§2-15-108	Number of board members.

§2-15-101 Initiative petition; voter signatures requirement. A neighborhood shall be formed in accordance with this chapter upon the submission of an initiative petition to the commission signed by the lesser of five per cent or one hundred of the registered voters within the proposed neighborhood district boundaries in the last general election. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-15-102 Initiative petition components; board composition. (a) The initiative petition shall set forth the following:

(1) The proposed board name;
(2) The proposed neighborhood district boundaries and geographical definition;
(3) The proposed board organization by membership composition and scope of representation – at large, subdistrict, or a combination of both;
(4) Any proposed subdistrict area with a map and geographical definitions; and

(5) The proposed number of members to be elected from the district or each subdistrict, as applicable.

(b) Each neighborhood shall have a board composed of an odd number of members that totals not less than nine members nor more than nineteen members. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-15-103 Filing and verification. The initiative petition shall be filed with the commission, which shall transmit the petition to the city clerk for verification of the signatures as being those of registered voters residing within the district boundaries of the proposed neighborhood. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-15-104 Commission consideration process. (a) After receiving verification from the city clerk, the commission shall publicize the substance of the initiative petition within the proposed neighborhood and call for the submission of any alternative initiative petition within forty-five calendar days after the publication.

(b) Within forty-five calendar days after the deadline for submission of alternative petitions, the commission shall hold at least two public hearings within the district boundaries of the proposed neighborhood. The purpose of the public hearings shall be to determine whether the proposed neighborhood should be formed and a board established. The commission shall accept written testimony up to and including the tenth calendar day after the close of the final public hearing.

(c) Not less than ten nor more than forty-five calendar days after the close of the final public hearing, the commission shall by resolution approve or disapprove the original initiative petition and any alternative initiative petition. The commission shall consider the neighborhood support in determining whether to approve or disapprove the petition. A written statement explaining the principal reasons for the commission's action shall accompany the resolution. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-15-105 Reservation of commission powers. (a) The commission may amend any element of an initiative petition during the consideration process under section 2-15-104 in compliance with this plan and all other applicable laws:

(1) When there is evidence of neighborhood support for the amendment;

(2) To provide clarity to the initiative petition;

(3) To promote fairness;

(4) To promote the efficient administration of the neighborhood board system as a whole; or

(5) To meet legal requirements.

(b) The commission may at any time during the consideration process amend initiative petitions to conform with the requirements of this plan and establish a schedule for the applicable boards to comply with the amended petition. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-15-106 Amendment of the initiative petition. (a) Except for amendments affecting neighborhood district boundaries and geographical definitions, initiative petitions may be amended at any time in accordance with this chapter.

(b) Amendments to any initiative petition approved by the commission may be proposed by the action of the commission, the written request of the subject board, or by written request of the lesser of five per cent or one hundred of the registered voters within the proposed neighborhood district boundaries. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-15-107 Amendment process. (a) The commission shall publicize the substance of the proposed amendment within the applicable neighborhood.

(b) Within forty-five calendar days after the publication, the commission shall hold a public hearing within the district boundaries of the applicable neighborhood. The commission shall accept written testimony up to and including the tenth calendar day after the close of the public hearing.

(c) Not less than ten nor more than forty-five calendar days after the close of the final public hearing, the commission shall by resolution approve or disapprove the proposed amendment or approve a revised form of the proposed amendment. A written statement explaining the principal reasons for the commission's action shall accompany the resolution. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-15-108 Number of board members. (a) The number of members on a board, from each district or subdistrict, as applicable, and the designation of board members as representing subdistricts or the district at large, shall be based on the population and the geographical definition of the neighborhood, and on the involvement of the neighborhood members.

(b) Notwithstanding other provisions set forth in this chapter, the commission may, by an affirmative

vote of at least two-thirds of the entire membership to which the commission is entitled:

(1) Increase or decrease the amount of board members on a board, from each district or subdistrict, as applicable;

(2) Change the representation of the members on a board from subdistricts to the district at large;

(3) Change the representation of the members on a board from the district at large to subdistricts;

based on any change in the factors set forth in subsection (a).

(c) For purposes of determining the factors set forth in subsection (a), the commission shall consider objective sources, including the United States census on population and housing, the commission's neighborhood boundary maps, and the amount of candidates for the neighborhood in the prior board elections. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

TITLE 2

OFFICE OF THE MANAGING DIRECTOR

SUBTITLE 2 NEIGHBORHOOD COMMISSION

NEIGHBORHOOD PLAN
OF THE CITY & COUNTY OF HONOLULU

CHAPTER 16

NEIGHBORHOOD GEOGRAPHY

Subchapter 1 General Provisions

§2-16-101 Neighborhood boundary definitions.
§2-16-102 Boundary establishment standards.
§2-16-103 Neighborhood boundary maps.

Subchapter 2 District Boundary Descriptions

§2-16-201 Hawaii Kai Neighborhood Board No. 1.
§2-16-202 Kuliouou-Kalani Iki Neighborhood Board No. 2.
§2-16-203 Waialae-Kahala Neighborhood Board No. 3.
§2-16-204 Kaimuki Neighborhood Board No. 4.
§2-16-205 Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board No. 5.
§2-16-206 Palolo Neighborhood Board No. 6.
§2-16-207 Manoa Neighborhood Board No. 7.
§2-16-208 McCully-Moiliili Neighborhood Board No. 8.
§2-16-209 Waikiki Neighborhood Board No. 9.
§2-16-210 Makiki/Lower Punchbowl/Tantalus Neighborhood Board No. 10.
§2-16-211 Ala Moana/Kakaako Neighborhood Board No. 11.
§2-16-212 Nuuanu/Punchbowl Neighborhood Board No. 12.
§2-16-213 Downtown Neighborhood Board No. 13.
§2-16-214 Liliha/Puunui/Alewa/Kamehameha Heights Neighborhood Board No. 14.

§2-16-215 Kalihi-Palama Neighborhood Board No. 15.
§2-16-216 Kalihi Valley Neighborhood Board No. 16.
§2-16-217 Moanalua Neighborhood District No. 17.
§2-16-218 Aliamanu/Salt Lake/Foster Village Neighborhood Board No. 18.
§2-16-219 Airport Area Neighborhood District No. 19.
§2-16-220 Aiea Neighborhood Board No. 20.
§2-16-221 Pearl City Neighborhood Board No. 21.
§2-16-222 Waipahu Neighborhood Board No. 22.
§2-16-223 Ewa Neighborhood Board No. 23.
§2-16-224 Waianae Coast Neighborhood Board No. 24.
§2-16-225 Mililani/Waipio/Melemanu Neighborhood Board No. 25.
§2-16-226 Wahiawa-Whitmore Village Neighborhood Board No. 26.
§2-16-227 North Shore Neighborhood Board No. 27.
§2-16-228 Koolauloa Neighborhood Board No. 28.
§2-16-229 Kahaluu Neighborhood Board No. 29.
§2-16-230 Kaneohe Neighborhood Board No. 30.
§2-16-231 Kailua Neighborhood Board No. 31.
§2-16-232 Waimanalo Neighborhood Board No. 32.
§2-16-233 Mokapu Neighborhood District No. 33.
§2-16-234 Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34.
§2-16-235 Mililani Mauka/Launani Valley Neighborhood Board No. 35.
§2-16-236 Nanakuli/Maili Neighborhood Board No. 36.
§2-16-237 “Date formed” definition.

Subchapter 3 Amendments to Boundaries

§2-16-301 Neighborhood boundary amendments.
§2-16-302 Commission consideration process.
§2-16-303 Reservation of commission powers.
§2-16-304 Amendment moratorium.

SUBCHAPTER 1

GENERAL PROVISIONS

§2-16-101 Neighborhood boundary definitions. The neighborhood district boundaries and their geographical definitions shall be as set forth in subchapter 2. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-102 Boundary establishment standards. (a) The commission shall use the following standards for establishing neighborhood district boundaries:

(1) Neighborhoods shall be established within the city.

(2) No neighborhood district boundary may be drawn to unduly favor a person, community, agency, or political faction.

(3) Neighborhoods, insofar as practicable, shall be contiguous and compact.

(4) Neighborhood district boundaries shall, where possible, follow permanent and easily recognized features, such as streets, streams, and clear geographical features, and, when practicable, coincide with census tract, precinct, or other useful administrative boundaries.

(5) The neighborhoods as a whole shall coincide so far as feasible with Oahu's historic communities. Where practicable, submergence of an area in a larger neighborhood wherein substantially different socioeconomic interests predominate shall be avoided.

(b) The commission shall also use the standards set forth in subsection (a) as guidelines for the periodic review of neighborhood district boundaries, the approval of amendments to initiative petitions, and for all other boundary changes and adjustments. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-103 Neighborhood boundary maps. (a) The neighborhood district boundaries set forth in this chapter shall be delineated on official neighborhood boundary maps.

(b) The maps shall be revised as necessary in accordance with any amendment made to the neighborhood district boundary descriptions pursuant to subchapter 3.

(c) The commission shall also provide more detailed boundary maps based on the geographical definitions for each neighborhood district and

neighborhood subdistrict as established by the plan and the respective initiative petitions, as amended.

(d) The commission office shall maintain copies of the maps. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

SUBCHAPTER 2

DISTRICT BOUNDARY DESCRIPTIONS

§2-16-201 Hawaii Kai Neighborhood Board No. 1. From Makapuu Point, along the leeward south coast in a westerly direction to the western outlet of Kuapa Pond, then inland north to May Way to Maunalua Avenue, Maunalua Avenue extended, then north to the crest of Maunalua Ridge to the crest of the Koolau Range (Honolulu City Limits), thence southeast along the crest of the Koolau Range to Makapuu Point.
Date formed: March 1, 1977. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-202 Kuliouou-Kalani Iki Neighborhood Board No. 2. From the junction of the crest of the Koolau Range and Maunalua Ridge, south along Maunalua Ridge to Maunalua Avenue extended, to Maunalua Avenue, to May Way, to the western outlet of Kuapa Pond, along the coast in a westerly direction to the east boundary of the Waialae Golf Course, thence east and north along the boundary of the Waialae Golf Course to the intersection of Waikui Street and Kalanianaole Highway, thence northeasterly along the ridgeline of the unnamed ridge east of Kapakahi Gulch to its intersection with Wiliwilinui Ridge, thence along Wiliwilinui Ridge to the crest of the Koolau Range, thence southeast along the crest of the Koolau Range to Maunalua Ridge. Date formed: May 16, 1975. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-203 Waialae-Kahala Neighborhood Board No. 3. Beginning at the junction of the crest of the Koolau Range and Wiliwilinui Ridge, south along Wiliwilinui Ridge to its intersection with the crest of an unnamed ridge east of Kapakahi Gulch, thence south along the ridgeline of the unnamed ridge to the intersection of Waikui Street and Kalanianaole Highway, thence west and south along the east boundary of the Waialae Golf Course, thence along the coast in a southwesterly direction to the west boundary of the U.S. Coast Guard

Reservation, thence in a straight line to the rim of the Diamond Head Crater, thence along the crater rim in a northern direction, thence in a straight line to the intersection of 18th Avenue and Diamond Head Road, thence along 18th Avenue to Puu Panini Avenue, east along Puu Panini Avenue, north along the property line between 4210 and 4220 Puu Panini Avenue, thence in a north and east direction along the back property lines of 4220 to 4326 Puu Panini Avenue to Huanui Street, east along Huanui Street and east along the property line between 4405 and 4379 Puu Panini Avenue, thence north along the State Department of Taxation designated "Waialae-Kapahulu Boundary" which is a line running behind one row of homes west of Elepaio and Hunakai Streets, north across Waialae Avenue, north along the east property fence line of the former Waialae Drive-In Theater, thence north along the east property fence line, along the fence line extended along the rear property line (east line of Wilhelmina Rise Tract), along the rim of a bluff (east line of Maunalani Heights Tract), thence to Waialaenui Gulch, thence north to the crest of the Koolau Range (Honolulu City Limits) and along the crest to the intersection with Wiliwilinui Ridge. Date formed: April 16, 1976. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-204 Kaimuki Neighborhood Board No. 4. Beginning at the rim of the bluff along the east line of the Maunalani Heights Tract, in a southern direction along the fence line of the former Waialae Drive-In Theater extended (east line of Wilhelmina Rise Tract), south to the fence along the east property line of the former Waialae Drive-In Theater, south across Waialae Avenue, thence south along the State Department of Taxation designated "Waialae-Kapahulu Boundary" which is a line running behind the row of homes west of Hunakai and Elepaio Streets, west along the property line between 4405 and 4379 Puu Panini Avenue, west along Huanui Street, then south and west along the back property lines of 4326 to 4220 Puu Panini Avenue, south along the property line between 4220 and 4210 Puu Panini Avenue, thence west along Puu Panini Avenue to 22nd Avenue, thence south along 22nd Avenue to and along Tax Map Key Designator line 3-2 and 3-1 to 18th Avenue, thence south along 18th Avenue to Diamond Head Road, thence west along Diamond Head Road to Makapuu Avenue, thence north along Makapuu Avenue to Alohea Avenue, thence along Alohea Avenue to 6th Avenue, thence along 6th Avenue in a northerly direction to the H-1 Freeway, thence in a westerly direction along the H-1 Freeway to the extension of 5th Avenue, thence north along 5th Avenue to Waialae Avenue, thence east along Waialae Avenue to Sierra Drive, thence north along Sierra Drive to the west line of the Wilhelmina Rise Tract, thence north along the rim of the bluff which constitutes the west line of the Wilhelmina

Rise and Maunalani Heights Tracts, thence to the junction point with the east line of the Maunalani Heights Tract. Date formed: September 20, 1977. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-205 Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board No. 5. Beginning at the intersection of 5th Avenue and Waialae Avenue, south along 5th Avenue to the H-1 Freeway, then east along the H-1 Freeway to 6th Avenue, thence in a southerly direction along 6th Avenue to Alohea Avenue, thence east along Alohea Avenue to Makapuu Avenue, thence south along Makapuu Avenue to Diamond Head Road, thence along Diamond Head Road to the intersection with 18th Avenue, thence in a straight line to the rim of Diamond Head Crater, thence along the rim of Diamond Head, thence in a straight line south to the west boundary of the U.S. Coast Guard Reservation, thence in a westerly direction along the coastline to the intersection of Kalakaua Avenue and Kapahulu Avenue, thence north along Kapahulu Avenue to Ala Wai Boulevard, thence west along Ala Wai Boulevard to a line along the end of Ala Wai Canal, thence west along the Ala Wai Canal to the Manoa-Palolo Drainage Canal, thence north along the Manoa-Palolo Drainage Canal, thence north along the north branch of Manoa Stream, thence in a straight line across Dole Street to Waahila Ridge, thence north along Waahila Ridge to a point on the ridge which intersects with an extension of the southwest boundary of Kawao Park, thence along the southwest boundary of Kawao Park to the Honolulu Watershed Forest Reserve Boundary, thence south along the Forest Reserve Boundary to Palolo Stream, thence south along Palolo Stream to a direct line drawn to the intersection of Palolo Avenue and Waialae Avenue, thence east along Waialae Avenue to 5th Avenue. Date formed: September 27, 1977. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-206 Palolo Neighborhood Board No. 6. From the junction of the crest of the Koolau Range and Waialaenui Gulch, thence south along Waialaenui Gulch, thence in a direct line to the rim of a bluff constituting the west boundary of the Maunalani Heights Tract, thence southwest along the west boundary of the Maunalani Heights and Wilhelmina Rise Tracts to Sierra Drive, thence south along Sierra Drive to Waialae Avenue, thence west along Waialae Avenue to the junction of Palolo Avenue and Waialae Avenue, thence in a direct line to Palolo Stream, thence north along Palolo Stream to the Honolulu Watershed Forest Reserve Boundary, thence north along the Forest Reserve Boundary to the southwest boundary of Kawao Park, thence along an extension of the Kawao Park boundary to Waahila Ridge, thence north along Waahila Ridge to the crest of the Koolau Range, thence east along the Koolau Range to the junction with

Waialaenui Gulch. Date formed: September 20, 1977. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-207 Manoa Neighborhood Board No. 7. From the junction of the Koolau Range with Waahila Ridge, south along Waahila Ridge, across Dole Street to Manoa Stream, thence south along Manoa Stream to (old) Waialae Avenue, west along Waialae Avenue to the H-1 Freeway, west along the H-1 Freeway to the University of Hawaii property line east of Varsity Circle, thence north and west along the University of Hawaii property line (separating the area including Varsity Circle, Varsity Place, Kalo Place, and Kolo Place) to the H-1 Freeway, west along the H-1 Freeway to Punahou Street, north along Punahou Street to the Nehoa Street intersection, west along the northern property boundaries of the homes along the northern side of Nehoa Street to the east boundary of homes on the east side of Ualakaa Street, thence north along the property lines parallel to Ualakaa Street to the Honolulu Watershed Forest Reserve Boundary, thence north along the Forest Reserve Boundary, and north along the rim of the ridge on the east side of Pauoa Flats to the crest of the Koolau Range, thence east along the Koolau Range to the junction with Waahila Ridge. Date formed: March 1, 1977; amended May 9, 2000 to transfer a portion to McCully-Moiliili Neighborhood Board No. 8. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-208 McCully-Moiliili Neighborhood Board No. 8. Beginning at the junction of Waialae Avenue and the Manoa-Palolo Drainage Canal, south along the Manoa-Palolo Drainage Canal, thence west along the Ala Wai Canal to Kalakaua Avenue, thence north along Kalakaua Avenue to South King Street, thence east along South King Street to Punahou Street, thence north along Punahou Street to the H-1 Freeway, thence east along the H-1 Freeway to the University of Hawaii property line west of Kolo Place, thence north and east along the University of Hawaii property line (separating the area including Kolo Place, Kalo Place, Varsity Place, and Varsity Circle) to the H-1 Freeway to (old) Waialae Avenue, thence north along Waialae Avenue to the Manoa-Palolo Drainage Canal. Date formed: May 4, 1976; amended May 9, 2000 to add a portion transferred from Manoa Neighborhood Board No. 7. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-209 Waikiki Neighborhood Board No. 9. Beginning at the junction of Ala Wai Boulevard and Kapahulu Avenue, thence south along Kapahulu Avenue to the ocean, thence in a westerly direction along the coastline to a line extending to the entrance to the yacht basin, thence north along that line to the Ala Wai Canal,

thence along the Ala Wai Canal in a northeasterly and easterly direction to a straight line connecting the end of the Ala Wai Canal with the Ala Wai Boulevard, thence along the Ala Wai Boulevard to its junction with Kapahulu Avenue. Date formed: September 20, 1977. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-210 Makiki/Lower Punchbowl/Tantalus Neighborhood Board No. 10. Beginning at the junction of the face of the ridge on the east side of Pauoa Valley and an unnamed ridge, thence along a line descending along the northeast side of the ridge, thence south along the Honolulu Watershed Forest Reserve Boundary, thence south along the east side of the property lines on the east side of Ualakaa Street to the property lines on the north side of Nehoa Street, thence east along these property lines to Punahou Street, south along Punahou Street to South King Street, thence west along South King Street to Ward Avenue, thence north along Ward Avenue to the H-1 Freeway, thence west along the H-1 Freeway to Pele Street, thence north along Pele Street and Pele Street extended to the rim of Punchbowl Crater, thence east along the rim of Punchbowl Crater, thence in a straight line to Prospect Street, thence southeast along Prospect Street to Nehoa Street, along Nehoa Street to Auwaiolimu Street, thence north along Auwaiolimu Street to Kanaha Stream, thence north along Kanaha Stream to the Forest Reserve Boundary, thence in a northwesterly direction along the Forest Reserve Boundary to the face of the ridge on the east side of Pauoa Valley, thence north along the ridge on the east side of Pauoa Valley to its junction with an unnamed ridge. Date formed: September 20, 1977. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

2-16-211 Ala Moana/Kakaako Neighborhood Board No. 11. Beginning at the junction of South King Street and Kalakaua Avenue, southeast along Kalakaua Avenue to the Ala Wai Canal, thence southwest along the Ala Wai Canal and a line extending through the channel of the yacht basin, thence along the coastline in a westerly direction to a line extension of Keawe Street, thence north on Keawe Street to Ala Moana Boulevard, west along Ala Moana Boulevard to South Street, thence north along South Street to South King Street, east along South King Street to Alapai Street, north along Alapai Street to South Beretania Street, east along South Beretania Street to Ward Avenue, thence south along Ward Avenue to South King Street, thence east along South King Street to Kalakaua Avenue. Date formed: September 20, 1977. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-212 Nuuanu/Punchbowl Neighborhood Board No. 12. Beginning at the junction of the Koolau Range and Puu Konahuanui Ridge, south along the face of the ridge on the east side of Pauoa Flats, thence south along the Forest Reserve Boundary to Tantalus Drive, along Tantalus Drive to Kanaha Stream, south along Kanaha Stream to Auwaiolimu Street, southeast along Auwaiolimu Street to Nehoa Street, along Nehoa Street to Prospect Street, along Prospect Street, thence in a straight line to the rim of Punchbowl Crater, thence in a westerly direction along the rim of Punchbowl Crater, thence in a straight line to Pele Street, south on Pele Street to the H-1 Freeway, west to Nuuanu Avenue, north along Nuuanu Avenue to a point south of Ahi Place, thence in a straight line west to Waolani Stream, thence north along Waolani Stream to Kapalama-Waolani Stream Divide (ridge), north to the crest of the Koolau Range, thence east along the Koolau Range to Puu Konahuanui Ridge. Date formed: September 20, 1977. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-213 Downtown Neighborhood Board No. 13. Beginning at the intersection of the H-1 Freeway and Ward Avenue, south along Ward Avenue to South Beretania Street, west along South Beretania Street to Alapai Street, south along Alapai Street to South King Street, west along South King Street to South Street, south along South Street to Ala Moana Boulevard, east along Ala Moana Boulevard to Keawe Street, thence south along Keawe Street and a straight line extended, thence west along the coastline to a straight line running parallel to Pier 17 which extends to Honolulu Harbor, thence in a straight line north to North King Street, thence north along Nuuanu Stream to North School Street, thence east along North School Street to Nuuanu Avenue, thence south along Nuuanu Avenue to the H-1 Freeway, thence east along the H-1 Freeway to Ward Avenue. Date formed: September 20, 1977. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-214 Liliha/Puunui/Alewa/Kamehameha Heights Neighborhood Board No. 14. Beginning at the intersection of Waolani Stream and Kapalama-Waolani Stream Divide (ridge), south along Waolani Stream to a point south of Ahi Place where a straight line is drawn parallel to Ahi Place to Nuuanu Avenue, thence south along Nuuanu Avenue to School Street, thence west along North School Street to Likelike Highway, thence north along Likelike Highway to Kalihi Street, thence north along Kalihi Street to Akahi Street, thence east parallel to Akahi Street, thence north along the northwest boundary of Kamehameha Schools and north along Kamanaiki-Kapalama Stream Divide (ridge) to Kapalama-Waolani Stream Divide (ridge), thence south to Waolani Stream. Date formed: March 22,

1977; name changed from Liliha/Kapalama to Liliha/Alewa/Puunui/Kamehameha Heights on May 9, 2000; name reordered to Liliha/Puunui/Alewa/Kamehameha Heights on July 9, 2002. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-215 Kalihi-Palama Neighborhood Board No. 15. Beginning at the intersection of North School Street and Nuuanu Stream, south along Nuuanu Stream to North King Street, thence in a straight line to a line running parallel to Pier 17, extending southeast through Honolulu Harbor, thence west along the Sand Island coastline to a straight line in a northwesterly direction through Keehi Lagoon, thence northeast in a straight line to the mouth of Kalihi Stream at Nimitz Highway, west on Nimitz Highway to Middle Street, thence north on Middle Street to the east boundary of Fort Shafter Military Reservation opposite Kahauiki Street, thence west and north along the east boundary of Fort Shafter Military Reservation to Notley Street, thence east on Notley Street to North School Street, east on North School Street to Nuuanu Stream. Date formed: May 16, 1975. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-216 Kalihi Valley Neighborhood Board No. 16. Beginning at the intersection of the crest of the Koolau Range and the Kalihi-Moole Stream Divide (ridge), south along Kamanaiki-Kapalama Divide (ridge), south along the northwest boundary of Kamehameha Schools to Akahi Street, thence west in a straight line parallel to Akahi Street to Kalihi Street, south along Kalihi Street to Likelike Highway, south on Likelike Highway to North School Street, west on North School Street to Notley Street, thence west on Notley Street to the east boundary of Fort Shafter Military Reservation, thence north along the east boundary of Fort Shafter to Kalihi-Manaiki Stream Divide (ridge), to the crest of the Koolau Range, thence east along the crest of the Koolau Range to the Kalihi-Moole Stream Divide (ridge). Date formed: May 4, 1976. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-217 Moanalua Neighborhood District No. 17. Beginning at the intersection of the crest of the Koolau Range and Kalihi-Manaiki Stream Divide (ridge), south to the east boundary of Fort Shafter Military Reservation, thence south along the east boundary of Fort Shafter to a point opposite Kahauiki Street, thence south along Middle Street to the H-1 Freeway, thence west along the H-1 Freeway and Moanalua Road to Halawa Stream, thence north along Halawa Stream to the crest of the Koolau Range, thence east along the crest of the Koolau

Range to its junction with the Kalihi-Manaiki Stream Divide (ridge). No initiative petition filed as of September 1, 2005. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-218 Aliamanu/Salt Lake/Foster Village Neighborhood Board No. 18. Beginning at the intersection of Moanalua Road and Puuloa Road, south along Puuloa Road to Peltier Avenue, thence west along Peltier Avenue, thence in a westerly direction along the northern boundary of Camp Catlin Naval Reservation, thence in a westerly direction along Salt Lake Boulevard to Halawa Stream, thence north along Halawa Stream to Moanalua Road, thence east along Moanalua Road to the intersection with Puuloa Road. Date formed: January 30, 1979. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-219 Airport Area Neighborhood District No. 19. Beginning at the intersection of the H-1 Freeway and Middle Street, south along Middle Street to Nimitz Highway, east on Nimitz Highway to the mouth of Kalihi Stream, thence in a straight line southwest to a point in Keehi Lagoon opposite an unnamed drainage channel, thence in a straight line southeast ending parallel to the western point of Sand Island, thence in a westerly direction to the entrance to Pearl Harbor, thence north up the Middle Loch of Pearl Harbor, thence in an easterly direction in East Loch (south and east of Ford Island) to a point in East Loch opposite the mouth of Halawa Stream, thence east to the mouth of Halawa Stream, thence north along Halawa Stream to Salt Lake Boulevard to the northern boundary of Camp Catlin Naval Reservation, thence east along the Camp Catlin boundary to Peltier Avenue, east along Peltier Avenue to Puuloa Road, thence north on Puuloa Road to Moanalua Road, thence east on Moanalua Road to Middle Street. No initiative petition filed as of September 1, 2005. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-220 Aiea Neighborhood Board No. 20. Beginning at the junction of the crest of the Koolau Range and Halawa Stream, south along Halawa Stream to a point opposite the mouth of Halawa Stream in East Loch, Pearl Harbor, thence south (south and east of Ford Island) to a point in Middle Loch, thence in a northwesterly direction up Middle Loch to a point south and west of the tip of Pearl City Peninsula, thence in a northeasterly direction through East Loch to the mouth of Waimalu Stream, thence north along Waimalu Stream to Kamehameha Highway, west on Kamehameha Highway to Kaahumanu Street, north on Kaahumanu Street to the southern edge of the Crown at Wailuna community,

west and north and east along the edge of the Crown at Wailuna community to the ridge between Waiau Gulch and Punanani Gulch, north on the ridge between Waiau Gulch and Punanani Gulch to the crest of the Koolau Range, thence east along the crest of the Koolau Range to the junction with Halawa Stream. Date formed: September 20, 1977; amended in 1998, effective June 1, 1999, to add a portion transferred from Pearl City Neighborhood Board No. 21. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-221 Pearl City Neighborhood Board No. 21. Beginning at the junction of the crest of the Koolau Range and the ridge between Waiau Gulch and Punanani Gulch, south along the ridge between Waiau Gulch and Punanani Gulch to the western edge of the Crown at Wailuna community, south and east along the Crown at Wailuna community boundary to Kaahumanu Street, south along Kaahumanu Street to Kamehameha Highway, east on Kamehameha Highway to Waimalu Stream to East Loch, Pearl Harbor, thence to a point south and west of the tip of Pearl City Peninsula, thence north through Middle Loch in a straight line to the former Oahu Railway & Land Co. (OR&L) right-of-way (abandoned), east along the former OR&L right-of-way to Waiawa Stream, north along Waiawa Stream to Kamehameha Highway, west on Kamehameha Highway to the H-2 Freeway, north on the H-2 Freeway to Kipapa Stream, thence north and east along Kipapa Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to the extension of the ridge between Waiau Gulch and Punanani Gulch. Date formed: September 20, 1977; amended in 1998, effective June 1, 1999, to transfer a portion to Aiea Neighborhood Board No. 20. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-222 Waipahu Neighborhood Board No. 22. Beginning at the junction of the H-2 Freeway and the Mililani Memorial Park Road, south along the H-2 Freeway to Kamehameha Highway, thence east along Kamehameha Highway to Waiawa Stream, thence south along Waiawa Stream to the former Oahu Railway & Land Co. (OR&L) right-of-way (abandoned), thence west along the former OR&L right-of-way to a point where a straight line is drawn south through Middle Loch, Pearl Harbor, to a point south and west of the tip of Pearl City Peninsula, thence to a point south of Waipio Point, thence in a northwesterly direction through West Loch to a point south of Leowaena Street, thence north along the setback from Leowaena Street to Kunia Road, thence north along Kunia Road to the intersection with Kupehau Road, thence east along power lines to Waikele Stream, thence south along Waikele Stream to Kipapa Stream, thence north along Kipapa Stream to the Mililani Memorial Park Road, thence along the

Mililani Memorial Park Road to the H-2 Freeway. Date formed: October 23, 1984. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-223 Ewa Neighborhood Board No. 23. Beginning at the intersection of Kunia Road and the H-1 Freeway, thence south along Kunia Road, thence south along the setback from Leowaena Street to West Loch, Pearl Harbor, southeast through West Loch to a point south of Waipio Point, thence south to the entrance to Pearl Harbor, thence west along the coast to the eastern property line of the former Barbers Point Naval Air Station (BPNAS), thence north along the former BPNAS property line to the junction with the former Oahu Railway & Land Co. (OR&L) right-of-way (abandoned), thence in a straight line north to a point where Waimanalo Road intersects Kaloi Gulch, thence north along Kaloi Gulch to the H-1 Freeway, thence east along the H-1 Freeway to the Kunia Road intersection. Date formed: September 20, 1977; amended August 29, 1994, effective June 1, 1995, to provide for the creation of Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-224 Waianae Coast Neighborhood Board No. 24. Beginning at Kaena Point thence east along the south boundary of Kaena Military Reservation extended, east along the south boundary of Kaena Military Reservation, east to top of the south rim of the Waianae Range, south east along the Waialua-Waianae District Boundary (crest of the Waianae Range) to the junction of the Wahiawa-Waianae District Boundary, thence south along the Wahiawa-Waianae District Boundary to the junction of the Wahiawa-Waianae District Boundary and the Lualualei Naval Reservation, south west along the Lualualei Naval Reservation to Lualualei Homestead Road, west to the junction of Mailiili Road and Lualualei Homestead Road; west to the crest of Puu Mailiili; thence for 3000 feet along this crest to the southern boundary of the Waianae WWTP, west along this boundary to the Pacific Ocean, thence north to the point of beginning. Date formed: May 9, 1975; amended January 28, 2008 to provide for the creation of Nanakuli-Maili Neighborhood Board No. 36 [3/31/08]. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-225 Mililani/Waipio/Melemanu Neighborhood Board No. 25. Beginning at the intersection of the H-2 Freeway and the south boundary line of the Leilehua Golf Course (Wahiawa-Ewa District Boundary line), thence south along the H-2 Freeway to the Mililani Memorial Park Road, thence southwest along the Mililani

Memorial Park Road, thence south along Kipapa Stream to Waikele Stream, thence north along Waikele Stream to power lines on the western bank, thence in a westerly direction to Kupehau Road, thence from the intersection of Kupehau Road and Kunia Road in a straight line southwest to Puu Moopuna, thence in a straight line northwest to Palikea on the west boundary of the Honouliuli Forest Reserve, thence north along the crest of the Waianae Range to Puu Kanehoa, thence east along Huliwai Gulch to Kunia Road, thence north along Kunia Road, thence along the south and east boundary of Wheeler Army Air Field, thence north along Kamehameha Highway to the south boundary line of the Leilehua Golf Course, thence along the Leilehua Golf Course boundary to the H-2 Freeway. Date formed: April 23, 1975. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-226 Wahiawa-Whitmore Village Neighborhood Board No. 26. Beginning at the intersection of the Poamoho Trail (Waialua-Wahiawa District Boundary) and the crest of the Koolau Range (east boundary of Ewa Forest Reserve), thence south along the crest of the Koolau Range to Wahiawa-Ewa District Boundary line, thence west along the Wahiawa-Ewa District Boundary to the closest point of the Waikakalaua Gulch, thence west along the northern boundary of the Waikakalaua Gulch to the H-2 Freeway, thence north along the H-2 Freeway to the south boundary line of the Leilehua Golf Course, thence west along the Leilehua Golf Course boundary to Kamehameha Highway, thence along the east and south boundary of Wheeler Army Air Field, thence south along Kunia Road to Huliwai Gulch, thence west along Huliwai Gulch to Puu Kanehoa, thence north along the west boundary of Schofield Barracks Military Reservation (crest of Waianae Range) thence east along the north boundary of Schofield Barracks Military Reservation (Waialua-Wahiawa District Boundary), thence southeast along Kaukonahua Stream, thence east along the Waialua-Wahiawa District Boundary (Poamoho Stream) to the intersection of Poamoho Trail and the crest of the Koolau Range. Date formed: March 19, 1985; amended October 2, 1996, effective June 1, 1997, to provide for the creation of Mililani Mauka/Launani Valley Neighborhood Board No. 35. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-227 North Shore Neighborhood Board No. 27. Beginning at the mouth of Waialee Stream, thence south along Waialee Stream to Oio Gulch, thence south along Oio Gulch to Elehaha Stream, thence southeast along the crest of the Koolau Range (east boundary of Kawailoa Forest Reserve), thence south to Poamoho Trail, thence west along the Waialua-Wahiawa District Boundary (Poamoho Stream), thence northwest along Kaukonahua Stream, thence west along the north boundary of Schofield Barracks Military Reservation (Waialua-Wahiawa District Boundary), thence west along the crest of the Waianae Range (Waialua-Waianae District Boundary), thence along the top of the south rim of the Waianae Range, the south boundary of the Kaena Military Reservation, and the south boundary of Kaena Military Reservation extended, thence northeast along the Pacific Ocean to the mouth of Waialee Stream. Date formed: October 11, 1977. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-228 Koolauloa Neighborhood Board No. 28. Beginning at the mouth of Waialee Stream, thence south along Waialee Stream to Oio Gulch, thence south along Oio Gulch to Elehaha Stream, thence southeast along the crest of the Koolau Range (east boundary of Kawailoa Forest Reserve), thence along the Koolauloa-Wahiawa Boundary to Puu Kaaumakua, thence east along the Koolauloa-Koolaupoko District Boundary to Kaoio Point, thence north along the coast to the mouth of Waialee Stream. Date formed: February 10, 1976. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-229 Kahaluu Neighborhood Board No. 29. Beginning at Puu Kaaumakua on the crest of the Koolau Range, thence east along the crest of the ridge constituting the south boundary of the Hauula Forest Reserve and the Koolauloa-Koolaupoko District line, thence south along the coast to a point south of Heeia Pier and north of Matson Point, thence in a northwesterly direction along the crest of an unnamed ridge, thence in a westerly direction along the crest of the ridge north of Heeia Meadowlands to the crest of the Koolau Range, thence north along the Koolau Range to Puu Kaaumakua. Date formed: September 8, 1975. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-230 Kaneohe Neighborhood Board No. 30. Beginning at the junction of the crest of the Koolau Range and the crest of the ridge north of Heeia Meadowlands, thence east along the crest of the ridge north of Heeia

Meadowlands, thence south and east along the crest of an unnamed ridge to a point south of Heeia Pier and north of Matson Point, thence south along the coastline (but including Mokuoloe Island) to the southwest boundary of the Kaneohe Marine Corps Base Hawaii at the junction of the H-3 Freeway and Kaneohe Bay, thence in a southwesterly direction along the crest of Mahinui Ridge, thence in a southwesterly direction along the Kaneohe-Kailua Boundary to Kamehameha Highway to its junction with Kalanianaole Highway and Pali Highway (including Hawaii Pacific University's Hawaii Loa Campus), thence southwest along the Pali Highway to the crest of the Koolau Range, thence north along the crest of the Koolau Range to its junction with the crest of the ridge north of Heeia Meadowlands. Date formed: February 10, 1976. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-231 Kailua Neighborhood Board No. 31. Beginning at the junction of the crest of the Koolau Range and the Pali Highway, south and east, then north along the Pali Highway to the junction of Kalanianaole Highway and Kamehameha Highway, thence west along Kamehameha Highway to the Kaneohe-Kailua Boundary, thence east along the Kaneohe-Kailua Boundary to Mahinui Ridge, thence north along Mahinui Ridge to the southwestern corner boundary of the Kaneohe Marine Corps Base Hawaii, thence east along the boundary of the Kaneohe Marine Corps Base Hawaii to the southeastern corner boundary of the Kaneohe Marine Corps Base Hawaii, thence southeast along the coast to the north boundary of Bellows Air Force Station, thence west along the north boundary of Bellows Air Force Station, thence south along the west boundary of Bellows Air Force Station, thence west along the Olomana Golf Course boundary, thence south and west along Aniani Nui Ridge to the crest of the Koolau Range, thence north along the crest of the Koolau Range to the Pali Highway. Date formed: August 24, 1976. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-232 Waimanalo Neighborhood Board No. 32. Beginning at the junction of the north boundary of Bellows Air Force Station and the Pacific Ocean, then west along the north boundary of Bellows Air Force Station, thence south along the west boundary of Bellows Air Force Station, thence west along the boundary of Olomana Golf Course, thence south and west along Aniani Nui Ridge to the crest of the Koolau Range, thence south along the crest of the Koolau Range along the Koolaupoko-Honolulu District Boundary line to Makapuu Point, thence north along the coast to the northern boundary of Bellows Air Force Station. Date formed: July 18, 1975. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-233 Mokapu Neighborhood District No. 33. Beginning at the southwest corner boundary of the Kaneohe Marine Corps Base Hawaii, thence north along the western coast of the Kaneohe Marine Corps Base Hawaii, thence east along the coast to Mokapu Point, thence south along the eastern coast to the southeastern corner of the Kaneohe Marine Corps Base Hawaii, thence west along the south boundary of the Kaneohe Marine Corps Base Hawaii. No initiative petition filed as of September 1, 2005. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-234 Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34. Beginning at the intersection of the eastern property line of the former Barbers Point Naval Air Station (BPNAS) and the shoreline, thence west and northwest along the coast to Waimanalo Gulch, thence north and east along Waimanalo Gulch to the west boundary of the Nanakuli Forest Reserve to Palikea, thence in a straight line southeast to Puu Moopuna, thence in a straight line northeast to the junction of Kupehau Road and Kunia Road, thence south along Kunia Road to the H-1 Freeway, thence west along the H-1 Freeway until it intersects with Kaloi Gulch, thence south along Kaloi Gulch to Waimanalo Road, thence south in a straight line to the junction with the former Oahu Railway & Land Co. (OR&L) right-of-way (abandoned) and the former BPNAS property line, thence along the eastern former BPNAS property line to the shoreline. Date formed: August 29, 1994, effective June 1, 1995. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-235 Mililani Mauka/Launani Valley Neighborhood Board No. 35. Beginning at the intersection of the Wahiawa-Ewa District Boundary and the crest of the Koolau Range, thence south along the crest of the Koolau Range to Kipapa Stream extended, thence southwest along Kipapa Stream to the H-2 Freeway intersection, thence north along the H-2 Freeway to the northern boundary of the Waikakalaua Gulch, thence east along the northern boundary of the Waikakalaua Gulch to the intersection of the closest point of the Wahiawa-Ewa District Boundary, thence east along the Wahiawa-Ewa District Boundary to the intersection of the Wahiawa-Ewa District Boundary and the crest of the Koolau Range. Date formed: October 2, 1996, effective June 1, 1997. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-236 Nanakuli/Maili Neighborhood Board No. 36. Beginning at the junction of the Waianae-Wahiawa District Boundaries to Puu Kanehoa, thence

south along the west boundary of the Honouliuli Forest Reserve boundary to Palikea, thence southwest along the western boundary of the Nanakuli Forest Reserve to Waimanalo Gulch, thence south along the Waimanalo Gulch to the Pacific Ocean, thence north along the coast to the southern boundary of the Waianae WWTP, thence east along this southern boundary to Puu Mailiili, thence east along Puu Mailiili for approximately 3,000 feet, thence southeast to the junction of Mailiili Road and Lualualei Homestead Road, thence east along Lualualei Homestead Road to the Lualualei Naval reservation, thence east and north to the point of beginning along the Lualualei Naval Reservation. Date formed: January 28, 2008. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-237 "Date formed" definition. (a) As used in this subchapter, "date formed" means the calendar date on which the commission formally approved the initiative petition establishing a board and its neighborhood boundaries.

(b) Additional information stated after the date formed indicates amendments made by the commission affecting the neighborhood district boundary description or other geographic or organizational matters related to that specific board. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

SUBCHAPTER 3

BOUNDARY AMENDMENTS

§2-16-301 Neighborhood boundary amendments. (a) Amendments to neighborhood boundaries may be requested by petition filed with the commission as follows:

(1) A petition adopted by a board may be filed with the commission; or

(2) A petition signed by the lesser of five per cent or one hundred of the registered voters residing in each neighborhood district affected by the proposed amendment may be filed with the commission, which shall transmit the petition to the city clerk for verification of the signatures as being those of registered voters who reside within the affected neighborhood district(s).

(b) Petitions filed pursuant to subsection (a) shall set forth the proposed amendments and include a map and geographical definitions.

(c) The commission, at any time on its own motion, may initiate proceedings to amend neighborhood boundaries. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-302 Commission consideration process. (a) The commission shall hold at least two public hearings in the affected neighborhood district(s) within forty-five calendar days after:

(1) The filing of the petition by a board;
The commission's receipt of certification from the city clerk verifying the signatures on the petition as those of registered voters residing in the applicable neighborhood district(s); or

(2) Action by the commission to initiate amendment proceedings.

(b) The purpose of the public hearings shall be to determine whether the neighborhood district boundaries should be amended.

(c) The commission shall accept written testimony up to and including the tenth calendar day after the close of the final public hearing.

(d) Not less than ten nor more than forty-five calendar days after the close of the final public hearing, the commission shall by resolution approve or disapprove the proposed amendment(s) to the neighborhood district boundaries. The commission shall consider the neighborhood support in determining whether to approve or disapprove the proposed amendment(s).

(e) A written statement explaining the principal reasons for the commission's action shall accompany the resolution. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-303 Reservation of commission powers. The commission may amend any element of a petition during the consideration process under section 2-16-302 in compliance with this plan and all other applicable laws:

(1) When there is evidence of neighborhood support for the amendment;
(2) To provide clarity to the petition;
(3) To promote fairness;
(4) To promote the efficient administration of the neighborhood board system as a whole; or
(5) To meet legal requirements. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-16-304 Amendment moratorium. (a) The neighborhood district boundaries as established in this plan shall not be amended for one year from the date of the filing of this plan with the city clerk.

(b) After the formation of a neighborhood by the commission's approval of an initiative petition pursuant to chapter 15, the boundaries of the neighborhood district and any subdistrict therein shall not be amended for one

year from the date of the neighborhood's first election of the board. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

TITLE 2

OFFICE OF THE MANAGING DIRECTOR

SUBTITLE 2 NEIGHBORHOOD COMMISSION

NEIGHBORHOOD PLAN
OF THE CITY & COUNTY OF HONOLULU

CHAPTER 17

NEIGHBORHOOD BOARD ELECTIONS

Subchapter 1 General Provisions

§2-17-101 Election principles.
§2-17-102 Chief elections officer.
§2-17-103 Chief monitoring officer.

Subchapter 2 Voter and Candidate Registration

§2-17-201 Determination of residence.
§2-17-202 Voter eligibility and registration.
§2-17-203 Change of residence.
§2-17-204 Candidate eligibility and registration.
§2-17-205 Disqualification of candidate by relocation.
§2-17-206 Concurrent candidacy prohibition.
§2-17-207 Prohibition on election service.
§2-17-208 Candidate withdrawal.
§2-17-209 Candidate list.
§2-17-210 Insufficiency of candidates.
§2-17-211 Election campaigns and finance.

Subchapter 3 Voting Procedures and Disposition

§2-17-301 Ballots.
§2-17-302 Ballot distribution deadline.

§2-17-303 Replacement ballots.
§2-17-304 Return of ballots.
§2-17-305 Uncontested races.
§2-17-306 Ballot secrecy and security.
§2-17-307 Ballot tabulation and recordkeeping procedures.
§2-17-308 Tie for last seat.
§2-17-309 Certification of election results.
§2-17-310 Issuance of certificates of election.

Subchapter 4 Election Challenges; Member Recall

§2-17-401 Voter registration challenge.
§2-17-402 Candidate registration challenge.
§2-17-403 Other challenges.
§2-17-404 Recall of a board member.

SUBCHAPTER 1

GENERAL PROVISIONS

§2-17-101 Election principles. (a) The one individual, one vote principle shall apply in all board elections. All elections shall be non-partisan and conducted by secret ballot.

(b) Elections shall be by mail ballot unless otherwise directed by the commission. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-102 Chief elections officer. The commission shall appoint a chief elections officer, who may be the executive secretary, for the board elections with authority to direct the administration and conduct of all elections. The chief elections officer may delegate these responsibilities to other persons as deemed necessary and appropriate. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-103 Chief monitoring officer. A chief monitoring officer, independent from the commission, shall be appointed by the commission for each election. The chief monitoring officer shall observe the conduct of the election and report the results to the chief elections officer. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

SUBCHAPTER 2

VOTER AND CANDIDATE REGISTRATION

§2-17-201 Determination of residence. (a) The following provisions shall apply in determining the primary residence of an individual for voter and candidate registration purposes:

(1) An individual shall have only one primary residence.

(2) Any individual filing a voter registration affidavit pursuant to section 2-17-202 or a candidate registration affidavit pursuant to section 2-17-204 who provides as a primary residence address a location which does not have a street number, shall provide the following information:

(A) A description of the location of the primary residence of the individual registering that is sufficient to ascertain a neighborhood district and subdistrict, as applicable, in which the individual will vote or be a candidate; and

(B) A mailing address within the city where the individual receives and is legally entitled to receive mail.

(b) No individual claiming primary residence outside the jurisdiction of the city for purposes of voting in any state or national election shall be eligible to participate in the board election as a voter or as a candidate, except military personnel, military family members, or as otherwise provided in this plan. For purposes of registering or voting under this chapter, military personnel and military family members may claim their city residence as their primary residence. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-202 Voter eligibility and registration. (a) Any individual, including military personnel, military family members, and legal resident aliens:

(1) Whose primary residence is in the neighborhood district and subdistrict, as applicable; and

(2) Who is at least eighteen years of age by the third Friday in February of the election year;

shall be entitled to register as a voter for the board election.

(b) An individual officially listed by the city clerk as a registered active voter for the State election in the city as of the third Friday in February of the election year may be declared by the chief elections officer to be registered as a voter for the board election in the neighborhood district and subdistrict the resident is registered in.

(c) Any other individual qualified to register as a voter for a board election shall register by filing with the commission office a voter registration affidavit on a form provided by the commission office. The affidavit shall contain an oath or affirmation that the primary residence stated in the affidavit is the individual's primary residence and all other information provided is true and correct

(d) The voter registration deadline shall be the third Friday in February of the election year, unless otherwise directed by the commission. Any affidavit filed in person or delivered other than by United States mail must be received by the commission office by 4:30 p.m. on the voter registration deadline. When filed by United States mail, the envelope containing the affidavit shall be postmarked by the voter registration deadline and must be received by the commission office by 4:30 p.m. on the seventh calendar day thereafter to be accepted.

(e) The Commission may specify by what means the voter registration form may be filed with the commission office provided that by mail or in person is always acceptable.

(f) Any affidavit received by the commission office which fails to satisfy these rules shall be disqualified and the affected individual notified.

(g) Except where a registered voter changes primary residence and obtains a new ballot for a different primary residence pursuant to section 2-17-203, registration to vote in the election shall be limited to the neighborhood district and subdistrict, as applicable, of the individual's primary residence as of the third Friday in February of the election year. A voter shall register for each succeeding election, except as otherwise provided by this plan or by law.

(h) Within thirty calendar days following the voter registration deadline, the commission shall make available for public inspection a general register and listing of voters by neighborhood district and subdistrict, as applicable. [Eff 10/20/08; am 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-203 Change of residence. (a) A registered voter who moves out of the voter's registered district or subdistrict, as applicable, after the voter registration deadline may request a new ballot for the new district or subdistrict, as applicable, within fifteen days before the ballot return deadline by:

(1) Notifying the commission office in writing and requesting a new ballot for the new district or subdistrict, as applicable; and

(2) Filing a new affidavit with the commission office setting forth the voter's new primary residence and affirming that the residence is the individual's current primary residence.

(b) Upon receipt of a change of residence request within the period specified in subsection (a), the chief elections officer shall ascertain whether the voter is entitled to receive the new ballot requested.

(c) The commission shall issue a new ballot within ten days after receiving a request and affidavit pursuant to subsection (a). [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-204 Candidate eligibility and registration. (a) Any individual, including military personnel, military family members, and legal resident aliens:

(1) Whose primary residence is in the neighborhood district and subdistrict, as applicable;

(2) Who is at least eighteen years of age by the third Friday in February of the election year; and

(3) Who is registered as a voter for the board election in accordance with section 2-17-202;

shall be eligible as a candidate to seek election to a board seat in the neighborhood district or subdistrict, as applicable, in which the individual's primary residence is located.

(b) An individual qualified to register as a candidate for the board election shall register by filing with the commission office a candidate registration affidavit on a form provided by the commission office. The affidavit shall contain an oath or affirmation that the primary residence stated in the affidavit is the individual's primary residence and all other information provided is true and correct.

(c) The candidate registration deadline shall be the third Friday in February of the election year. Any affidavit filed in person or delivered other than by United States mail must be received by the commission office by 4:30 p.m. on the candidate registration deadline. When filed by United States mail, the envelope containing the affidavit shall be postmarked by candidate registration

deadline and must be received by the office by 4:30 p.m. on the seventh calendar day thereafter to be accepted.

(d) No affidavit shall be filed with the commission office by means of facsimile or any other electronic means, unless otherwise duly authorized by the chief elections officer or commission.

(e) Any filed affidavit which fails to satisfy these rules shall be disqualified and the affected individual notified. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-205 Disqualification of candidate by relocation. Any candidate seeking election to a board shall be disqualified immediately upon the candidate's moving out of the neighborhood district or subdistrict, as applicable, for which the candidate was registered. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-206 Concurrent candidacy prohibition. No individual shall concurrently register as a candidate for election to more than one board or more than one seat on a board. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-207 Prohibition on election service. No candidate shall serve as an election official or election employee in the same election in which the individual is a candidate; nor shall any parent, sibling, spouse, child, or household member of any candidate serve as an election official or election employee in any area in which the ballots are handled or votes may be cast or tabulated for the candidate. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-208 Candidate withdrawal. (a) The withdrawal deadline shall be the tenth calendar day after the candidate registration deadline. Any candidate may withdraw in writing filed with the commission office by 4:30 p.m. on the withdrawal deadline.

(b) If a candidate dies, is incapacitated, is disqualified, or files a withdrawal notice before the withdrawal deadline, the candidate's name shall be excluded from the ballot.

(c) If a candidate dies, is incapacitated, is disqualified, or files a withdrawal notice after the withdrawal deadline but before the ballots are distributed pursuant to section 2-17-302, the candidate's name shall be excluded or stricken from the ballot, provided that if excluding or striking the candidate's name is not feasible, the commission may instead issue a public notice.

(d) If a candidate dies, is incapacitated, is disqualified, or files a withdrawal notice after the ballots are distributed pursuant to section 2-17-302 but before the commission accepts the certified election results pursuant to section 2-17-309, the candidate with the next highest number of votes shall be elected.

(e) If a candidate dies, is incapacitated, is disqualified, or files a withdrawal notice or resignation after the commission has accepted the certified election results pursuant to section 2-17-309, the seat shall be declared vacant. [Eff 10/20/08; am 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-209 Candidate list. Before 4:30 p.m. on the seventh calendar day after the candidate withdrawal deadline, a list of all qualified candidates, certified by the chief elections officer, shall be made available for public inspection. The list shall contain the names of all candidates and the board seat for which each is a candidate. [Eff 10/20/08; am 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-210 Insufficiency of candidates. If there are an insufficient number of candidates for a neighborhood district or subdistrict, as applicable, the unfilled seats shall be declared vacant after certification of the election results pursuant to section 2-17-309. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-211 Election campaigns and finance. The conduct of any campaign for election to board seats, the formation and management of campaign organizations, and the conduct of campaign financing and administration matters, shall be the responsibility of the candidate. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

SUBCHAPTER 3

VOTING PROCEDURES AND DISPOSITION

§2-17-301 Ballots. (a) A ballot shall:

(1) Contain the names of all candidates for the neighborhood district and subdistrict election, as applicable;

(2) Clearly indicate the manner in which the ballots are to be marked; and

(3) Clearly indicate the maximum number of candidates for which the voter is legally entitled to vote.

(b) The names of the candidates shall be placed on the ballot in alphabetical order, last names (surname) first, and may be printed with the Hawaiian or English equivalent or nickname, provided the candidate so requests in writing on the candidate registration affidavit.

(c) The ballot shall bear no personal or professional title, word, motto, device, sign, or symbol other than the official seal of the city or the commission's logo, or both, unless otherwise declared essential by the chief elections officer.

(d) Draft ballot layouts may be made available for public inspection after the candidate registration filing deadline and for the purposes of voter education.

(e) The ballot mailing shall only contain materials pertaining to the election of board members. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-302 Ballot distribution deadline. The commission shall distribute ballots to voters by the fourth Friday in April of the election year. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-303 Replacement ballots. (a) A registered voter who does not receive, or who loses or spoils, a ballot may notify the commission office in writing and request a replacement ballot not less than seven calendar days after the ballot distribution deadline and within ten calendar days before the ballot return deadline.

(b) Upon receipt of a replacement ballot request within the period specified in subsection (a), the chief elections officer shall ascertain whether the individual is entitled to receive the replacement ballot requested.

(c) The commission shall issue a replacement ballot within seven calendar days after receiving a
request pursuant to subsection (a). [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-304 Return of ballots. (a) The ballot return deadline shall be the third Friday in May of the election year. Any ballot returned in person in the return envelope provided must be received by the commission office by 4:30 p.m. on the ballot return deadline. Any ballot returned by United States mail in the return envelope provided, shall be postmarked by the ballot return deadline and received by the commission office by the seventh calendar day thereafter to be accepted.

(b) Any ballot which is:

(1) Delivered to the commission office other than in person or by United States mail;
(2) Received in person or postmarked after the ballot return deadline;
(3) Received by United States mail more than seven calendar days after the ballot return deadline; or
(4) Not sealed in an official ballot envelope signed by the voter;

shall be disqualified and declared invalid. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-305 Uncontested races. (a) The chief elections officer may determine whether to mail out ballots for any neighborhood district or subdistrict election, as applicable, which has an uncontested race.

(b) If ballots are not mailed out for a specific neighborhood district or subdistrict election, the chief elections officer shall use reasonable means to timely notify the affected electorate of the candidates, the uncontested race results, and any remaining vacancy in the respective neighborhood district or subdistrict.

(c) If ballots are not mailed out for a specific neighborhood district or subdistrict election due to its being an uncontested race, the chief elections officer shall certify the unopposed candidates in the uncontested races as elected pursuant to section 2-17-309. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-306 Ballot secrecy and security. (a) The commission shall take reasonable steps to ensure the secrecy, accurate recording, counting, and safeguarding of the ballots.

(b) The public may view the counting of the ballots subject to reasonable limitations.

(c) Any alleged violation or discrepancy relating to the election shall be reported promptly to the chief elections officer, the chief monitoring officer, or any duly authorized representative of the commission. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-307 Ballot tabulation and recordkeeping procedures. (a) A voted ballot envelope containing a ballot shall be signed by the registered voter identified on the envelope in the space provided.

(b) Ballot envelopes containing no ballots or more than one ballot shall be disqualified and declared invalid. Unsigned ballot envelopes shall be disqualified and declared invalid.

(c) If a replacement ballot is issued to a voter, the replacement ballot shall be considered the valid ballot. The original ballot, if received by the commission office, shall be marked "spoiled" by the chief monitoring officer or any designated election
official and shall be disqualified and declared invalid.

(d) If more than one replacement ballot has been issued to a voter, the most recent replacement ballot will be considered the valid ballot. All prior ballots, including the original ballot, if received by the commission office, shall be marked "spoiled" and declared invalid.

(e) In no case shall more than one ballot vote be processed per voter.

(f) All invalid, spoiled, or challenged ballots and corresponding envelopes, if any, shall be segregated and retained apart from the other ballots and envelopes.

(g) In counting the ballots, the total number of ballots shall be verified to equal the total number of voted ballot envelopes recorded as received. When the number of ballots differs from the number of envelopes received, the chief monitoring officer shall report the difference after completion of the ballot tabulation.

(h) Should the difference of ballots be sufficient to change the outcome of any election contest, an investigation shall be conducted by the chief monitoring officer or a designated election official, or both. The chief monitoring officer's certified report disclosing the findings of the investigation shall be submitted with the chief elections officer's certified election results to the commission.

(i) All election materials shall be marked and maintained in a secure manner. All election materials shall be retained by the chief elections officer for sixty calendar days after the certified election results have been made public.

(j) Unless otherwise directed by the commission, after certification of the election results and expiration of the sixty calendar day period stated in subsection (i), the chief elections officer may destroy the ballots and other election materials not needed for the commission office archives. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-308 <u>Tie for last seat.</u> In the event of a tie between two or more candidates for the last available seat, in a subdistrict or in an at-large neighborhood, and after a recount has been conducted, the winner shall be decided by lot under proceedings conducted by the chief elections officer not later than five calendar

days after the certified election results are made public. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-309 Certification of election results. (a) The chief monitoring officer shall present the ballot tabulation results of the election to the chief elections officer for certification and presentation to the commission. The certified election results shall include uncontested race results under section 2-17-305.

(b) The certified election results shall be made public no later than the first business day in June of the election year. [Eff 10/20/08; am 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-310 Issuance of certificates of election. The commission shall issue a certificate of election to each board member duly elected or appointed. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

SUBCHAPTER 4

ELECTION CHALLENGES; MEMBER RECALL

§2-17-401 Voter registration challenge. (a) Within sixty calendar days after the voter registration
deadline, a resident who is registered to vote in the election may challenge the right of an individual to be or to remain registered as a voter in a specific neighborhood district or subdistrict, as applicable. No voter registration challenge shall be accepted after this deadline.

(b) The challenge shall be on the grounds that the individual fails to meet the voter eligibility or registration requirements set forth in section 2-17-202. The challenge shall be filed on a form provided by the commission office signed by the resident making the challenge. All voter registration challenges shall be timely filed with the chief elections officer, who shall promptly serve notice on the individual challenged.

(c) The chief elections officer shall, as soon as possible, investigate and decide on the challenge. The chief elections officer may conduct evidentiary hearings and administer oaths. If the chief elections officer elects to conduct a hearing, the hearing shall be held within ten calendar days after the challenge is filed. All challenges shall be decided within thirty days after they are filed. All decisions shall be issued in writing and promptly communicated to the parties to

the challenge and the commission. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-402 Candidate registration challenge. (a) Not later than the third Friday in March of the election year:

(1) The chief elections officer;
(2) The chief monitoring officer; or
(3) A resident who is registered to vote in the election upon the filing of challenge with the commission office on a form provided by the commission office;

may challenge the right of an individual to be or remain registered as a candidate in a specific neighborhood district or subdistrict, as applicable. No candidate registration challenge shall be accepted after this deadline.

(b) The challenge shall be on the grounds that the individual fails to meet the candidate eligibility or registration requirements as set forth in section 2-17-204. The chief elections officer shall promptly serve notice on the individual challenged.

(c) The chief elections officer may conduct evidentiary hearings and administer oaths. If the chief elections officer elects to conduct a hearing, the hearing shall be held within ten calendar days after the challenge is filed. All challenges shall be decided within fourteen calendar days after the challenge is filed. All decisions shall be issued in writing and promptly communicated to the parties to the challenge and the commission. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-403 Other challenges. (a) All challenges for election violations other than provided for under this subchapter shall be filed not later than seven calendar days after the certified election results are made public.

(b) All challenges under this section shall be filed on a form provided by the commission office signed by not less than thirty registered voters of the affected neighborhood district or subdistrict, as applicable. Challenges shall be timely filed with the chief elections officer, who shall promptly serve notice on the individual or individuals affected by the action.

(c) The chief elections officer may conduct evidentiary hearings and administer oaths. If the chief elections officer elects to conduct a hearing, the hearing shall be held within ten calendar days after the challenge is filed. All challenges shall be decided within fourteen calendar days after the challenge is filed. All decisions shall be issued in writing and promptly communicated to the parties to

the challenge and the commission. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-404 Recall of a board member. (a) A board member may be removed by recall initiated by the commission upon the filing of a petition signed by the lesser of five per cent or one hundred of the registered voters within the board member's respective board district or subdistrict, as applicable, in the last held board election for that area.

(b) A recall petition shall be filed against a board member no earlier than ninety calendar days after commencement of the board member's term and no later than two hundred seventy calendar days before the end of the board member's term. No recall petition shall be filed within ninety calendar days after an unsuccessful recall election against the same board member.

(c) The recall petition shall include each signing voter's address, board district or subdistrict, as applicable, and the date of signing. Signatures on a recall petition may be on separate sheets but each sheet shall have appended to it the affidavit of some person, not necessarily a signer of the petition, that to the best of the affiant's knowledge the persons whose signatures appear on the sheet are duly registered voters of the specific board district or subdistrict, as applicable, that they signed with full knowledge of the contents of the petition, and that their residences are correct.

(d) The commission shall verify that the petition contains a sufficient number of apparently genuine signatures of registered voters. The commission may question the genuineness of any signature appearing on the recall petition and if the commission finds that any signature is not genuine, the commission shall disregard them in determining whether the petition contains a sufficient number of signatures. The commission shall also disregard any signature dated more than sixty calendar days before the petition was tendered for filing. The commission shall eliminate any sheet of the petition which is not accompanied by the required affidavit. The invalidity of any sheet of the petition shall not affect the validity of the petition if a sufficient number of signatures remain after eliminating an invalid sheet. The commission shall complete the examination of the petition within thirty calendar days after the submission of the petition to the commission and shall thereupon accept the petition if valid or reject it if invalid.

(e) As soon as the commission has accepted a recall petition, the commission shall notify the board member that the petition has been accepted. Upon receipt of the notice, the elected board member may choose to resign from office and thereupon the recall proceedings shall terminate.

(f) If the board member does not resign from office within ten calendar days after receiving notice of the acceptance of the recall petition, the commission shall schedule a special recall election for the affected district or subdistrict, as applicable. A special recall election shall be held within sixty calendar days after the ten calendar day period has expired. The board member may resign at any time before the recall election and thereupon the election shall not be held.

(g) The following question shall be presented to each voter in a recall election: "Shall (name of board member) be recalled and removed from the (name of board) board?"

(h) If a majority of the registered voters who vote on the question at a recall election vote "Yes," the board member shall be recalled and removed from office. Blank votes shall not be counted in the determination of whether a majority vote has been attained. Otherwise, the board member shall remain in office.

(i) An individual who has been recalled from a board or who has resigned from a board after a recall petition directed to that individual has been accepted by the commission, shall not be eligible for election or appointment to any board for a period of two years after that individual's recall or resignation. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

TITLE 2

OFFICE OF THE MANAGING DIRECTOR

SUBTITLE 2 NEIGHBORHOOD COMMISSION

NEIGHBORHOOD PLAN OF THE CITY & COUNTY OF HONOLULU

CHAPTER 18

COMPLAINT PROCESS

§2-18-101 Complaints.
§2-18-102 Hearings initiated by the executive secretary or the commission.
§2-18-103 Hearings initiated by a board, board member, or the public.
§2-18-104 Sanctions.
§2-18-105 Contested case process.

§2-18-101 Complaints. (a) Any person, board, board member, the executive secretary or the commission may file a complaint against a board or a current board member for alleged violation(s) of this plan as follows:

(1) The executive secretary, at any time, by written recommendation to the commission;

(2) The commission, at any time, by adoption of a resolution;

(3) A board or board member, upon the filing of a complaint with the commission office on a form provided by the commission office within forty-five calendar days after the alleged violation(s); or

(4) A member of the public, upon the filing of a complaint with the commission office on a form provided by the commission office within forty-five calendar days after the alleged violation(s).

(b) The commission may, at any time, dismiss any complaint or end any sanctions proceeding for failure to comply with any requirement under this subchapter.

(c) Within ten calendar days after the receipt of recommendation, adoption of resolution, or filing of the complaint, the commission or its authorized designee, who may be the executive secretary, shall send a copy of the complaint to the respondent.

(d) Respondent shall file a written response to the allegation(s) with the commission within forty-five calendar days after the date a copy of the complaint was sent to the respondent; provided that the commission or its authorized designee, who may be the executive secretary, may extend the filing deadline if the respondent submits valid reasons for the delay in writing before the filing deadline for the response.

(e) If the respondent fails to timely file a response, any allegation contained in the recommendation, resolution, or complaint shall be deemed admitted by the respondent.

(f) After the foregoing provisions have been met, the commission shall set a date for a hearing.

(g) Within ten calendar days after the hearing date has been set, the commission shall notify in writing the respondent and the complainant, as applicable. A copy of the applicable recommendation, resolution, or complaint, and the response, if any, shall be included with the notice.

(h) All mailings to respondents and complainants, as applicable, shall be by registered or certified mail, return receipt requested.

(i) As used in this chapter:

"Complainant" means the board, board member, or member of the public who initiates the sanction hearing process.

"Respondent" means the board or board member, or both, named in the recommendation, resolution, or complaint that initiated the sanction hearing process. [Eff 10/20/08; am and ren §2-18-101 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-18-102 <u>Hearings initiated by the executive secretary or the commission</u>. (a) This section shall apply to all hearings initiated in accordance with section 2-18-101(a)(1).

(b) Not less than ten calendar days before the hearing date, the respondent shall file with the commission, and the commission shall provide to respondent, a list of witnesses (including addresses), a list of exhibits, and copies of any evidence to be introduced at the hearing to support their respective positions. Failure to abide by the provisions of this section may result in the exclusion of the witnesses or evidence, or both, at the hearing.

(c) The hearing shall be conducted by the commission pursuant to HRS Chapter 91 as follows:

(1) The commission shall initiate the hearing by setting forth the respondent's alleged violations of the plan and the commission's evidence of the violations.

(2) The commission may seek additional relevant information from the respondent or other persons in furtherance of determining the issue(s) under consideration.
(3) The respondent shall respond to the allegations and may present any evidence in furtherance of the respondent's case.
(4) During the presentation of the case by either the commission or the respondent, cross-examination of witnesses shall be permitted.
(5) The formal rules of evidence shall not apply to the sanction hearing process.
(6) After the presentation of the case by the respondent, the commission shall deliberate and determine whether to sanction the respondent and, if so, the appropriate sanction equal in measure or extent to the significance or seriousness of the violation(s).
(7) After due deliberation, the commission may render an oral decision.
(8) Within forty-five calendar days after the hearing, the commission shall issue its decision in writing. [Eff 10/20/08; am and ren §2-18-102 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-18-103 Hearings initiated by a board, board member, or the public. (a) This section shall apply to all hearings initiated in accordance with section 2-18-101(a)(2) and (3).

(b) The Commission, at its discretion, may appoint a hearings officer, who may be the executive secretary, to conduct the hearing and make a recommendation to the Commission.

(c) Not less than ten calendar days before the hearing date, (1) the complainant and the respondent shall file with the commission a list of witnesses (including addresses), a list of exhibits, and copies of any evidence to be introduced at the hearing to support their respective positions and (2) copies of the list of witnesses, list of exhibits, and evidence shall be exchanged between the complainant and the respondent. Failure to abide by the provisions of this section may result in the exclusion of the witnesses or evidence, or both, at the hearing.

(d) The hearing shall be conducted pursuant to HRS Chapter 91 and proceed as follows:

(1) The complainant shall make an opening statement, if desired, stating what the complainant intends to establish. The respondent may then make an opening statement, if desired, stating what the respondent intends to establish.
(2) The complainant may proceed with the complainant's case by calling witnesses or submitting any evidence in support of the complainant's case.

(3) During the presentation of the case by either the complainant or the respondent, cross-examination of witnesses shall be permitted.

(4) Any document, writing, or object introduced as evidence in support of any party's position must first be examined by the opposing party before being introduced as evidence.

(5) The formal rules of evidence shall not apply to the hearing process.

(6) After the conclusion of the presentation of the complainant's case, the commission may make a determination whether or not the complainant has submitted sufficient evidence to support the complainant's case. If so, the respondent may proceed with the respondent's case. If not, the commission may adjourn into an executive session to determine whether or not to dismiss the complaint.

(7) After the conclusion of the presentation of the respondent's case, the commission shall deliberate and determine whether to sanction the respondent and, if so, the appropriate sanction equal in measure or extent to the significance or seriousness of the violation(s). If the Commission finds that the complaint is frivolous, or was filed to embarrass or cause harm to an individual, it may issue sanctions against the complainant.

(8) After due deliberation, the commission may render an oral decision.

(9) Within forty-five calendar days after the hearing, the commission shall issue its decision in writing.

(10) If the hearing is conducted by a hearings officer, the hearings officer shall submit a written report and recommendation to the Commission within thirty days after the hearing.

(a) The hearings officer shall serve the written report and recommendation to complainant and respondent. It shall presume that such written report and recommendations are received by the parties within three days of mailing.

(b) Any party who objects to any portion of the hearings officer’s written report and recommendation must file and serve written objections to such report and recommendation within fifteen after the date of mailing.

(c) The Commission shall review the hearings officer’s report and recommendation and all objections and shall issue its decision within sixty days of the date of mailing of the hearing officer’s report and recommendation to the parties. [Eff 10/20/08; am and ren §2-18-103 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-18-104 Sanctions. (a) The commission, after conducting a hearing pursuant to this subchapter, may impose sanctions on a board, a current board member, or a complainant.

(b) Sanctions may be imposed subject to one or more conditions. Sanctions which may be imposed include but are not limited to:

(1) Letters of reprimand with instructions for remedial action;

(2) Removal of a board officer from the board office;

(3) Suspension of a board member from the board for a period of not more than sixty calendar days, with any board meeting missed during the period of suspension of the board member to be counted as an absence;

(4) Removal of a board member from the board for the remainder of the member's term of office; and

(5) Suspension of a board's operations.

(c) If a board is suspended, the suspension shall apply to all board activities, unless otherwise specified in the suspension order. A suspension may be based on, but not limited to:

(1) Unfilled vacancies on the board;

(2) Successive failure to attain quorum; and

(3) Exigent circumstances relating to board conduct. [Eff 10/20/08; am and ren §2-18-104 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

TITLE 2

OFFICE OF THE MANAGING DIRECTOR

SUBTITLE 2 NEIGHBORHOOD COMMISSION

NEIGHBORHOOD PLAN
OF THE CITY & COUNTY OF HONOLULU

CHAPTER 19

TERMINATION OF A NEIGHBORHOOD BOARD

§2-19-101	Termination of a board.
§2-19-102	Termination initiated by residents.
§2-19-103	Termination initiated by a board.
§2-19-104	Termination initiated by the commission.
§2-19-105	Termination consideration process.
§2-19-106	New initiation and formation not precluded.

§2-19-101 Termination of a board. (a) A board may only be terminated pursuant to this chapter.

(b) The termination process may be initiated by the residents of the neighborhood, the board itself, or by the commission. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-19-102 Termination initiated by residents. (a) The termination of a board may be initiated by the submission of a petition to the commission signed by the lesser of five per cent or one hundred of the registered voters within its neighborhood district boundaries in the last general election.

(b) After the minimum required signatures on the petition have been verified as being those of registered voters who reside within the district boundaries, the commission shall initiate proceedings

in accordance with section 2-19-105. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-19-103 Termination initiated by a board. (a) The termination of a board may be initiated by a petition from the board to the commission.

(b) The petition must be authorized by the affirmative vote of at least two-thirds of the entire membership to which the board is entitled.

(c) Upon receiving a petition, the commission shall initiate the termination consideration process set forth in section 2-19-105. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-19-104 Termination initiated by the commission. If a board fails to meet or attain quorum to conduct business for six consecutive months, or for other valid reasons, the commission may initiate the termination consideration process set forth in section 2-19-105 by the affirmative vote of at least two-thirds of the entire membership to which the commission is entitled. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-19-105 Termination consideration process. (a) Upon initiation of a termination process, the commission shall hold a duly noticed public hearing within the district boundaries of the neighborhood.

(b) The purpose of the public hearing shall be to consider whether (1) a termination election should be held in the neighborhood on the question of "Shall the (name of board) neighborhood board be terminated?" or (2) some other actions to revitalize the board or remedy the problems which raised the termination request are appropriate.

(c) The commission shall accept written testimony up to and including the tenth calendar day after the close of the public hearing.

(d) Not less than ten nor more than forty-five calendar days after the close of the public hearing, the commission shall by resolution determine the course of action to be taken in response to the petition. The decision to hold a termination election shall require a two-thirds vote of the entire membership to which the commission is entitled. A written statement explaining the principal reasons for the commission's action shall accompany the resolution.

(e) If the commission authorizes a termination election, the board shall be terminated by the affirmative vote of a majority of the votes cast in the termination election.

(f) No petition may be filed for one hundred twenty calendar days after an unsuccessful petition for termination of the same board. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-19-106 New initiation and formation not precluded. The termination of a board shall not preclude the initiation and formation of a new board at any time pursuant to chapter 15. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

TITLE 2

OFFICE OF THE MANAGING DIRECTOR

SUBTITLE 2 NEIGHBORHOOD COMMISSION

NEIGHBORHOOD PLAN
OF THE CITY & COUNTY OF HONOLULU

CHAPTER 20

AMENDMENT OF THE NEIGHBORHOOD PLAN

§2-20-101	Periodic comprehensive review.
§2-20-102	Petition for adoption, amendment, or repeal of rules.
§2-20-103	Method of adoption, amendment, or repeal of rules.
§2-20-104	Place of public hearings.
§2-20-105	Effective date of adoption, amendment, or repeal.

§2-20-101 Periodic comprehensive review. On or before July 31, 2018 and at intervals of not more than ten years thereafter, the commission shall appoint a committee to conduct a review of this plan. The committee shall consist of members of the commission, members of the boards, and the executive secretary. The committee shall comprehensively study, review, and evaluate the plan, solicit public comments thereon, and report the committee's activities and findings to the commission and recommend any amendment necessary to improve the plan and to promote the efficient and effective conduct of the duties and business of the neighborhood board system. [Eff 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-20-102 Petition for adoption, amendment, or repeal of rules. (a) Any interested person may petition the commission in writing to request the adoption, amendment or repeal of any rule under this subtitle.

(b) The petition shall be filed with the commission through the commission office. It shall include:

(1) The name, address, and telephone number of the petitioner.

(2) A statement of the nature of the petitioner's interest.

(3) A draft or the substance of the proposed rule or amendment or a designation of the provision sought to be repealed.

(4) An explicit statement of the reasons in support of the proposed rule, amendment or repeal.

(c) The commission shall within thirty days after the filing of the petition either deny the petition in writing, stating its reasons for the denial, or initiate proceedings in accordance with chapter 91, HRS, for the adoption, amendment or repeal of the rule, as the case may be. [Eff. 10/20/08; am 2/5/11] (Auth: HRS §91-6; RCH §§4-105(4), 14-102) (Imp: HRS §91-6; RCH §§4-105(4), 14-102)

§2-20-103 Method of adoption, amendment, or repeal of rules. (a) Before the adoption, amendment, or repeal of any rule of this plan, at least two public hearing shall be held by the commission.

(b) At least thirty calendar days notice shall be given before the date of each hearing. The notice shall include:

(1) A statement of the topic of the proposed rule adoption, amendment, or repeal or a general description of the subjects involved;

(2) A statement that a copy of the proposed rule to be adopted, the proposed rule amendment, or the rule proposed to be repealed will be mailed to any interested person who requests a copy, pays the required fees for the copy and the postage, if any, together with a description of where and how the requests may be made;

(3) A statement of when, where, and during what times the proposed rule to be adopted, the proposed rule amendment, or the rule proposed to be repealed may be reviewed in person; and

(4) The date, time, and place where the public meeting will be held and where interested persons may be heard thereon.

(c) Each notice shall be distributed to all persons who have made a timely request of the commission for advance notice of its rulemaking proceedings. The notice for each hearing shall be published at least once in a newspaper of general circulation in the city, and reasonable efforts made to use other media to inform the public.

(d) All interested persons and agencies shall be afforded an opportunity to submit testimony and information (data, views, or arguments) orally or in writing. The commission shall accept written testimony up to and including the tenth calendar day after the close of the final public hearing. The commission shall fully consider all timely received written and oral submissions before taking any formal action.

(e) The commission shall announce at the final public hearing the date it intends to make its decision. Upon the adoption, amendment, or repeal of any rule under the plan, the commission shall issue a concise statement of the principal reasons for its decision. [Eff 10/20/08; ren §2-20-103 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-20-104 Place of public hearings. Public hearings shall be held as appropriate at public facilities, in the community at large, or in the specific neighborhood area affected by a proposed action. [Eff 10/20/08; ren §2-20-104 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-20-105 Effective date of adoption, amendment, or repeal. (a) Subject to the approval of the mayor, any adoption, amendment, or repeal of any rule under the plan approved by the commission shall become effective upon the date and under the conditions specified in the resolution of approval and in compliance with chapter 91, HRS, or as otherwise provided by law.

(b) Upon approval by the mayor, the commission shall file certified copies of the newly adopted, amended, or repealed rule with the city clerk. Each part adopted, amended, or repealed shall become effective ten calendar days after filing with the city clerk, unless otherwise specified.

(c) A permanent register of the rules, open to public inspection, are kept by the commission office and the city clerk. [Eff 10/20/08; ren §2-20-105 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)