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DEPARTMENT OF PARKS AND RECREATION
CITY AND COUNTY OF HONOLULU

PUBLIC HEARING NOTICE

For the Repeal of the Amended Rules and Regulations Governing Use of City Beach Parks and Other Beach Properties Under The Control of the Department of Parks and Recreation To Provide Access to Conduct Shore Water Events And to Adopt Proposed City and County of Honolulu Administrative Rules, Title 19, Chapter 4, Shore Water Events

Notice is hereby given of proposed rule repeal, rulemaking and public hearing by the Department of Parks and Recreation, City and County of Honolulu, to consider the repeal of the Amended Rules and Regulations Governing Use of City Beach Parks and Other Beach Properties Under The Control of the Department of Parks and Recreation To Provide Access to Conduct Shore Water Events ("current rules") and the adoption of Proposed City and County of Honolulu Administrative Rules, Title 19, Chapter 4, governing shore water events ("proposed rules").

The Department of Parks and Recreation proposes to repeal the current rules regulating shore water events to be replaced by the adoption of new proposed rules governing shore water events. The proposed rules add new definitions and clarify existing definitions of activities subject to the rules, establish new permit application procedures, application requirements, application deadlines, and permit deposits, establish new regulations governing surf events held on the North Shore, calendaring of North Shore surf events, establish new criteria for resolving scheduling conflicts, new requirements governing indemnification and violation of the rules.

The proposed new rules are summarized as follows:

- §19-4-3: Definitions have been added and existing definitions have been amended.
- §19-4-4: Requires persons desiring to use a park to hold a shore water event to obtain a permit.
- §19-4-5: Establishes new permit application procedures and criteria for denying a permit.
- §19-4-6: Establishes minimum requirements for ocean safety staffing, sanitation, number of restrooms, insurance, deposits, security, and financial reporting.
- §19-4-7: Establishes grounds for permit revocation.
- §19-4-8: Establishes regulations governing shore water events including commercial announcements, fund-raising activities, use of equipment and placement of personal property at the park.
- §19-4-9: Establishes specific regulations governing surf events held on the North Shore, including limitation on the number of events, location of events, scheduling of events, length of events, and deadlines for submitting of permit applications for North Shore surfing events.
- §19-4-10: Establishes the conflict resolution process, criteria and point system to be used in resolving scheduling conflicts.
- §19-4-11: Imposes an indemnification requirement upon permittees.
- §19-4-12: Adds a violation provision subjecting violators to penalties set forth in Revised Ordinances of Honolulu Chapter 10 and the prohibition on applying for a permit for one calendar year.
- §19-4-13: Adds a severability provision.

A public hearing will be held on November 16, 2011, at the Sunset Beach Recreation Center, 59-104 Kamehameha Hwy., Haleiwa, HI. 96712. The hearing will be from 2:00 p.m. to 4:00 p.m.

All interested persons are urged to attend the public hearing and present data, views, or arguments in the time limit provided, for consideration by the Department of Parks and Recreation. Persons unable to attend or wishing to present additional comments may mail written testimony to the Department of Parks and Recreation, Executive Services Division, 1000 Uluohia Street, Suite 309, Kapolei, Hawaii 96707, no later than November 16, 2011.

Interested persons may review the current rules to be repealed and proposed rules starting today and ending five days prior to the day of the public hearing during the hours of 7:45 a.m. to 4:30 p.m. at the Department of Parks and Recreation, 1000 Uluohia Street, Suite 309, Kapolei, Hawaii 96707.

A copy of the rules to be repealed and proposed rules will be mailed to any person who submits a written request to the above address and pays the required fee of \$1.88 for the cost of duplicating the documents and postage. A complete set of the current rules to be repealed and proposed rules is also available, free of charge, on the City's internet web site: <http://www.Honolulu.gov/parks/>.

Individuals interested in attending the public hearing who have special needs or require special assistance may contact the Department of Parks and Recreation at 768-3006 or by writing to the above address, at least five (5) business days before the scheduled public hearing.

GARY B. CABATO, Director
Department of Parks and Recreation

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