



A BILL FOR AN ORDINANCE

RELATING TO URINATING AND DEFECATING IN PUBLIC.

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

SECTION 1. Urinating and defecating in public creates a public health risk because of the possible spread of disease and other health hazards stemming from exposed untreated human waste. These concerns associated with public urination and defecation discourage people from patronizing establishments located in the Waikiki special district as well as from utilizing the beaches and parks.

The purpose of this ordinance is to prohibit urinating and defecating in public within the Waikiki special district.

SECTION 2. Chapter 40, Revised Ordinances of Honolulu 1990, as amended, is further amended by adding a new article to be appropriately designated by the revisor of ordinances and to read as follows:

"Article _____. Urinating or Defecating in Public Prohibited

Sec. 40-____.1 Definitions.

For the purposes of this article:

"Waikiki special district" means the Waikiki special district as defined in Section 21-9.80-2.

"Public place" means any publicly-owned or privately-owned property open for public use or to which the public is invited for entertainment or business purposes and includes but is not limited to any street, sidewalk, driveway, alley, doorway, mall, plaza, park, public building, or parking lot.

Sec. 40-____.2 Prohibition.

Within the boundaries of the Waikiki special district, no person shall intentionally or knowingly urinate or defecate (a) in a public place, or (b) in any area where such an act is likely to be observed by any member of the public.



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Sec. 40-____.3 Exceptions.

(1) This article shall not apply in cases where the person failed to use a restroom or other toilet facility because of a medical condition verified by a licensed physician.

(2) This article shall not apply to a person urinating or defecating while using appropriate fixtures in any restroom or other toilet facility designed for the sanitary disposal of human waste.

Sec. 40-____.4 Violation-Penalty.

Any person violating any provision of this article shall, upon conviction, be guilty of a petty misdemeanor and subject to punishment in accordance with HRS, Sections 706-640 and 706-663, as amended."



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SECTION 3. This ordinance takes effect upon approval.

INTRODUCED BY:

Ernest Martin (br)

DATE OF INTRODUCTION:

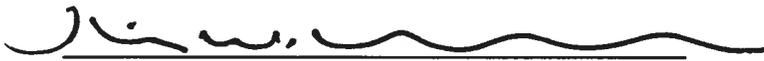
June 16, 2014
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:


Deputy Corporation Counsel **LAURA YOSHIDA**

APPROVED this 16 day of September, 2014.


KIRK CALDWELL, Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE 14-27

BILL 43 (2014), CD1

Introduced: 06/16/14

By: ERNEST MARTIN (BR)

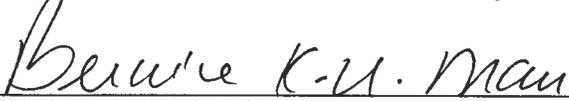
Committee: ZONING AND PLANNING

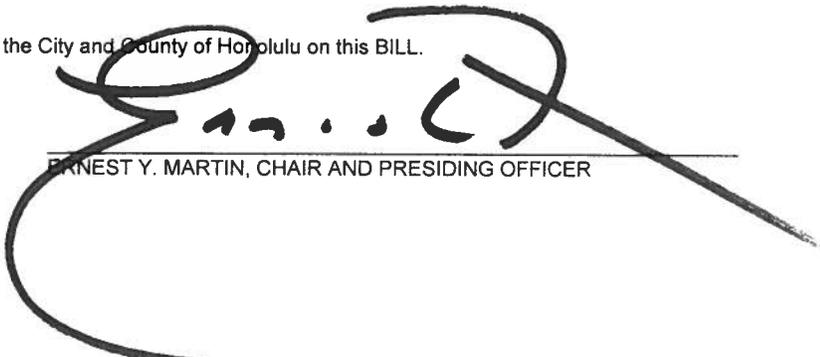
Title: A BILL FOR AN ORDINANCE RELATING TO URINATING AND DEFECATING IN PUBLIC.

Voting Legend: * = Aye w/Reservations

06/26/14	SPECIAL COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON ZONING AND PLANNING. 7 AYES – ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MARTIN, MENOR. 2 ABSENT – MANAHAN, PINE.
06/26/14	ZONING AND PLANNING	CR-206 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.
06/28/14	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
07/09/14	COUNCIL/PUBLIC HEARING	CR-206 ADOPTED. BILL PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON ZONING AND PLANNING. 9 AYES – ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN*, MARTIN, MENOR, PINE.
07/16/14	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
07/24/14	ZONING AND PLANNING	BILL DEFERRED IN COMMITTEE.
08/28/14	ZONING AND PLANNING	CR-259 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD1 FORM.
09/10/14	COUNCIL	CR-259 ADOPTED AND BILL 43 (2014), CD1 PASSED THIRD READING AS AMENDED. 9 AYES – ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MARTIN, MENOR, PINE.

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.


BERNICE K. N. MAU, CITY CLERK


ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER