

CHAPTER 4

AMENDMENT OF THE NEIGHBORHOOD PLAN

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§2-20-101 Periodic comprehensive review. On or before July 31, 2028 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. 1/10/20; am 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- (3) A draft or the substance of the proposed rule or amendment or a designation of the provision sought to be repealed.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 notify the petitioner within thirty days of receiving the petition and place the petition on the commission's next regular meeting agenda for consideration. The commission may either deny the petition in writing, stating its reasons for the denial, or initiate proceedings in accordance with 20-2 chapter 91, HRS, for the adoption, amendment or repeal of the rule, as the case may be. [Eff. 1/10/20; am 10/20/08; am 2/5/11] (Auth: HRS §91-6; RCH §§4105(4), 14-102) (Imp: HRS §91-6; RCH §§4-105(4), 14-102)

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§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)