
A BILL FOR AN ACT

RELATING TO NUISANCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 322-1, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§322-1 Removal, prevention. The department of health and
4 its agents shall examine into all nuisances, foul or noxious
5 odors, gases, or vapors, water in which mosquito larvae exist,
6 sources of filth, and all causes of sickness or disease, on
7 shore, and in any vessel, which may be known to them or brought
8 to their attention, which in their opinion are dangerous or
9 injurious to health, and into any and all conditions created or
10 existing which cause or tend to cause sickness or disease or to
11 be dangerous or injurious to health, and shall cause the same to
12 be abated, destroyed, removed, or prevented[-]; provided that in
13 the case of foul or noxious odors, gases, or vapors, the
14 department of health shall immediately order the suspension of
15 the operation of the source of the odor, gas, or vapor and shall
16 continue the suspension until the examination by the department
17 of health determines that the odor, gas, or vapor is not
18 dangerous or injurious to health.



1 For purposes of this section, a nuisance shall include
2 toxic materials that are used in or by-products of the
3 manufacture or conversion of methamphetamine, and clandestine
4 drug labs that manufacture methamphetamine.

5 This section shall not apply to farming operations that are
6 protected from nuisance complaints pursuant to chapter 165."

7 SECTION 2. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Department of Health; Abatement of Odor, Gas, or Vapor Nuisance

Description:

Requires Department of Health to order suspension of operation causing foul or noxious odor, gas, or vapor until examination determines not dangerous or injurious to health. (HB2917 HD1)

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