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**A BILL FOR AN ORDINANCE**

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RELATING TO FIRE SAFETY.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to address fire safety. More specifically, this ordinance requires existing highrise residential buildings to retrofit when necessary to comply with specified fire safety standards.

SECTION 2. Chapter 20, Article 2, Revised Ordinances of Honolulu 1990, is amended by amending its title to read as follows:

**“Article 2. Life Safety Requirements for Existing Hotel Buildings, [and] Existing Business Buildings and Existing Highrise Residential Buildings”**

SECTION 3. ———Section 20-2.1, Revised Ordinances of Honolulu 1990, is amended to read as follows:

**“Sec. 20-2.1 General.**

- (a) Purpose. The purpose of this article is to provide for a reasonable degree of public safety by establishing minimum life safety requirements for existing hotel buildings, [and] existing business buildings, and existing highrise residential buildings.
- (b) Scope. The provisions of this article shall apply to every existing hotel building, [and] every existing business building, and every existing highrise residential building as defined in this article. A determination that an existing building is “an existing business building” or “highrise residential building” subject to this article shall be made by the fire chief. Any appeal from the decision of the fire chief may be submitted to the board of appeals for hearing and determination as provided in Chapter 16.”

SECTION 4. Section 20-2.2 (“Definitions”), Revised Ordinances of Honolulu 1990, is amended as follows:

- 1. By adding new definitions of “dwelling unit” and “existing highrise residential building” to be appropriately inserted and to read:



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“Dwelling unit” means any portion of an existing highrise residential building that contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by the building code, for not more than one family.”

“Existing highrise residential building” means any building that has floors used for human occupancy located more than 75 feet above the highest grade, contains dwelling units, and which was erected prior to the date of approval of this article, or one for which a legal building permit has been issued.”

2. By amending the definition of "building code" to read:

“Building code” means:

- (1) With respect to an existing hotel building, the provisions of Chapter 16 which were in effect on the date of approval of Ordinance 83-58; and
- (2) With respect to an existing business building, the provisions of Chapter 16 which are in effect on January 1, 2002.\*
- (3) With respect to an existing highrise residential building, the provisions of Chapter 16, ROH 1990, which are in effect on the date of approval of this article.”

SECTION 5. Section 20-2.3A (“Requirements--Existing business buildings”), Revised Ordinances of Honolulu 1990, is amended to read as follows:

**“Sec. 20-2.3A Requirements--Existing business buildings and existing highrise residential buildings.**

(a) For an existing business building or an existing highrise residential building:  
Automatic Sprinkler System.

- (1) An automatic sprinkler system shall be provided throughout the entire existing business building or highrise residential building. The installation of the system shall be in accordance with the building code.
- (2) This subsection shall not apply to a telecommunications building for which the council approves a fire safety agreement\* which includes the following requirements:



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- (A) All exit stairwells are automatically pressurized for smoke control when the fire alarm system activates;
  - (B) Smoke seals are installed on all exit stairwell doors and exit stairwell door frames;
  - (C) Smoke detectors are provided in all offices or other occupied spaces;
  - (D) All exit stairwells that service floors located more than 100 feet above the lowest level of fire department vehicle access have a standpipe system;
  - (E) The maximum travel distance to a fire extinguisher in the building is 50 feet; and
  - (F) Such other requirements for the protection of public safety.
- (3) For the purposes of this subsection:
- (A) "Access tandem" means a switching system that:
    - (i) Provides a traffic concentration and distribution function for interstate telecommunications services originating from or terminating in the state; and
    - (ii) Enables any person engaged for hire in providing interstate telecommunications services to reach all local telecommunications users through facilities connected to all central offices in the state;
  - (B) "Central office" means a switching unit having the necessary equipment and operating arrangements for terminating or interconnecting access lines, toll lines, and trunks;
  - (C) "Enhanced 911 switch" means a switch that permits a wire line telecommunications user to call emergency services through a public safety answering point operated by an authorized government entity that includes the ability to provide automatic number identification to enable the public safety answering point to call the wire line telecommunications user if the call is



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- disconnected, and automatic location identification for emergency service providers to identify the listed address or geographic location of the wire line telecommunications user;
- (D) "Interstate telecommunications services" means telecommunications services between a point located in the state and a point located outside the state;
- (E) "Telecommunications building" means any existing business building with a central office used by a telecommunications carrier to provide telecommunications services, provided that the building contains:
- (i) An access tandem; or
  - (ii) An enhanced 911 switch;
- (F) "Telecommunications carrier" means any person that owns, operates, manages, or controls any facility used to furnish telecommunications services for profit to the public, or to classes of users so as to be effectively available to the public, engaged in the provision of services, such as voice, data, image, graphics, and video services, that make use of all or part of the person's transmission facilities, switches, broadcast equipment, signaling, or control devices; and
- (G) "Telecommunications services" means the offering of transmission between or among points specified by a user, of information of the user's choosing, including voice, data, image, graphics, and video without change in the form or content of the information, as sent and received, by means of electromagnetic transmission, or other similarly effective means of transmission, with or without benefit of any closed transmission medium; provided, however, that the term does not include the one-way transmission to subscribers of video programming or other programming service, regardless of whether subscriber interaction is required for the selection of video programming or other programming service.
- (4) If a building ceases to be a telecommunications building, the building owner or an authorized representative shall notify the fire chief in writing within 60 days that the building is no longer a telecommunications



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building, and shall submit with the notice a schedule for compliance with this subsection. A building that ceases to be a telecommunications building shall comply with this subsection within three years following the date the notice and schedule for compliance with this subsection are received by the chief.

- (b) **Smoke Detectors.** Smoke detectors shall be provided in every mechanical equipment, electrical, transformer, telephone equipment, elevator machine or similar room and in elevator lobbies. The installation of the smoke detectors shall be in accordance with the building code. Smoke detectors shall be connected to an automatic fire alarm system installed in accordance with the fire code.
- (c) **Corridor Doors.** All doors opening into interior exit corridors shall be in accordance with the building code; except that 1 3/4-inch bonded, solid core wood doors need not be replaced.
- (d) **Exit Stairwell Doors.** All stairwell doors, which are to be locked to prevent entry from the stairwell side, shall be automatically unlocked without unlatching when the fire alarm system activates or upon power failure.
- (e) **Fire Alarm Systems.** When actuated, fire alarm-initiating devices shall activate an alarm signal which is audible throughout the existing business building or existing highrise residential building or in designated portions of the building when approved by the fire chief. The alarm signal shall be a distinctive sound, which is not used for any purpose other than the fire alarm. Fire alarm-initiating devices shall be connected to an annunciator panel which panel shall be located in the first floor lobby area or other area approved by the fire chief.
- (f) **Emergency Power.** Emergency power shall be provided for exit signs, exit illuminations, and fire alarm systems. Such emergency power shall be supplied by a generator or an approved battery or other approved source of energy.
- (g) **Emergency Plan.** The management or owner of each existing business building or existing highrise residential building shall establish and maintain a written fire and life safety emergency plan, which is to be reviewed by the fire chief and which shall be updated annually. The fire chief shall develop written criteria and guidelines upon which all plans shall be based.
- (h) **Exiting Plans and Placards.**



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- (1) **Exiting Plans.** Exiting plans which are to be reviewed by the fire chief shall be posted on each floor at each elevator lobby.
- (2) **Placards.** Placards with exit instructions for elevators and stairwells and other placards shall be posted in locations approved by the fire chief.
- (i) **Fire Drills.** The management or owner of each existing business building or existing highrise residential building shall conduct fire drills for staff and employees at least once every 180 days. A written record of each drill shall be maintained in the management office of the building and made available to the fire chief for review.

[\*Editor's Note: A fire safety agreement is attached to Ord. 02-65 as "Exhibit A" and is on file with the office of the city clerk.]

SECTION 6. Section 20-2.5 ("Compliance"), Revised Ordinances of Honolulu 1990, is amended by amending subsections (b) and (c) to read as follows:

- "(b) **Examination and Furnishing of List to Owner or Operator.** The fire chief shall examine each hotel, ~~and~~ existing business building, and existing highrise residential building subject to this article. Upon the completion thereof the fire chief shall immediately furnish to the owner or operator of the hotel, ~~or~~ existing business building or highrise residential building, a written list of items required to achieve compliance with this article.
- (c) **Compliance Schedule.**
- (1) **Sixty Days.** Each hotel, ~~or~~ existing business building or highrise residential building shall comply with subsections (g), (h), and (i) of Section 20 2.3 or 20-2.3A, as applicable, within 60 days after the receipt of the written list.
  - (2) **One Year.** The owner or an authorized representative of each hotel, ~~or~~ existing business building or highrise residential building shall submit plans to the fire chief showing intended methods of compliance with subsections (a) through (f) of Section 20 2.3 or 20-2.3A, as applicable, within one year after receipt of the written list.
  - (3) **Five Years.** Each hotel, ~~or~~ existing business building or residential highrise building shall comply with subsections (a) through (f) of Section



**CITY COUNCIL**  
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HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_  
BILL 69 (2017)

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20 2.3 or 20-2.3A, as applicable, within five years after receipt of the written list.”

SECTION 7. The council intends that this Ordinance shall not affect the application of Chapter 20, Article 2, Revised Ordinances of Honolulu 1990, on existing hotel buildings as defined under that Article.

SECTION 8. Ordinance material to be repealed is bracketed. New ordinance material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material, or the underscoring.

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HONOLULU, HAWAII

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SECTION 9. This ordinance shall take effect on January 1, 2018.

INTRODUCED BY:

*Ron Merritt* (br)

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DATE OF INTRODUCTION:

**JUL 18 2017**

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Honolulu, Hawaii

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Councilmembers

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Deputy Corporation Counsel

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
KIRK CALDWELL, Mayor  
City and County of Honolulu