

uses; assign certain permitting responsibilities to the Chief Engineer (non-commercial uses and banners across street) and the Planning Director (street naming); make property owners responsible for maintenance of driveway approaches and remove responsibility for sidewalk damage caused by age or poor construction; establish new driveway requirements for commercial and industrial uses; establish a new section for variances; and create new penalty and enforcement provisions. The bill contains significant deletions of certain provisions relating to: permitting installation of livestock gates across county road and allowing café table service and other commercial activities on sidewalks; prohibited acts on bridges and elevated structures; peddling, repair of private roads and utilities; and mandatory installation of curb, gutter and sidewalk through Council resolution.

- Comm. 370: From Galen M. Kuba, Acting Deputy Director, Department of Public Works, dated August 10, 2001 responding to PW&IRC Chair Leningrad Elarionoff 's memorandum dated July 27, 2001, transmitting minutes from the February 7 & March 22, 2001 workshops to assist him in preparing a second draft of Bill 225 (Streets and Sidewalks Revisions). Also transmits items for consideration. Copies of memos from Civil Defense Administrator William G. Davis; Fire Chief Edward Bumatay and Police Chief James S. Correa, responding to his request for comments on the bill, are also attached.
- Comm. 370.1: From PW&IRC Chair Leningrad Elarionoff, dated October 5, 2001, transmitting (Bill 225) Bill 225, Draft 2, incorporating information and amendments received from public (Draft 2) meetings that were held earlier this year.
- Comm. 370.2: From Ron Amundson, Disability Rights Hawai‘i, dated February 7, 2001, informing that their organization supports Bill 225. They understand that this bill brings the County up-to-date on accessibility requirements consistent with the Americans with Disabilities Act, and it also specifies the responsibility for repair and maintenance of sidewalks, which is important for safety as well as accessibility. Urges passage of this bill.
- Comm. 370.3 From Dennis K. W. Lee, P. E., Director, Department of Public Works, dated November 5, 2001, submitting two comments on Bill 255, Draft 2.
- Comm. 370.4: From Galen M. Kuba, Department of Public Works, dated November 6, 2001, informing that he met with Councilmember Leithead-Todd, Barbara Hashimoto, Nancy Crawford and Dennis Lee, regarding the commercial use of County sidewalks, and they decided that a separate ordinance under Chapter 2 would be drafted that would establish a permit process for Commercial uses. Consequently, no significant changes to the present version of Bill 225 will be necessary, however, Section 22-2.5 should be revised, as stated in his letter.

Comm. 370.5: From Legislative Assistant Charmaine Doran, Office of the Legislative Auditor, (Bill 225) dated November 21, 2001, transmitting Bill 225, Draft 3. Informs at the PW&IRC (Draft 3) meeting of October 23, 2001, the subject matter was deferred for a period of 30 days to allow Council members to work with the Public Works Department on specific amendments. To date, several amendments have been received and incorporated into several sections of the bill, as noted in her letter.

A request for a ramseyer version of changes between Drafts 1 and 2, was not possible, as explained in her letter. States while a ramseyer version may be helpful and/or necessary in some instances, the County of Hawai'i, Legislative Drafting Manual does not require it when an entire chapter, like this, of the County Code is repealed. Therefore, they have compiled and attached a chart entitled "Major Revisions" that details any significant amendments that were made between drafts.

STATEMENTS FROM THE PUBLIC/ADJOURNMENT

The meeting place is accessible for persons with physical disabilities. Persons who need special accommodations to attend this meeting should call 961-8245 by **November 30, 2001**. Persons using TDDs may call 961-8521.

(Copies of this agenda and the communications are posted and filed at the County Clerk's Office, 25 Aupuni St., Hilo; the Office of the Mayor, 75-5706 Kuakini Highway, Suite 103, Kailua-Kona; and the Kona Councilmembers' Office, 77-6399 Nalani St., Suite 104, Kailua-Kona. For further information, please call 961-8245. Those wishing to testify, please register with the County Clerk's staff prior to the convening of the meeting. If possible, submit fifteen (15) written copies of testimony to staff prior to the convening of the meeting.)

VIEWING OF MEETINGS ON GOVERNMENT ACCESS TELEVISION - Channel 52 (Hilo/Kona)

Public Works & Intergovernmental Relations Committee and Finance Committee meetings – Tuesdays, Dec. 11 & 18 @ 8:30 p.m.; Planning Committee meeting– Thursdays, Dec. 13 & 20 @ 8:30 p.m.; all three Committee meetings – Sunday, December 23 @ 10:30 a.m.