



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.”

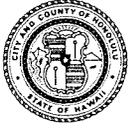
“Service dog” means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by the service dog must be directly related to the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



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- (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.



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SECTION 5. This ordinance shall take effect upon approval.

INTRODUCED BY:

Lee Donohue

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DATE OF INTRODUCTION:

October 25, 2010  
Honolulu, Hawaii

\_\_\_\_\_ Councilmembers

APPROVED AS TO FORM AND LEGALITY:

*[Signature]*  
Deputy Corporation Counsel

APPROVED this 1<sup>th</sup> day of February, 2011.

*[Signature]*  
PETER B. CARLISLE, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
C E R T I F I C A T E

ORDINANCE 11-1

**BILL 56 (2010), CD1**

Introduced: 10/25/10 By: LEE DONOHUE

Committee: SAFETY, ECONOMIC  
DEVELOPMENT AND  
GOVERNMENT AFFAIRS

Title: A BILL FOR AN ORDINANCE RELATING TO THE REGULATION OF DOGS.

Links: [BILL 56 \(2010\)](#)  
[BILL 56 \(2010\), CD1](#)  
[CR-385](#)  
[CR-1 \(2011\)](#)

Voting Legend: Y= Aye, Y\* = Aye w/Reservations, N = No, A = Absent, ABN = Abstain

NOTE: EFFECTIVE NOVEMBER 2, 2010, COUNCILMEMBER DONOVAN DELA CRUZ, REPRESENTING COUNCIL DISTRICT II, RESIGNED FROM OFFICE. (Refer to Communication [CC-192](#))

ON NOVEMBER 8, 2010, THE APPOINTMENT OF REED MATSUURA WAS APPROVED (Refer to [RES10-313](#)) AND HE WAS SWORN INTO OFFICE AS A MEMBER OF THE HONOLULU CITY COUNCIL REPRESENTING DISTRICT II TO FILL THE REMAINING TERM OF FORMER COUNCILMEMBER DONOVAN DELA CRUZ.

NOTE: EFFECTIVE NOVEMBER 8, 2010, COUNCILMEMBER TODD APO, REPRESENTING COUNCIL DISTRICT I, RESIGNED FROM OFFICE. (Refer to Communication [CC-193](#))

COUNCIL	11/22/10	BILL PASSED FIRST READING AND WAS REFERRED TO COMMITTEE ON PUBLIC SAFETY AND SERVICES.
ANDERSON	Y	CACHOLA Y DONOHUE Y GARCIA Y KOBAYASHI Y
MATSUURA	Y	OKINO Y TAM Y
PUBLISH	11/27/10	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
PUBLIC SAFETY AND SERVICES	12/02/10	CR-385 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AS AMENDED IN <a href="#">CD1</a> FORM AND SCHEDULING OF A PUBLIC HEARING.
COUNCIL/PUBLIC HEARING	12/08/10	CR-385 ADOPTED. BILL PASSED SECOND READING AS AMENDED, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON PUBLIC SAFETY AND SERVICES.
ANDERSON	Y	CACHOLA Y DONOHUE Y GARCIA Y KOBAYASHI Y
MATSUURA	Y	OKINO Y TAM Y
PUBLISH	12/20/10	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
	12/28/10	CC-212 BILL RE-REFERRED FROM PUBLIC SAFETY AND SERVICES TO SAFETY, ECONOMIC DEVELOPMENT AND GOVERNMENT AFFAIRS COMMITTEE.
		NOTE: COUNCILMEMBERS CHANG, GABBARD TAMAYO, HARIMOTO AND MARTIN TOOK OFFICE ON SUNDAY, JANUARY 2, 2011.
SAFETY, ECONOMIC DEVELOPMENT AND GOVERNMENT AFFAIRS	01/10/11	CR-1(11) – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING.

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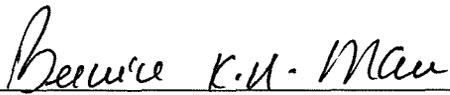
NOTE: COUNCILMEMBER BERG TOOK OFFICE ON WEDNESDAY, JANUARY 19, 2011  
FILLING THE VACANCY FOR DISTRICT I.

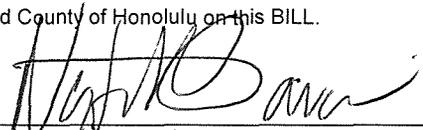
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COUNCIL	01/26/11	CR-1(11) ADOPTED AND BILL 56 (2010), CD1 PASSED THIRD READING.							
ANDERSON	Y	BERG	Y	CACHOLA	A	CHANG	Y	GABBARD TAMAYO	Y
GARCIA	Y	HARIMOTO	Y	KOBAYASHI	Y	MARTIN	Y		

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I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

  
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BERNICE K. N. MAU, CITY CLERK

  
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NESTOR R. GARCIA, CHAIR AND PRESIDING OFFICER