

**ACT 35**

**H.B. NO. 2466-74**

A Bill for an Act to Amend Chapter 265, HRS, Relating to County Highways, Sidewalks, Wharves.

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

SECTION 1. Chapter 265, Hawaii Revised Statutes, is hereby amended by amending sections 30 and 33 thereof to read as follows:

(a) **“Sec. 265-30 Notice to property owners.** The notice specified in section 265-29 shall be given by (1) publishing the same in a daily newspaper of general circulation in the county where the sidewalks or curbs are to be constructed, maintained, or repaired, once in each of three consecutive weeks, or, (2) by mailing a copy of such notice by certified mail to each of the abutting owners at their last known address, or (3) by both publication and certified mail.

The sixty days specified in section 265-29 shall run from the last day of publication (where the notice is so published) or (where no notice is published) from the date of receipt of the certified mail.”

(b) **“Section 265-33 Procedure if owner fails to clean; notice.** If such owner, after receiving notice from the city and county, fails, within twenty days after such notice, to clean such sidewalk, or fails and neglects to keep such sidewalk clean and free from weeds and noxious growths, then and thereupon the city and county shall proceed to clean the sidewalk, as may be reasonably required, and the cost thereof shall be collected from the property owner, if not immediately paid, by action in the district court.

The notice shall be sent to the property owner by mailing it to his last known place of abode, or address or by personal service by an employee of the city and county of the notice on the premises of the owner abutting or adjacent to the particular sidewalk requiring the attention, work, and service.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.\*

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

(Approved May 24, 1974.)

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\*Edited accordingly.