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Section 2-220. Funding.

- (a) Each fiscal year, the minimum amount transferred into the budget and stabilization fund shall be \$250,000.
- (b) The council hereby establishes a policy to accumulate between five to fifteen percent of the general fund total expenditures based on a combination of the fund balance and the budget stabilization fund. This policy does not preclude the use of the funds for any reason listed in section 2-219 even if the targeted percentage is not met.

(2006, ord 06-101, sec 1; am 2011, ord 11-128, sec 2.)

Section 2-221. Expenditures.

The budget stabilization fund may be used only when there is a reduction in budgeted revenue and the director of finance determines that such use is necessary to prevent a reduction in the level of public services.

(2006, ord 06-101, sec 1; am 2011, ord 11-128, sec 2.)

Section 2-222. Appropriations.

Appropriations from the budget stabilization fund may occur only upon the following:

- (1) Written determination by the director of finance that such appropriations are necessary; and
- (2) Passage of an appropriations ordinance by two-thirds vote of the council.

(2006, ord 06-101, sec 1; am 2011, ord 11-128, sec 2.)

Section 2-223. Prohibitions.

Appropriations from the budget stabilization fund to fund the acquisition, construction or alteration of a facility as part of a general capital improvement program or balance the budget for an upcoming year shall be prohibited.

(2006, ord 06-101, sec 1; am 2011, ord 11-128, sec 2.)

Section 2-223.1. Dissolution of the fund.

The budget stabilization fund shall not be dissolved unless such dissolution is approved by the finance director and a two-thirds vote of the County council.

(2011, ord 11-128, sec 2.)

Article 44. Hawai'i County Cultural Resources Commission.**Section 2-224. Purpose.**

The Council finds that preservation of historic properties enhances the educational, cultural, economic and general welfare of the County. It is deemed essential that the history and culture of Hawai'i County be preserved through comprehensive historic

preservation planning. Implementation of chapter 6E, historic preservation, Hawai'i Revised Statutes, and the Hawai'i County General Plan provide a means to accomplish this outcome.

It is, therefore, the intent of this article to provide for:

- (1) Protecting and preserving historic properties and artifacts in the County and encourage, where appropriate, their adoption for appropriate and feasible use;
- (2) Encouraging the restoration, rehabilitation and continued functional use of historic properties;
- (3) Encouraging the identification, preservation, promotion and enhancement of those historic properties which represent or reflect distinctive elements of cultural, social, economic, political and architectural history, and to encourage the designation of historic properties, thereby ensuring that our cultural and historic heritage will be imparted to present and future generations of residents and visitors; and
- (4) Formulating County-wide comprehensive, historic preservation policies, programs and plans.

(2008, ord 08-42, sec 1.)

Section 2-225. Definitions.

For purposes of this article, unless it is plainly evident from the context that a different meaning is intended, certain terms and words are defined as follows:

“Council” means the council of the County.

“County” means the County of Hawai'i, a political subdivision of the State.

“Department” means the planning department of the County.

“Director” means the planning director of the County.

“Historic preservation” means the research, protection, restoration, rehabilitation and interpretation of districts, sites, buildings, structures, areas or objects, significant to the history, architecture, archaeology or culture of the County, State or Nation.

“Historic properties” means any prehistoric or historic district, site, building, structure, area or object significant in the history, architecture, archaeology, or culture of the County, State and Nation, which is over fifty years old, including those listed on the Hawai'i or national registers.

“Mayor” means the mayor of the County.

“Professional” means a person with those qualifications enumerated in the code of federal regulations 36CFR61, appendix A.

“State” means the State of Hawai'i.

(2008, ord 08-42, sec 1.)

Section 2-226. Commission established.

- (a) There is established a commission to be known as the “Hawai'i County Cultural Resources Commission,” hereinafter referred to as the “commission.”
- (b) The commission shall consist of nine appointed members. The members shall be appointed by the mayor with the approval of the Council, with representation from the following professionals and persons with special interest in: architecture, history, archaeology, planning, architectural history, Hawaiian culture, traditional