

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-8041  
DEPT. WEB SITE: [www.honolulu.gov](http://www.honolulu.gov) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

KIRK CALDWELL  
MAYOR



KATHY K. SOKUGAWA  
ACTING DIRECTOR

TIMOTHY F. T. HIU  
DEPUTY DIRECTOR

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
7016 2710 0000 8740 1060

NOTICE OF ORDER

NO.: 2017/NOO-062

DATE: February 27, 2017

TO: Owner/Contractor/Lessee/Tenant: \_\_\_\_\_

Owner: Hanapohaku, LLC

Attn: Andrew Yani

526 Ahina Street

Honolulu, Hawaii 96816

Address of Violation: 59-712 Kamehameha Highway - Haleiwa

59-706 Kamehameha Highway - Haleiwa

59-053 Pahoe Road - Haleiwa

Tax Map Key: 5-9-011: 068 (POID 491033)

5-9-011: 069 (POID 491032)

5-9-011: 070 (POID 491031)

Description: There are multiple violations in Special Management Area (SMA) without an SMA Use Permit. Structures include food trucks, shipping containers, loading trucks, septic tanks, wooden decks and stairs, tents, eating areas with tables and benches, signs and sheds, temporary toilets, fences, walls, parking areas, and all other unpermitted structures. Grading work was undertaken without the required permit. Commercial activities lack an SMA Use Permit.

The Department of Planning and Permitting (DPP) inspected the above-described structure(s) and/or premises and found a violation of one or more ordinances of the City and County of Honolulu. As a result, Notice of Violation (NOV) 2016/NOV-12-137 was issued on January 23, 2017 (copy attached). As of the date of this order, the violation described in the NOV has not been corrected. Because this is a recurring violation, accordingly, pursuant to the authority granted by the Revised Ordinances of Honolulu, you are hereby ordered to:

1. Pay a fine of \$2,000 by March 30, 2017.

2. Correct the violation by March 14, 2017. If corrective action has not been completed by this date, a daily fine of \$500 will be assessed until the correction is completed. You are responsible for contacting the inspector, Steve Cheung at (808) 768-8114, to verify the corrective action.

Checks (with the Notice of Order number noted on it) are payable to the City and County of Honolulu, and should be mailed or delivered to the Department of Planning and Permitting, 650 South King Street, 8<sup>th</sup> Floor, Honolulu, Hawaii 96813.

If the fine is not paid by the due date, this matter may be referred to the Department of the Corporation Counsel for civil remedy and/or the Prosecuting Attorney's Office for criminal prosecution. When this order becomes final, all unpaid civil fines imposed by this order shall be added to the taxes, fees, and charges specified in Section 20-3-4 of the Department of Planning and Permitting's Rules Relating to Administration of Codes. Such taxes, fees, and charges include, but are not limited to, driver's license and vehicle registration fees, fees for permits issued under the City Land Use Ordinance (e.g., sign permits, conditional use permits, and variances) and fees for building, demolition, grading, grubbing, stockpiling, trenching, and excavation permits.

If the order is issued to more than one person, each person shall be jointly and severally liable for the full amount of any fine imposed by the order.

This order shall become final thirty (30) days after mailing. Before such time, any person affected by this order may file an administrative appeal of any provision in this order. Appeals shall include all appropriate remedies and may address the addition of unpaid fines to taxes, fees, or charges collected by the City. The failure to appeal this order within the specified time may result in a waiver of the right of appeal. An appeal does not suspend any provision of the order, including the imposition of the civil fines. Copies of the appeal rules are available at the DPP and Office of the City Clerk.

Should you have any questions regarding this order, please contact our Code Compliance Branch at (808) 768-8110.



Kathy K. Sokugawa  
Acting Director

KKS:ff

Attachment

[1426822]