CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 5 (2013), CD1
Proposed

# A BILL FOR AN ORDINANCE

RELATING TO PUBLIC PARKS.

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

SECTION 1. Purpose. The purpose of this ordinance is to address activities at city parks.

SECTION 2. Section 10-1.1, Revised Ordinances of Honolulu 1990 ("Definitions"), is amended by amending the definition of "commercial activity" and adding a new definition of "traverse" to read as follows:

""Commercial activity" means a use or purpose designed for profit, which includes but is not limited to the exchange or buying and selling of commodities; the providing of services relating to or connected with trade, traffic or commerce in general; any activity performed by the commercial operator or its employees or agents in connection with the delivery of such commodities or services; and the soliciting of business, including the display or distribution of notices, business cards, or advertisements for commercial promotional purposes. The use of land for utilities, and the use of the premises and facilities for official canoe regattas[,] <u>and other events conducted by nonprofit organizations as defined in Section 28-1.3, including nonprofit fundraising activities and activities of vendors participating in nonprofit events,</u> shall not be considered a commercial activity."

""<u>Traverse" means to travel continuously in a direction across or through.</u>"

SECTION 3. Section 10-1.2 Revised Ordinances of Honolulu 1990 ("Park rules and regulations") is amended by amending subsection (a) to read as follows:

"(a) Within the limits of any public park, it is unlawful for any person to:

(1) Willfully or intentionally destroy, damage or injure any property;

(2) Climb onto any tree, except those designated for climbing, or to climb onto any wall, fence, shelter, building, statue, monument or other structure, excluding play apparatus;

(3) Swim, bathe, wade in or pollute the water of any ornamental pool or fountain;

(4) Kindle, build, maintain or use any fire, other than in a grill or brazier;

(5) Annoy, molest, kill, wound, chase, shoot or throw missiles at any animal or bird;

(6) Distribute, post or place any commercial handbill or circular, notice or other advertising device or matter, except as permitted by the terms of any agreement relating to the use of park property;

(7) Use any surfboard or devices or materials with jagged or rough ends and edges, which are dangerous to surfers, swimmers or bathers;

(8) Construct or fabricate surfboards;

(9) Permit any animal to enter and remain within the confines of any public park area except as otherwise provided in this article;

(10) Feed any animal or bird when signs are posted prohibiting such feeding;

(11) Wash, polish or repair cars or other vehicles;

(12) Enter or remain in any public park during the night hours that the park is closed, provided that signs are posted indicating the hours that the park is closed[;] <u>, except that a person may traverse a public beach park at any time for purposes of reaching the shoreline;</u>

(13) Camp at any park not designated as a campground;

(14) Fail to comply with any sign or notice posted by the City and County of Honolulu;

(15) Utilize, place, occupy, leave, or in any other manner situate a shopping cart."

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:

Ernest Martin (BR)

DATE OF INTRODUCTION:

January 24, 2013
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

KIRK CALDWELL, Mayor
City and County of Honolulu