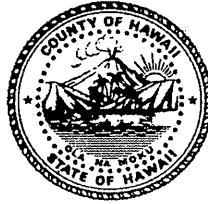


From the office of -  
Council Member  
District 3 - Hilo and Puna



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2020 JUL 14 PM 1:12

COUNTY CLERK  
COUNTY OF HAWAII

TO: Aaron S.Y. Chung, Chair  
and Members of the Hawai'i County Council

FROM: Sue Lee Loy, Council Member

DATE: July 14, 2020

SUBJECT: Proposed Amendments to Subsections 5-4-3(a) and 5-4-3(c) of Bill No. 179;  
An Ordinance Establishing a County Construction Code Relating to Building  
Construction and Related Systems Within a Building Under Construction by  
Amending the Hawai'i County Code 1983 (2016 Edition, as Amended), as  
follows:

- 1) Adopting New Chapters 5 (Construction Administrative Code), 5A (Building Code), 5D (Electrical Code), 5E (Energy Conservation Code), and 5F (Plumbing Code);
- 2) Amending Chapter 2, Section 2-39; Chapter 3, Sections 3-14 and 3-15; and Chapter 25, Sections 25-1-5, 25-4-10, and 25-4-60; and
- 3) Repealing Chapters 5 (Building Code), 9 (Electrical Code), and 17 (Plumbing Code).

Please see below proposed amendments to section 5-4-3, subsections (a) and (c), of Bill No. 179. These amendments are illustrated in Ramseyer format with respect to the contents of Bill No. 179. Material to be deleted is bracketed and stricken; new material is underscored.

1. Section 5-4-3 would be amended by amending subsection 5-4-3(a) to read as follows:

“(a) All plans and specifications relating to work which affects the public safety or health and for which a permit is required shall be prepared, designed, and stamped by a [person who is licensed in the State of Hawai'i as an] duly licensed architect or professional engineer in the State of Hawai'i in accordance with chapter 464, Hawai'i Revised Statutes and 16-115, Hawai'i Administrative Rules[- Such architect or professional engineer shall be licensed in the State of Hawai'i in accordance with chapter 464, Hawai'i Revised Statutes,] unless the work is exempt pursuant to section 464-13(b), Hawai'i Revised Statutes.”

Comm. No. 989.7  
Ref. To: PICOU  
Ref. Date: JUL 22 2020

2. The second amendment would amend subsection 5-4-3, by amending subsection (c) to read as follows:

- “(c) For residential (R-3 Occupancies) and accessory (U Occupancies) only, the following plans and specifications shall be prepared, designed, and stamped by a person who is licensed in the State of Hawai‘i as an architect or professional structural engineer, unless exempt pursuant to section 464.13(b), Hawai‘i Revised Statutes. Whenever the exemption provided for in section 464.13(b) is applied to the construction of a new building, the applicant shall include with the application, proof that the exemption has been recorded with the bureau of conveyances pursuant to section 464-13(c), Hawai‘i Revised Statutes.
- (1) All plans for post and pier type construction with/without perimeter foundation walls of R-3 Occupancies.
  - (2) Single story or two-story structure for R-3 Occupancy unless exempt pursuant to section 464.13(b), Hawai‘i Revised Statutes.
  - (3) Single story or two-story structure of mixed occupancies (R-3 and U Occupancies) pursuant to [HRS] section 464.13(b), Hawai‘i Revised Statutes.
  - ~~[(3)]~~(4) Structures of R-3 or U Occupancies that are three or more stories in height.
  - ~~[(4)]~~(5) Structural members that are concrete, masonry or structural steel.
  - ~~[(5)]~~(6) Proposed construction in special hazard flood zones: AE, AH, AO, V, and VE, as prescribed in chapter 27, relating to flood control; electrical installations per chapter 5D, relating to the electrical code; and plumbing installations per chapter 5F, relating to the plumbing code.
  - ~~[(6)]~~(7) Structures in high seismic zones. (Category E or  $S_v > 0.75$ )”

Due to the extensive length of Bill No. 179 and the limited scope of these proposed amendments, a copy of the revised draft of this bill that would result if these proposed amendments are adopted is not attached.

SL/lc