



A BILL FOR AN ORDINANCE

RELATING TO THE REGULATION OF DOGS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Findings and purpose. Chapter 7, Article 4, of the Revised Ordinances of Honolulu 1990, provides in part that it shall be unlawful for the owner of a dog to be in a public place without a leash, with certain exceptions including service dogs. The council finds that service dogs are trained using leashes, and that the Americans with Disability Act provides only a limited exemption for service dogs from the leash requirement. Therefore, the purpose of this ordinance is to conform the Revised Ordinances to federal regulations regarding the exemption of service dogs from a leash requirement.

SECTION 2. Section 7-4.1, Revised Ordinances of Honolulu 1990, as amended, is amended by adding two new definitions to read as follows:

“Handler” means any owner with a disability having custody of a service dog.”

“Service dog” means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by the service dog must be directly related to the handler’s disability.”

SECTION 3. Section 7-4.4, Revised Ordinances of Honolulu 1990, as amended, is amended to read as follows:

“Sec. 7-4.4 Applicability.

The provisions of this article shall not apply to:

- (a) Licensed [guide, signal, or service] dogs [trained to assist disabled persons when such dogs are actually being used by disabled persons for the purpose of aiding them;] functioning as service dogs under control of their handlers. A service dog under control of its handler shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or use of a harness, leash, or other tether would interfere with the service dog’s safe, effective performance of work or tasks, in which case the service dog shall be otherwise under the handler’s control (e.g., voice control, signals, or other effective means); or



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 56 (2010), CD1

A BILL FOR AN ORDINANCE

- (b) Licensed dogs trained and used by the police department of the City and County of Honolulu or other law enforcement agencies in law enforcement work while such dogs are engaged in the performance of such work; or
- (c) Licensed hunting dogs when accompanied by their owner on public or private hunting and/or shooting grounds; or
- (d) Licensed obedience trial, tracking and show dogs accompanied by their owner and being trained or in competition in public parks or school grounds, provided permission is first obtained from the proper park or school authorities for such use; or
- (e) Licensed dogs when accompanied by persons eighteen years of age or older having custody and control of the dogs and located in a public park or in an area in a public park designated by a sign that the public park or area has been designated by the director of parks and recreation for use by dogs and persons having custody and control of the dogs pursuant to the provisions of Section 10-1.7."

SECTION 4. Ordinance material to be repealed is bracketed. New material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material or the underscoring.



A BILL FOR AN ORDINANCE

SECTION 5. This ordinance shall take effect upon approval.

INTRODUCED BY:

Lee Donohue

DATE OF INTRODUCTION:

October 25, 2010
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

PETER B. CARLISLE, Mayor
City and County of Honolulu