



A BILL FOR AN ORDINANCE

RELATING TO PUBLIC SIDEWALKS.

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

SECTION 1. Purpose. The purpose of this ordinance is to amend the law relating to sitting or lying on public sidewalks in areas zoned for commercial and business activities.

SECTION 2. Section 2--___.1, Revised Ordinances of Honolulu 1990 ("Declaration of legislative intent – Purpose"), as enacted in Section 2 of Ordinance 14-35, is amended by adding a new subsection (h) to read as follows:

"(h) Pedestrians are discouraged from using public sidewalks if persons are sitting or lying down on the unpaved public property immediately abutting the public sidewalk, and pedestrians often use this expanded sidewalk area as an extension of the sidewalk, to walk and move from place to place. Pedestrian traffic is impeded when persons sit or lie down on these expanded sidewalk areas, deterring persons from accessing and using the sidewalks, and discouraging persons from walking as a means of transportation."

SECTION 3. Section 29-___.2, Revised Ordinances of Honolulu 1990 ("Prohibition–Exceptions–Citations"), as enacted in Section 2 of Ordinance 14-35, is amended by amending subsection (a) to read as follows:

"(a) No person shall sit or lie on a public sidewalk, or on a tarp, towel, sheet, blanket, sleeping bag, bedding, planter, chair, bench, or any other object or material placed upon a public sidewalk located within or immediately abutting the following described zones, or upon [a] the public [sidewalk abutting] sidewalks on both sides of the following described street segments, or where specified in this section, on the expanded sidewalk area, during the hours from 5:00 a.m. to 11:00 p.m. [Unless specifically stated otherwise, the prohibition applies to sidewalks on both sides of street segments]:

- (1) Chinatown. The Chinatown zone is the area of the city bounded by the following streets as illustrated in attached Exhibit 1:
 - Starting at the intersection of Nimitz Highway/River Street,
 - River Street to the intersection of River Street/Vineyard Boulevard,
 - Vineyard Boulevard to the intersection of Vineyard Boulevard/Nuuuanu Avenue,



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- Nuuanu Avenue to Nimitz Highway, and
 - Nimitz Highway to the intersection of Nimitz Highway/River Street.
- (2) Downtown. The Downtown zone is the area of the city bounded by the following streets as illustrated in attached Exhibit 2:
- Starting at the intersection of Nimitz Highway/Nuuanu Avenue,
 - Nuuanu Avenue to the intersection of Nuuanu Avenue/South Vineyard Boulevard,
 - South Vineyard Boulevard to the intersection of South Vineyard Boulevard/[Pali Highway,] Punchbowl Street,
 - [Pali Highway] Punchbowl Street to the intersection of [Pali Highway] Punchbowl Street/South Beretania Street,
 - South Beretania Street to the intersection of South Beretania Street/Richards Street,
 - Richards Street to the intersection of Richards Street/Halekauwila Street,
 - Halekauwila Street to the intersection of Halekauwila Street/Nimitz Highway/Ala Moana Boulevard, and
 - Nimitz Highway/Ala Moana Boulevard to the intersection of Nimitz Highway/Nuuanu Avenue.
- (3) McCully-Moilili. The McCully-Moilili zone is the area of the city bounded by the following streets as illustrated in attached Exhibit 3:
- Starting at the intersection of South Beretania Street/McCully Street,
 - McCully Street to the intersection of McCully Street/Algaroba Street,
 - Algaroba Street to the intersection of Algaroba Street/Makahiki Way,
 - Makahiki Way to the intersection of Makahiki Way/South King Street,
 - South King Street to the intersection of South King Street/Isenberg Street,
 - Isenberg Street to the intersection of Isenberg Street/South Beretania Street, and
 - South Beretania Street to the intersection of South Beretania Street/McCully Street.

The McCully-Moilili zone also includes the sidewalks abutting the following street segments:



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- University Avenue beginning at the intersection of University Avenue/South Beretania Street/South King Street and ending at University Avenue/Varsity Place,
- South Beretania Street beginning at the intersection of South Beretania Street/McCully Street and ending at the intersection of South Beretania Street/University Avenue, [and]
- South King Street beginning at the intersection of South King Street/Makahiki Way and ending at the intersection of South King Street/University Avenue[.],
- McCully Street beginning at the intersection of South Beretania Street/McCully Street and ending at the intersection of McCully Street/Algaroba Street, and
- Makahiki Way beginning at the intersection of Algaroba Street/Makahiki Way and ending at the intersection of Makahiki Way/South King Street.

(4) Kailua. The Kailua zone is the area of the city bounded by the following streets as illustrated in attached Exhibit 4:

- Starting at the intersection of Kainehe Street/Kihapai Street,
- Kihapai Street to the intersection of Kihapai Street/Oneawa Street,
- Oneawa Street to the intersection of Oneawa Street/Uluniu Street,
- Uluniu Street to the intersection of Uluniu Street/Maluniu Avenue,
- Maluniu Avenue to the intersection of Maluniu Avenue/Kuulei Road,
- Kuulei Road to the intersection of Kuulei Road/Oneawa Street/Kailua Road,
- Oneawa Street/Kailua Road to the intersection of Kailua Road/Hahani Street,
- Hahani Street to the intersection of Hahani Street/Hekili Street,
- Hekili Street to the intersection of Hekili Street/Hamakua Drive/Kainehe Street, and
- Hamakua Drive/Kainehe Street to the intersection of Kainehe Street/Kihapai Street.

The Kailua zone also includes the sidewalks abutting the following street segments:



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- Oneawa Street beginning at the intersection of Oneawa Street/Kawainui Street and ending at the intersection of Oneawa Street/Ulunui Street, and
- Hamakua Drive beginning at the intersection of Hamakua Drive/Hahani Street and ending at the intersection of Hamakua Drive/Aoaloa Street.

(5) **Wahiawa.** The Wahiawa zone is the area of the city bounded by the following streets as illustrated in attached Exhibit 5:

- Starting at the intersection of Kilani Avenue/Kukui Street,
- Kukui Street to the intersection of Kukui Street/California Avenue,
- California Avenue to the intersection of California Avenue/Ohai Street,
- Ohai Street to the intersection of Ohai Street/Olive Avenue,
- Olive Avenue to the intersection of Olive Avenue/Walker Avenue,
- Walker Avenue to the intersection of Walker Avenue/California Avenue,
- California Avenue to the intersection of California Avenue/Lehua Street,
- Lehua Street to the intersection of Lehua Street/Center Street,
- Center Street to the intersection of Center Street/North Cane Street,
- North Cane Street to the intersection of North Cane Street/Kilani Avenue, and
- Kilani Avenue to the intersection of Kilani Avenue/Kukui Street.

The Wahiawa zone also includes the sidewalks abutting the following street segments:

- North Cane Street at the intersection of Center Street/North Cane Street to the intersection of North Cane Street/California Avenue, and
- California Avenue at the intersection of California Avenue/North Cane Street to the entrance to Wahiawa District Park parking lot.

(6) **Ala Moana-Sheridan.** The Ala Moana-Sheridan zone is composed of two zones, Zone A and Zone B.

Ala Moana-Sheridan Zone A. Ala-Moana Sheridan Zone A is the area of the city bounded by the following streets as illustrated in attached Exhibit 6-A:

- Starting at the intersection of South Beretania Street/Piikoi Street,
- Piikoi Street to the intersection of Piikoi Street/South King Street,
- South King Street to the intersection of South King Street/Hauoli Street,



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- Hauoli Street to the intersection of Hauoli Street/Algaroba Street,
- Algaroba Street to the intersection of Algaroba Street/McCully Street,
- McCully Street to the intersection of McCully Street/South Beretania Street,
- South Beretania Street to the intersection of South Beretania Street/Artesian Street,
- Artesian Street to the intersection of Artesian Street/South King Street,
- South King Street to the intersection of South King Street/Kalakaua Avenue,
- Kalakaua Avenue to the intersection of Kalakaua Avenue/South Beretania Street, and
- South Beretania Street to the intersection of South Beretania Street/Piikoi Street.

Ala Moana-Sheridan Zone B. Ala Moana-Sheridan Zone B is the area of the city bounded by the following streets as illustrated in attached Exhibit 6-B:

- Starting at the intersection of South King Street/Cedar Street,
- South King Street to the intersection of South King Street/Kaheka Street,
- Kaheka Street to the intersection of Kaheka Street/Liona Street,
- Liona Street to the intersection of Liona Street/Keeaumoku Street,
- Keeaumoku Street to the intersection of Keeaumoku Street/Makaloa Street,
- Makaloa Street to the intersection of Makaloa Street/Kaheka Street,
- Kaheka Street to the intersection of Kaheka Street/Kanunu Street,
- Kanunu Street to the intersection of Kanunu Street/Kalakaua Avenue,
- Kalakaua Avenue to the intersection of Kalakaua Avenue/Kapiolani Boulevard,
- Kapiolani Boulevard to the intersection of Kapiolani Boulevard/Piikoi Street,
- Piikoi Street to the intersection of Piikoi Street/Makaloa Street,
- Makaloa Street to the intersection of Makaloa Street/Sheridan Street,
- Sheridan Street to the intersection of Sheridan Street/Rycroft Street,
- Rycroft Street to the intersection of Rycroft Street/Cedar Street, and
- Cedar Street to the intersection of Cedar Street/South King Street.

The Ala Moana-Sheridan Zone B also includes the sidewalks abutting the following street segment:



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- Keeaumoku Street beginning at the intersection of [Keeaumoku] Keeaumoku Street/Liona Street and ending at the intersection of Keeaumoku Street/Makaloa Street.

- (7) Kaneohe. The Kaneohe zone is composed of two zones, Zone A and Zone B.

Kaneohe Zone A. Kaneohe Zone A is the area of the city bounded by the following streets as illustrated in attached Exhibit 7-A:

- Starting at the intersection of Kamehameha Highway/Kahuhipa Street,
- Kamehameha Highway to the intersection of Kamehameha Highway/Haiku Road,
- Haiku Road to the intersection of Haiku Road/Alaloa Street,
- Alaloa Street to the intersection of Alaloa Street/Kahuhipa Street, and
- Kahuhipa Street to the intersection of Kahuhipa Street/Kamehameha Highway.

The Kaneohe Zone A also includes the sidewalks abutting the following street segments:

- Kamehameha Highway beginning at the intersection of Kamehameha Highway/Kahuhipa Street/Lilipuna Road and ending at the intersection of Kamehameha Highway/Paleka Road/Waikalua Road, and
- Lilipuna Road beginning at the intersection of Lilipuna Road/Kahuhipa Street/Kamehameha Highway and ending at the intersection of Lilipuna Road/Cobb Adams Road.

Kaneohe Zone B. Kaneohe Zone B is the area of the city bounded by the following streets as illustrated in attached Exhibit 7-B:

- Starting at the intersection of Kamehameha Highway/Likelike Highway/Kaneohe Bay Drive,
- Kamehameha Highway to the intersection of Kamehameha Highway/Koa Kahiko Street,
- Koa Kahiko Street to the intersection of Koa Kahiko Street/Aumoku Street,
- Aumoku Street to the intersection of Aumoku Street/Kaneohe Bay Drive, and
- Kaneohe Bay Drive to the intersection of Kaneohe Bay Drive/Kamehameha Highway/Likelike Highway.



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- (8) Waimanalo. The Waimanalo zone is the area of the city bounded by the following streets as illustrated in attached Exhibit 8:
- Starting at the intersection of Kalanianaʻole Highway/Mekia Street,
 - Mekia Street to the intersection of Mekia Street/Lukanela Street,
 - Lukanela Street to the intersection of Lukanela Street/Poalima Street,
 - Poalima Street to the intersection of Poalima Street/Kalanianaʻole Highway, and
 - Kalanianaʻole Highway to the intersection of Kalanianaʻole Highway/Mekia Street.
- (9) Kapahulu. The Kapahulu street segments include the following streets as illustrated in attached Exhibit 9:
- The eastern side of Kapahulu Avenue beginning at the intersection of Kapahulu Avenue/Leahi Avenue and ending 200 feet to the north of the intersection of Kapahulu Avenue/Herbert Street,
 - Kapahulu Avenue beginning 200 [to the] feet to the north of the intersection of Kapahulu Avenue/Herbert Street and ending at the intersection of Kapahulu Avenue/Olu Street,
 - The eastern side of Kapahulu Avenue beginning at the intersection of Kapahulu Avenue/Olu Street and ending at the intersection of Kapahulu Avenue/Charles Street,
 - Kapahulu Avenue beginning at the intersection of Kapahulu Avenue/Charles Street and ending 100 feet north of the intersection of Kapahulu Avenue/Charles Street,
 - The eastern side of Kapahulu Avenue beginning 100 feet to the north of the intersection of Kapahulu Avenue/Charles Street and ending at the intersection of Kapahulu Avenue/Kaimuki Avenue,
 - Kapahulu Avenue beginning at the intersection of Kapahulu Avenue/Kaimuki Avenue and ending at the intersection of Kapahulu Avenue/Waialae Avenue,
 - Campbell Avenue beginning at the intersection of Campbell Avenue/Kapahulu Avenue and ending at the intersection of Campbell Avenue/Brokaw Street,
 - Kanaina Avenue beginning at the intersection of Kanaina Avenue/Kapahulu Avenue and ending at the intersection of Kanaina Avenue/Brokaw Street,



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- Herbert Street beginning at the intersection of Herbert Street/Kapahulu Avenue and ending at the intersection of Herbert Street/Campbell Avenue,
 - Castle Street beginning at the intersection of Castle Street/Kapahulu Avenue and ending at the intersection of Castle Street/Campbell Avenue, and
 - Brokaw Street beginning at the intersection of Brokaw Street/Kanaina Avenue and ending at the intersection of Brokaw Street/Campbell Avenue.
- (10) [Waialae] Kaimuki. The [Waialae] Kaimuki street segments include the following streets as illustrated in attached Exhibit 10:
- Kapiolani Boulevard beginning at the intersection of Kapiolani Boulevard/Kaimuki Avenue and ending at the intersection of Kapiolani Boulevard/Waialae Avenue,
 - Waialae Avenue beginning at the intersection of Waialae Avenue/Kapiolani Boulevard and ending at the intersection of Waialae Avenue/Palolo Avenue,
 - The northern side of Waialae Avenue beginning at the intersection of Waialae Avenue/Palolo Avenue and ending at the intersection of Waialae Avenue/6th Avenue,
 - Waialae Avenue, beginning at the intersection of Waialae Avenue/7th Avenue and ending at the intersection of Waialae Avenue/10th Avenue,
 - The northern side of Waialae Avenue beginning at the intersection of Waialae Avenue/10th Avenue and ending at the intersection of Waialae Avenue/11th Avenue,
 - Waialae Avenue beginning at the intersection of Waialae Avenue/11th Avenue and ending at the intersection of Waialae Avenue/Koko Head Avenue,
 - The northern side of Waialae Avenue beginning at the intersection of Waialae Avenue/Koko Head Avenue and ending 200 feet east of the intersection of Waialae Avenue/Wilhelmina Rise,
 - The eastern side of 11th Avenue beginning at the intersection of 11th Avenue/Waialae Avenue and ending at the intersection of 11th Avenue/Harding Avenue,
 - 12th Avenue beginning at the intersection of 12th Avenue/Waialae Avenue and ending at the intersection of 12th Avenue/Harding Avenue,
 - Harding Avenue from the intersection of Harding Avenue/11th Avenue to the intersection of Harding Avenue/Koko Head Avenue, and



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- The western side of Koko Head Avenue beginning at the intersection of Koko Head Avenue/Harding Avenue and ending at the intersection of Koko Head Avenue/Waialae Avenue.
- (11) Kahala. The Kahala street segments include the following streets as illustrated in attached Exhibit 11:
- The southern side of [Kalaniana'ole Highway] Waialae Avenue beginning at the intersection of [Kalaniana'ole Highway] Waialae Avenue/21st Avenue and ending at the intersection of [Kalaniana'ole Highway] Waialae Avenue/Hunakai Street,
 - [Kalaniana'ole Highway] Waialae Avenue beginning at the intersection of [Kalaniana'ole Highway] Waialae Avenue/Hunakai Street and ending 650 feet to the east of the intersection of [Kalaniana'ole Highway] Waialae Avenue/Hunakai Street,
 - The southern side of [Kalaniana'ole Highway] Waialae Avenue beginning 650 feet to the east of the intersection of [Kalaniana'ole Highway] Waialae Avenue/Hunakai Street and ending at the intersection of [Kalaniana'ole Highway] Waialae Avenue/Kealaolu Avenue,
 - The northern side of [Kalaniana'ole Highway] Waialae Avenue beginning at the intersection of [Kalaniana'ole Highway] Waialae Avenue/Kilauea Avenue and ending at the Waialaenui Gulch Stream Bridge crossing,
 - The eastern side of Hunakai Street beginning at the intersection of Hunakai Street/[Kalaniana'ole Highway] Waialae Avenue and ending at the Kahala Mall parking lot entrance via Hunakai Street, and
 - The western side of Kilauea Avenue beginning at the intersection of Kilauea Avenue/[Kalaniana'ole Highway] Waialae Avenue and ending at the intersection of Kilauea Avenue/Pahoa Avenue.
- (12) Aina Haina-Niu Valley. The Aina Haina-Niu Valley street segments include the following streets as illustrated in attached Exhibit 12:
- The northern side of Kalaniana'ole Highway from 400 feet west of the intersection of Kalaniana'ole Highway/West Hind Drive to 600 feet east of the intersection of Kalaniana'ole Highway/West Hind Drive, and
 - The northern side of Kalaniana'ole Highway from the intersection of Kalaniana'ole Highway/Ni'iki Circle to the intersection of Kalaniana'ole Highway/Halemaumau Street.
- (13) Hawaii Kai. The Hawaii Kai street segments include the following streets as illustrated in attached Exhibit 13:



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- The northern side of Kalanianaʻole Highway from the intersection of Kalanianaʻole Highway/Keahole Street to the Hawaii Kai Marina Bridge,
- The southeastern side of Keahole Street from the intersection of Keahole Street/Kalanianaʻole Highway to the northernmost entrance to the Hawaii Kai Towne Center parking lot via Keahole Street,
- The northern side of Kalanianaʻole Highway from the intersection of Kalanianaʻole Highway/Lunalilo Home Road to the westernmost entrance to the Koko Marina Center parking lot via Kalanianaʻole Highway,
- The western side of Lunalilo Home Road from the intersection of Lunalilo Home Road/Kalanianaʻole Highway to 200 feet north of the intersection of Lunalilo Home Road/Kaumakani Street, and
- The northern side of Hawaii Kai Drive from the intersection of Hawaii Kai Drive/Pepeekeo Street to the Hahaione Valley Stream Bridge.

(14) Aala. The Aala zone is the area of the city bounded by the following streets as illustrated in attached Exhibit 14:

- Starting at the intersection of Aala Street and North Beretania Street,
- Aala Street to the intersection of Aala Street/North Vineyard Boulevard,
- North Vineyard Boulevard to the intersection of North Vineyard Boulevard/River Street,
- River Street to the intersection of River Street/North Beretania Street,
and
- North Beretania Street to the intersection of North Beretania Street/Aala Street.

The Aala zone also includes the sidewalks abutting the following street segments:

- North Beretania Street beginning at the intersection of North Beretania Street/North King Street and ending at the intersection of North Beretania Street/River Street,
- River Street beginning at the intersection of River Street/North Beretania Street and ending at the intersection of River Street/North King Street,
- North King Street beginning at the intersection of North King Street/River Street and ending at the intersection of North King Street/North Beretania Street,
- North Hotel Street beginning at the intersection of North Hotel Street/North King Street and ending at the intersection of North Hotel Street/River Street, and



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- The entire length of Aala Place.

(15) Kapalama. The Kapalama street segments include the following streets as illustrated in attached Exhibit 15, and the expanded sidewalk areas along those streets:

- Kohou Street beginning at the intersection of Kohou Street/Olomea Street and ending at the intersection of Kohou Street/Kalani Street, and
- Kokea Street beginning at the intersection of Kokea Street/Olomea Street and ending at the southern terminus of Kokea Street."

SECTION 4. Chapter 29, Article __, Revised Ordinances of Honolulu 1990 ("Sitting or Lying on Public Sidewalks Outside of the Waikiki Special District"), as enacted in Section 2 of Ordinance 14-35, is amended by replacing Exhibit 2 (Downtown), Exhibit 3 (McCully-Moiliili), Exhibit 10 (Waialae), and Exhibit 11 (Kahala) with the Exhibit 2, Exhibit 3, Exhibit 10, and Exhibit 11 attached hereto and incorporated herein by this reference, and by adding Exhibit 14 (Aala) and Exhibit 15 (Kapalama) attached hereto and incorporated herein by this reference. All other Exhibits that are part of Ordinance 14-35 that are not amended by this Ordinance and not attached hereto remain unchanged and are a part of the Ordinance by this reference.

SECTION 5. Section 29-__2, Revised Ordinances of Honolulu 1990 ("Prohibition-Exceptions-Citations"), as enacted in Section 2 of Ordinance 14-35, is amended by amending subsection (d) to add a definition of "expanded sidewalk area," and to amend the definition of "public sidewalk," to read as follows:

""Expanded sidewalk area" means the unpaved public property immediately abutting a public sidewalk that extends 10 feet away from the sidewalk from the edge of the sidewalk farthest from the roadway."

""Public sidewalk" means a publicly owned or maintained "sidewalk," defined in Section 29-1.1, and includes a "replacement sidewalk" as defined in that section. Where the property line adjacent to a public sidewalk is not clearly established, then for purposes of this article, the sidewalk is deemed to extend 10 feet away from the roadway from the curb line or pavement of the roadway."

SECTION 6. 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 7. This ordinance takes effect upon its approval.

INTRODUCED BY:

Ann Kobayashi

DATE OF INTRODUCTION:

February 11, 2015
Honolulu, Hawaii

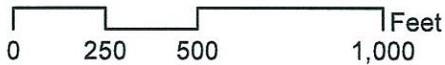
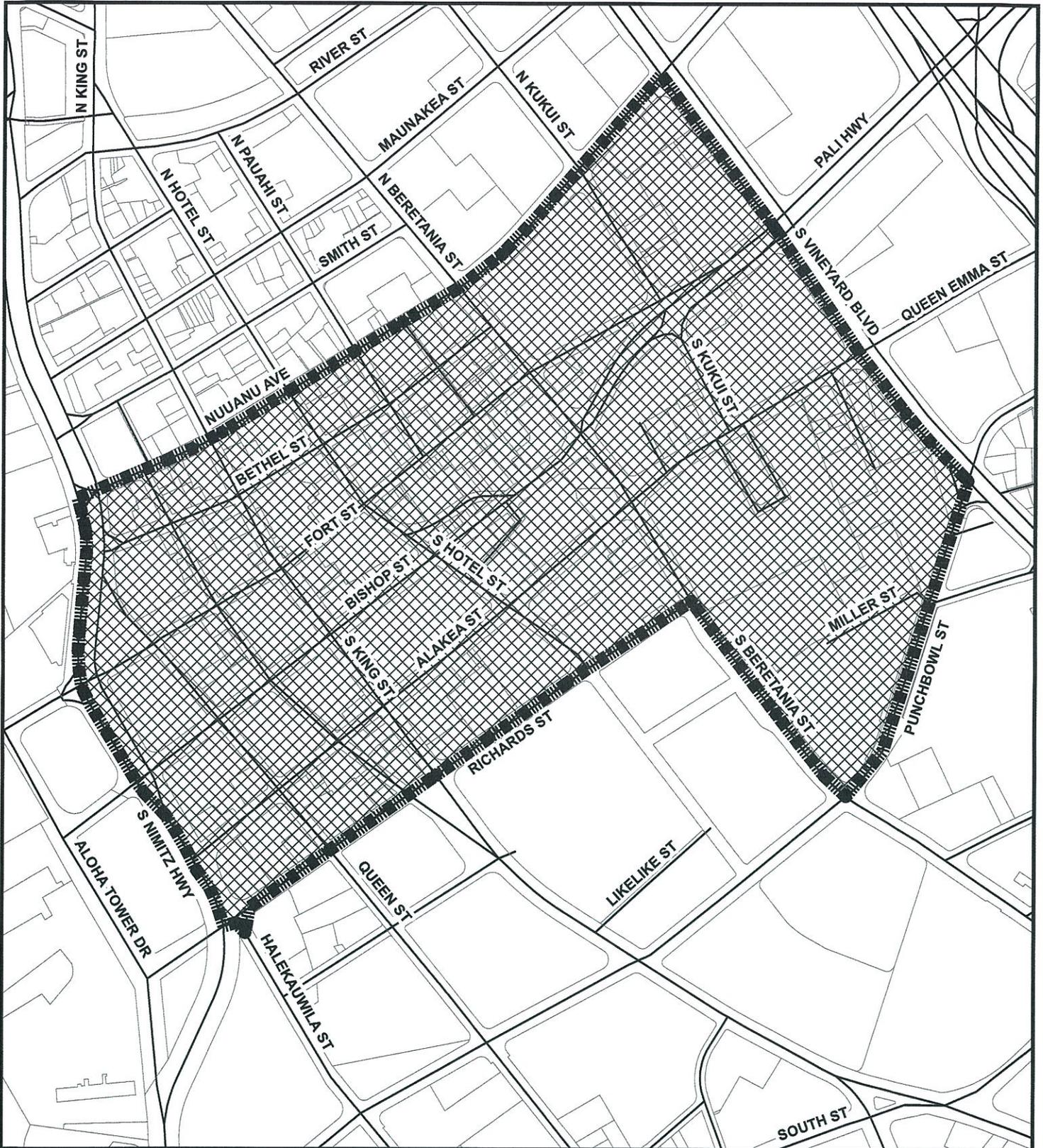
Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

KIRK CALDWELL, Mayor
City and County of Honolulu



Prepared by: Office of Council Services

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Downtown



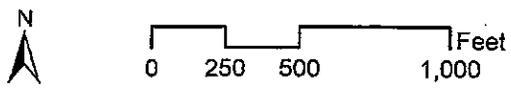
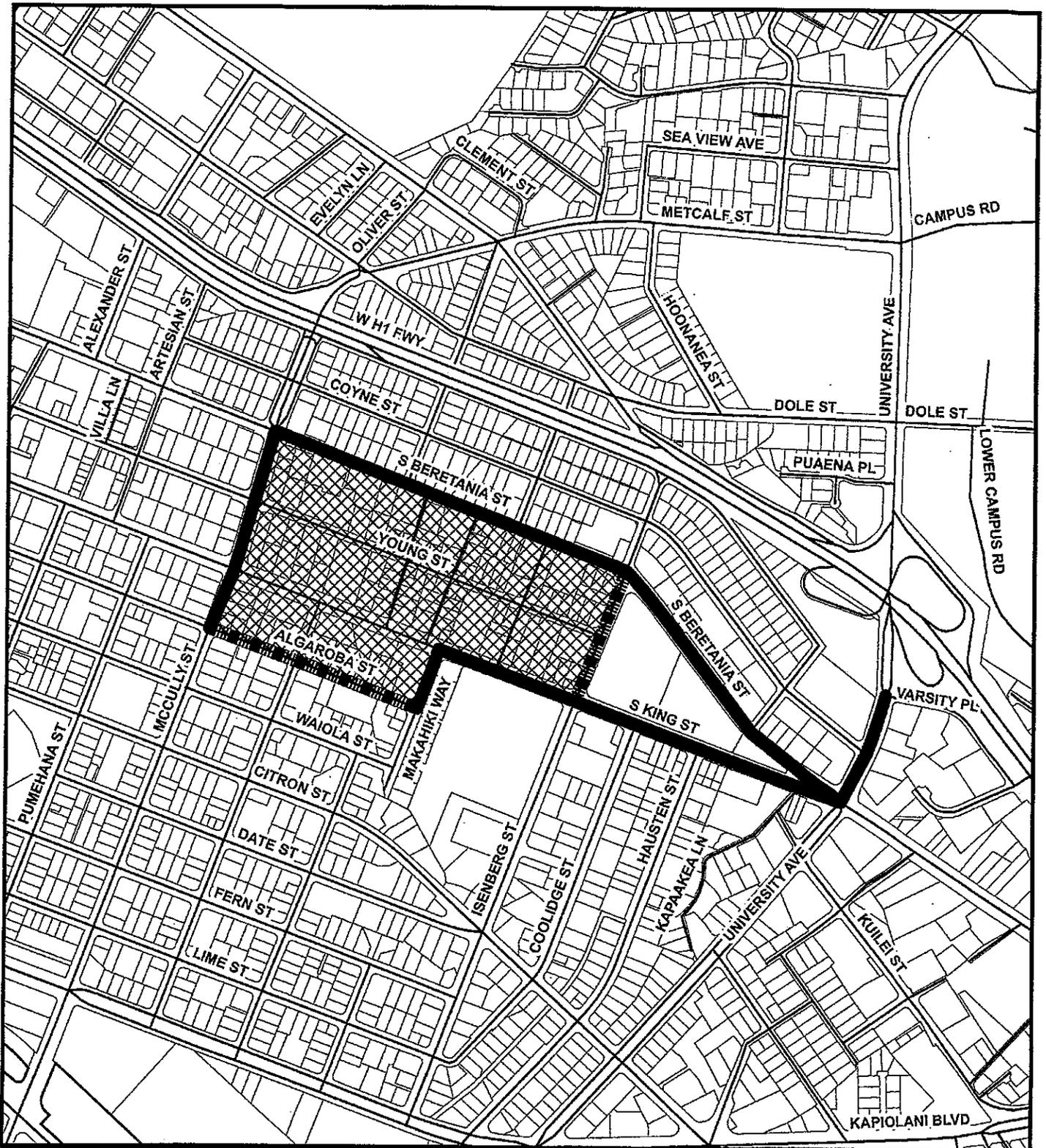
Zone



Street Segment

EXHIBIT 2

Date Prepared: April 13, 2015



Prepared by: Office of Council Services

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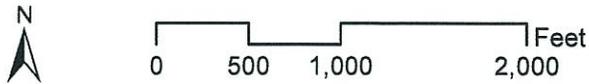


McCully-Moiliili

-  Zone
-  Street Segment

EXHIBIT 3

Date Prepared: January 30, 2015



Kaimuki

-  Zone
-  Street Segment

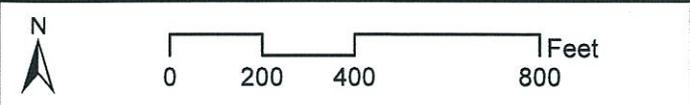
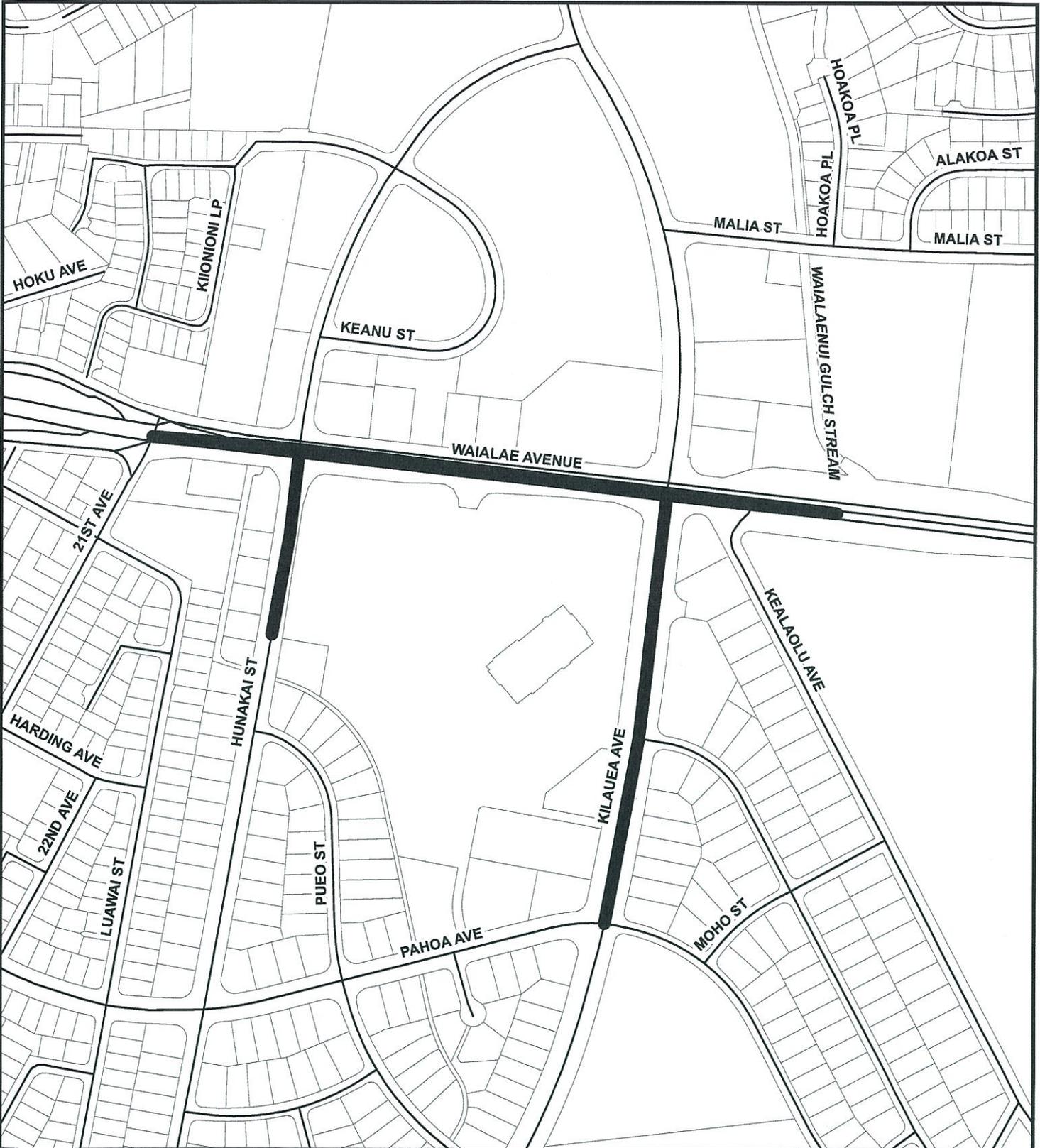
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EXHIBIT 10



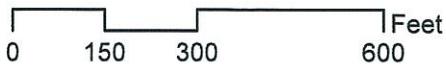
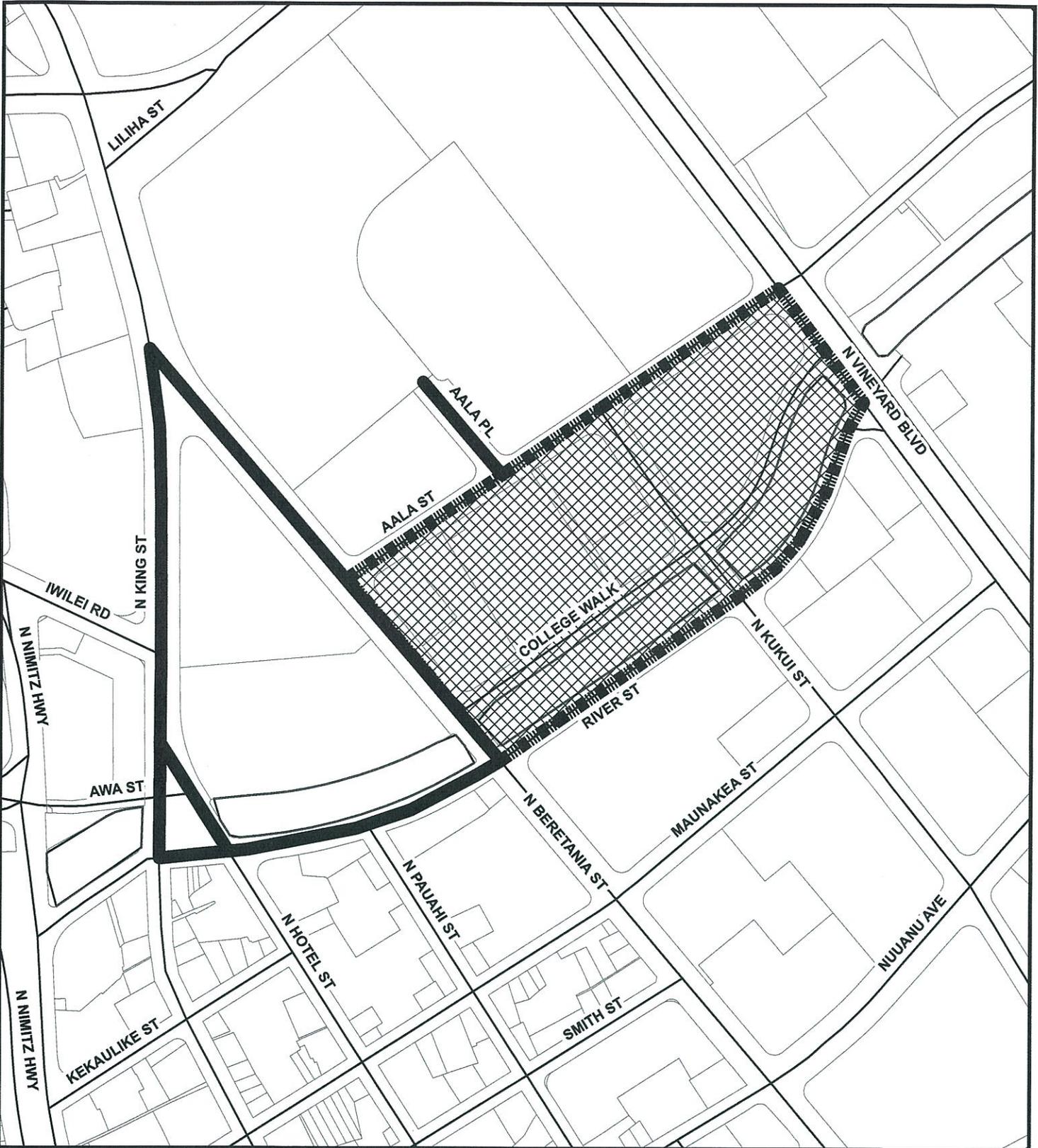
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Kahala

-  Zone
-  Street Segment



Aala



Zone



Street Segment

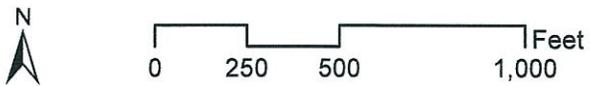
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Date Prepared: April 6, 2015

EXHIBIT 14



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Date Prepared: April 13, 2015



Kapalama



Zone



Street Segment

EXHIBIT 15