

ACT 294

S. B. 257.

A Bill for an Act Relating to County Ordinances to Require Subdividers to Provide or Dedicate Sites for Parks and Playgrounds or Make Payment, and Amending Chapters 138 and 149, Revised Laws of Hawaii 1955.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 138, Revised Laws of Hawaii 1955, is amended by adding a new section, to be appropriately designated and to read as follows:

“Sec. 138-..... Sites for parks and playgrounds in subdivisions.

(a) Each county shall adopt ordinances to require a subdivider, as a condition precedent to final approval of a subdivision:

(1) To provide land in perpetuity for park and playground facilities for the use of the purchasers or occupants of lots in subdivisions. The ordinances may prescribe the instances in which the dedications shall be required, the area, location, grade, and other state of the sites so required to

be dedicated. In addition thereto, such ordinances may prescribe penalties or other remedies for violation of such ordinances; or

(2) To dedicate land for park and playground facilities for the use of the purchasers or occupants of lots in the subdivision. The ordinances may prescribe the instances in which the dedication shall be required, the area, location, grade, and other state of the sites so required to be dedicated, and the minimum physical facilities required.

(b) The ordinances may provide that a subdivider, in lieu of providing or dedicating land and facilities as may be required pursuant to paragraphs (1) or (2), may make payment to the county of a sum of money equal to the value of the land facilities he would otherwise have had to provide or dedicate. The ordinance may prescribe the method of valuation of such land and facilities, and may provide that such money shall be used for the purpose of providing park and playground facilities for the use of purchasers or occupants of lots in the subdivision.

(c) Upon the provision of land in perpetuity or the dedication of land by the subdivider as may be required under this section, the county concerned shall thereafter assume the cost of improvements and their maintenance, and the subdivider shall accordingly be relieved from such costs."

SECTION 2. Sections 149-94 to 149-97, Revised Laws of Hawaii 1955, are repealed.

SECTION 3. This Act shall take effect upon its approval.
(Approved June 10, 1967.)