



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 adding a new definition of "traverse" to read as follows:

"Traverse" means to travel continuously in a direction across or through."

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;



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- (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[;], except that a person may traverse a public beach park even during the nighttime hours when the park is closed for purposes of reaching the shoreline;
- (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. Section 10-1.7 Revised Ordinances of Honolulu 1990 ("Animals in public parks") is amended by amending subsection (c) to read as follows:

- "(c) The director shall adopt rules pursuant to HRS Chapter 91 to hold persons bringing permitted animals into public parks responsible for the sanitary use of the park, the protection of shrubbery, trees, turf and other property, and the safety, health and welfare of all park users. The rules shall address the specific responsibilities associated with bringing a type of animal into a public park.
- (1) Rules for persons bringing leashed dogs into designated parks or park areas shall include:
 - (A) Requiring the person having custody and control of the dog to restrain the dog at all times on a leash, cord, chain or other similar means of physical restraint of not more than eight feet in length;
 - (B) Requiring all dogs in the park or park areas designated for leashed dogs to display a valid license tag attached to the dog's collar;



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- (C) Requiring the person having custody and control of the dog to be eighteen years of age or older; [and]
 - (D) Requiring the person having custody and control of the dog to carry equipment for the removal and disposal of dog feces and to clean up and dispose of feces left by the dog[.]; and
 - (E) Allowing, notwithstanding Section 10-1.2(a)(9), persons otherwise in compliance with this article having custody and control of a dog otherwise in compliance with this subdivision to traverse a public beach park for purposes of reaching the shoreline during either hours when the park is open or hours when it is closed.
- (2) Rules for persons bringing dogs off-leash into designated off-leash parks shall include:
- (A) Requiring the person having custody and control of the dog to maintain voice control over the dog at all times;
 - (B) Prohibiting female dogs in estrus from entering the off-leash park;
 - (C) Requiring all dogs to display a valid license tag attached to the dog's collar;
 - (D) Notifying any person entering an off-leash park that the person enters and remains in the park at his or her own risk and the city is not liable for any injury or harm to any person or dog incurred or caused by any other person or dog entering or remaining in the off-leash park;
 - (E) Requiring the person having custody and control of the dog to be eighteen years of age or older; and
 - (F) Requiring the person having custody and control of the dog to carry equipment for the removal and disposal of dog feces and to clean up and dispose of feces left by the dog."

SECTION 5. 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.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 8(2013)

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SECTION 6. The Council is aware that at the time this bill is considered for final approval by the Council, there may be other bills that were given final approval by the Council but not enacted as an ordinance that amend the same provisions of the Revised Ordinances of Honolulu that this bill amends. If this bill is enacted as an ordinance, the Revisor of Ordinances shall give maximum effect to all amendments to the revised ordinances made in this bill and made in any other bill situated as described above. The absence in this bill of amendments made in those other bills shall not be construed as a repeal of the amendments made in those other bills.



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SECTION 7. This ordinance shall take effect upon approval.

INTRODUCED BY:

[Handwritten signature]

DATE OF INTRODUCTION:

FEB 14 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