
A BILL FOR AN ACT

RELATING TO SINGLE-FAMILY DETACHED DWELLINGS.

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

1 SECTION 1. The legislature finds that there is a growing
2 need for ecologically sustainable and affordable housing, and
3 that construction of small homes is a way to meet this need.
4 The legislature also finds that regulations mandating minimum
5 sizes for detached single-family dwellings, such as minimum
6 square feet of floor space or living area, that are not
7 necessary for fire and life safety or environmental purposes or
8 standards, prevent the construction of small homes.

9 Accordingly, the purpose of this Act is to prevent the
10 State and counties from adopting or enforcing regulations
11 mandating certain minimum sizes for single-family detached
12 dwellings unless those regulations are necessary to ensure that
13 dwellings meet fire and life safety or environmental purposes or
14 standards.

15 SECTION 2. Section 107-26, Hawaii Revised Statutes, is
16 amended to read as follows:



1 "§107-26 Hawaii state building codes; prohibitions. In
2 adopting the Hawaii state building codes, the council shall not
3 adopt provisions that:

4 (1) Relate to administrative, permitting, or enforcement
5 and inspection procedures of each county; [~~or~~]

6 (2) Conflict with chapters 444 and 464[-]; or

7 (3) Require, in a single-family detached dwelling, a
8 minimum gross floor space, minimum area of habitable
9 space, or minimum room size, unless a requirement is
10 necessary to meet fire and life safety or
11 environmental purposes or standards."

12 SECTION 3. Section 107-28, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) The governing body of each county shall amend, adopt,
15 and update the Hawaii state building codes as they apply within
16 their respective jurisdiction, in accordance with section 46-
17 1.5(13), without approval of the council. Each county shall
18 amend and adopt the Hawaii state building codes and standards
19 listed in section 107-25, as the referenced Hawaii state
20 building codes and standards for its respective county building
21 code ordinance, no later than two years after the adoption of



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1 the Hawaii state building codes[-]; provided that no county
 2 shall adopt any building code provision that requires, in a
 3 single-family detached dwelling, a minimum gross floor space,
 4 minimum area of habitable space, or minimum room size, unless a
 5 requirement is necessary to meet fire and life safety or
 6 environmental purposes or standards."

7 SECTION 4. This Act does not affect rights and duties that
 8 matured, penalties that were incurred, and proceedings that were
 9 begun before its effective date.

10 SECTION 5. Statutory material to be repealed is bracketed
 11 and stricken. New statutory material is underscored.

12 SECTION 6. This Act shall take effect upon its approval.

13

INTRODUCED BY: 

JAN 19 2017



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Report Title:

Building Codes; Single-Family Detached Dwellings; Prohibitions

Description:

Prohibits the State and counties from adopting building codes that require minimum floor space or room sizes unless necessary for safety or environmental standards.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

