

Bill 43 Testimony

MISC. COM. 570

From: CLK Council Info
Sent: Friday, November 5, 2021 9:20 AM
Subject: Council Testimony

Written Testimony

Name Bryan Mick
Phone
Email bkmick@gmail.com
Meeting Date 01-10-2021
Council/PH Council
Committee
Agenda Item Bill 43 (2021)
Your position on the matter Support
Representing Self
Organization

Written
Testimony

I support the intent behind this bill. However I worry that under definition of noise disturbance, lines 1 and 3 are a bit arbitrary. What annoys or disturbs one person may not another. Lines 2 and 4 seem to be much more straight forward and much easier to enforce. I urge the Council to ask COR and HPD's opinion on the proposed language.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, November 6, 2021 5:27 PM
Subject: Council Testimony
Attachments: 20211106172640
_AOAO_Governor_Cleghorn_request_about_amplified_music_on_Waikiki_si
dewalks.pdf

Written Testimony

Name Denise Boisvert
Phone
Email infofordenise@yahoo.com
Meeting Date 11-10-2021
Council/PH Council
Committee
Agenda Item Bill 43 (2021)
Your position Support
on the matter
Representing Self
Organization

Please pass Bill 43. I have chosen to live in cities for all my adult life – on the mainlan
I know very well what normal city noise is. The highly amplified street performance nc
out, every evening, on Kalakaua Avenue in Waikiki and that can be heard from OVER
AWAY and assaults the peaceful enjoyment of a resident's home, is NOT NORMAL.

Attached is a letter written by the president of the Governor Cleghorn condo associati
Avenue, asking for help. Our residential building in Waikiki's Apartment Precinct is a c
held hostage by uncontrolled amplifiers!

Written Testimony

Our building is filled with families with babies and school children who need to go to b
teachers who need to sleep well to be refreshed to teach our school children; with do
EMTs who definitely need good, restful sleep; with employees and business owners v
to do their jobs well; with high school and college students who need to study; and wi
simply trying to enjoy their twilight years.

This has all become impossible because of the highly amplified noise from Kalakaua
block out even when we close our windows. Again, please pass Bill 43. Mahalo nui lo

Testimony Attachment

20211106172640_AOAO_Governor_Cleghorn_request_about_amplified_music_on_1

Accept Terms and Agreement

1

Stan Michaels
Board President
AOAO Governor Cleghorn
225 Ka'iulani Ave #602
Honolulu, HI 96815

May 18, 2021

Dear Governor Ige, Senator Moriwaki, Representative Tam, Mayor Blangiardi, City Council Chair Waters, Rick Egged (Waikiki Improvement Association) and Bob Finley (Waikiki Neighborhood Board):

Residents in our Governor Cleghorn building located on Ka'iulani Ave between Kūhiō and Ala Wai Blvd have been subjected to highly amplified music from several street performers a few blocks away on Kalākaua Ave on almost a nightly basis for the past several weeks; most particularly Thursday through Sunday nights.

This was a problem before the pandemic, and we would like to address this now before even more street performers descend upon Kalākaua with their amplifiers as tourism returns. We do not believe that amplified music would be tolerated in any other commercial zone on the island, so why is it allowed in Waikiki? We ask that if there is currently no law against such amplification, that one be enacted. If there is a law, then we need it to be enforced because calls to HPD have not been effective.

While we have no objection to street performers or their freedom of speech and expression, the amplification of it has become a noise nuisance to us as residents trying to enjoy an evening at home in Waikiki's residential Apartment Precinct. Many residents in our building are forced to close all their windows to try to minimize the amplified sound in the distance. It is not a matter of whether or not the sound in the distance fails a decibel reading test from our lanais, but a quality of life issue and a matter of common courtesy and respect for residents and tourists alike.

Our building's residents are not alone. The nonstop noise on the sidewalks for several hours each evening would also be a nuisance to employees and jetlagged tourists at the Moana Surfrider, Outrigger Waikiki Beach Resort, and Princess Ka'iulani hotels, as well as to patrons and employees of the many shops and restaurants along Kalākaua.

We ask the Waikiki Neighborhood Board and the Waikiki Improvement Association to support us in asking our legislators to work together to quickly curtail this unnecessary source of noise nuisance. We thank everyone for your kind consideration.

Sincerely and on behalf of our entire Board and 90+ owners,



Stan Michaels
AOAO Governor Cleghorn Board President
empire41@hawaii.rr.com

From: CLK Council Info
Sent: Saturday, November 6, 2021 4:23 PM
Subject: Council Testimony

Written Testimony

Name Kim Jorgensen
Phone
Email hawaiiicondo@yahoo.com
Meeting Date 11-10-2021
Council/PH Council
Committee
Agenda Item Bill 43 (2021)
Your position on the matter Support
Representing Self
Organization

Written
Testimony

I FULLY SUPPORT Bill 43; and am grateful to Council Chair Waters for caring about residents in his district who are suffering nightly from the amplified noise forced upon them. Attached is a Letter to the Editor that appeared in the Star Advertiser on September 30. This visitor from Florida endured the "earsplitting circus" on Kalakaua Avenue for 9 days. My neighbors and I, all residents of Waikiki, have to endure it for 365 days a year.

I live MAUKA of Kuhio on Kaiulani Avenue – that's 3 1/2 streets away from Kalakaua – and the amplified noise might as well be below me or across the street the way it travels through the air. It is impossible to turn my television on loudly enough to block out the sound in the distance without disturbing my own neighbors on the floor of my condo building. And I am forced to not have fresh air, but must keep all my windows closed every single evening – and I still hear the noise. This is extremely stressful.

I am for our country's freedom of speech and expression. But, why do the street performers turn up the amplifiers and speakers so loudly for an audience on the sidewalk that is ONLY 5 FEET AWAY from them?

There needs to be a compromise between the freedoms of speech and expression and the right to quiet enjoyment of one's home.

Please understand how this noise is adversely affecting the health and well-being of Waikiki residents and pass Bill 43. Mahalo.

EDITORIAL | LETTERS

Letters: Culturally appropriate tourism welcomed; Restaurants need to help defeat coronavirus; No justice in releasing Reagan's would-be killer

Today • Updated 7:17 pm

Hooray for the new tourism plan so well summarized in Jayna Omaye's article, "[Culture and tourism](#)" ([Star-Advertiser, Sept. 26](#)). The new plan will attract a higher caliber of visitors by culturally appropriate and sensitive marketing before they arrive.

Once they are here, the new plan will better manage tourists through overdue best practices such as reservations, curated and authentic experiences, redistribution of excess demand, a tourism fee and better enforcement at hot spots.

With this plan, our tourism industry can be profitable again while our island paradise will be protected for kamaaina to enjoy. A special kudo should go to the Hawaii Tourism Authority for asking the Council for Native Hawaiian Advancement and the Native Hawaiian Hospitality Association for advice before deciding everything.

Maybe that kind of strategic, long-range thinking is what we should expect from our very first Native Hawaiian in the HTA driver's seat.

Jay Henderson

Ala Moana

Noisy Kalakaua Avenue mars visitor experience

As we concluded our nine-night stay at the Hyatt Regency Waikiki, we were forced to wonder if all the hotels within earshot of Kalakaua Avenue are in collusion by not warning prospective visitors on their websites that the main street in paradise is really an earsplitting circus.

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We were never able to relax on our balcony in the evenings because of the cacophony of noise from amplified electric guitars, singing and deafening music, all along the sidewalk of Kalakaua Avenue. In fact, we brought the balcony table and chairs into our room on the 16th floor in order to have a seated conversation without shouting to hear each other.

Sleeping was yet another challenge. We are visiting from Florida, meaning a time difference of six hours. Recovering from our long flight to Hawaii never happened because of waking repeatedly to the sound of street performers every night.

We are aware of Hawaii's struggle with overtourism. Maybe this is a strategy to keep people from returning to Waikiki hotels?

Denise Landay

St. Petersburg, Fla.

Restaurants need to help defeat coronavirus

Your editorial, "[Don't falter in pandemic fight](#)" ([Star-Advertiser, Our View, Sept. 26](#)), reminded me of the Kailua restaurant owner whose business was shuttered for a single night recently because he chose to not check diners' vaccine cards.

This person then went on social media to publicly berate the customer who notified the Honolulu Liquor Commission. He abdicated any and all responsibility and accountability for choosing to break the law, potentially endangering all who dined at this restaurant.

No one is above the law. Wearing a mask and pulling out a vaccine card to enter a restaurant, theater or other place of business is not the way we would like to live out our days, but choices and actions we take today have consequences that affect our future.

We need "good public participation." We must work together to defeat COVID-19!

Don't people get this simple concept?

Jill Thach

Kailua

Keeping fans from UH games makes no sense

If we go to the beach with a group of fewer than 10 people to look at and swim in the ocean, there can be more than 1,000 people on the beach. This is within the current restrictions since we are all in small groups.

But if we go to a University of Hawaii football game in small groups to watch the game and the field, that is considered a gathering of 1,000 people and is not allowed under our current COVID-19 restrictions. This makes no sense.

When we replace Gov. David Ige in the next election, let's make sure we replace him with someone who has some common sense.

Fred Van Osten

Lahaina

No justice in releasing Reagan's would-be killer

I am surprised that John Hinckley, who shot President Ronald Reagan, is being seriously considered for full unsupervised release ("John Hinckley, who shot Reagan, to be freed from oversight," Star-Advertiser, Sept. 27).

The news releases say little about James Brady, Reagan's press secretary, who was also seriously wounded at the same time and eventually died of his gunshot wounds.

Justice is not being served at all in this case.

Jay Pineda

Waikiki

People losing ability to be self-sufficient

Rarely do people understand that every action of government has a cost and a result. These are the direct and indirect causes of the lack of affordable housing and homelessness.

There are still those who want everything given to them at the expense of others, notwithstanding they lack the ability to be self-sufficient due to their living only for today. They expect government to take care of them at the expense of others.

Of course it doesn't matter that 50% of the individual taxpayers, of which these people are the primary majority, pay less than 3% of the taxes. If they cannot be self-sufficient, it is unrealistic that throwing money at them will be a solution to their financial situation. A fool and his money are soon parted.

It is also apparent that we have reached the law of diminishing returns. Of our four congressional representatives, only one understands these basic concepts.

Carlton Chang

Kaimuki

EXPRESS YOURSELF

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>> **Contact:** 529-4831 (phone), 529-4750 (fax), letters@staradvertiser.com, staradvertiser.com/editorial/submit-letter

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(*) Indicates required field

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|----------------|------------|
| First Name* | Last Name* |
| Email* | Address* |
| City* | State* |
| Zip* | Home Phone |
| Daytime Phone* | |

Dear Editor,

| |
|--|
| |
|--|

Submit Letter

Kim Jorgensen

hawaiicondo@yahoo.com

From: CLK Council Info
Sent: Monday, November 8, 2021 1:05 PM
Subject: Council Testimony

Written Testimony

Name Bradley R. Patenaude
Phone
Email braad@aol.com
Meeting Date 11-10-2021
Council/PH Council
Committee
Agenda Item Bill 43 (2021)
Your position on the matter Support
Representing Self
Organization

I strongly support Bill 43!

The nightly noise has severely impacted our quality of life.

Written Testimony We live 3 blocks from Kalakaua and have to endure the street performer noise IN ADDITION to excessive traffic noise (souped up cars and sirens).

Living without air conditioning, we are forced to close up all of our windows simply to talk to each other without screaming!

Thank you for your consideration!

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, November 8, 2021 1:22 PM
Subject: Council Testimony

Written Testimony

Name John William Bickel
Phone
Email jbickel15@yahoo.com
Meeting Date 11-10-2021
Council/PH Council
Committee
Agenda Item Bill 43
Your position on the matter Support
Representing Self
Organization
Written Testimony I live in Waikiki and don't get sufficient sleep due to noise especially from motorcycles, muffler-adapted cars, and blasting stereos.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, November 8, 2021 4:29 PM
Subject: Council Testimony

Written Testimony

| | |
|------------------------------|-----------------------------|
| Name | Thomas Bazan |
| Phone | |
| Email | tjbuzzb@gmail.com |
| Meeting Date | 11-10-2021 |
| Council/PH Committee | Council |
| Agenda Item | Bill 43 |
| Your position on the matter | Support |
| Representing | Self |
| Organization | |
| Written Testimony | I strongly support Bill 43. |
| Testimony Attachment | |
| Accept Terms and Agreement 1 | |

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, November 9, 2021 7:04 AM
Subject: Council Testimony

Written Testimony

Name Salvatore Anello
Phone
Email Ring23@aol.com
Meeting Date 11-10-2021
Council/PH Committee Council
Agenda Item Bill 43 (2021)
Your position on the matter Support
Representing Organization Self

Written Testimony

The noise and music coming from the street performers that are 2 blocks away are disrupting my sleep. It wakes me up and keeps me up. I can not enjoy a peaceful evening without the anxiety and fear of that noise affecting me. How can this be allowed to continue week after week, month after month. I understand how Waikiki is supported by tourism. But there needs to be some respect for those of us who live here and work here. I would also like to have vehicles and motorcycles, who have modified exhaust systems and straight pipes, that drive around our neighborhood streets like they are in a drag race. The sound that comes from these vehicles and bikes are so loud, I feel like they are driving on my lanai on the 11th floor, not to mention the vibration throughout my condo. Please do something about this. Mahalo

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, November 9, 2021 5:12 AM
Subject: Council Testimony

Written Testimony

Name Liz
Phone
Email tabletable4242@gmail.com
Meeting Date 11-10-2021
Council/PH Committee Council
Agenda Item I strongly support Bill 43. Mahalo.
Your position on the matter Support
Representing Self
Organization
Written Testimony
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, November 8, 2021 10:56 PM
Subject: Council Testimony

Written Testimony

Name Kate Gonzalez
Phone
Email Kateeeegonzalez@gmail.com
Meeting Date 11-10-2021
Council/PH Committee Council
Agenda Item Bill 43 (2021)
Your position on the matter Support
Representing Organization Self

Written Testimony I strongly support Bill 43. Amplified street performer noise can be heard from my home, especially on weekends. It is disruptive to residents of the area. Additionally, it is loud and disruptive on the street level when attempting to enjoy a meal out and are held captive to loud, unpleasant music.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, November 8, 2021 9:43 PM
Subject: Council Testimony

Written Testimony

Name Cherlynn Thrasher
Phone
Email Sunnyhawaiiandays@gmail.com
Meeting Date 11-10-2021
Council/PH Committee Council
Agenda Item Bill 43
Your position on the matter Support
Representing Organization Self

Written Testimony

I am a Canadian citizen, and have been visiting Hawaii for over 30 years. I always stay in the Waikiki, because I love the diversity of the area. This year the street performers have been unbelievable. They are making it uncomfortable to walk down Kalakaua afternoons and evenings. The volume of their amplifiers is ear splitting if you are walking by, and can be heard all the way to my rental apartment on Kaiulani Ave. The volume in the evenings makes it difficult to watch television with the volume set at a reasonable level. I have been warned by our resident manager to turn down the volume of my television because of the interfering noise from outside makes it impossible to watch my programs.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, November 8, 2021 9:30 PM
Subject: Council Testimony

Written Testimony

Name Pam Walker
Phone
Email Crystaltravel@earthlink.net
Meeting Date 11-10-2021
Council/PH Committee Council
Agenda Item Bill 43
Your position on the matter Support
Representing Organization Self

Written Testimony

I have lived in the Governor Cleghorn since 1993 and have loved being in Waikiki until recently. The street performers have been creating an environment that is uncomfortable and filling my evenings with unwanted noise. One evening recently I was sitting in my living room talking with a friend on the phone and the performers on the corner of Kalakaua and Kaiulani Ave were so loud, she asked what all of the racket was. It is not necessary to have 3 loud speakers on raised poles to enhance their performance.

I have visited the HPD Waikiki substation three times to discuss this matter, and have been told they can't do anything to help.

Thank you,
Pam Walker
225 Kaiulani Ave,#1603
808-542-0701

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, November 9, 2021 8:38 AM
Subject: Council Testimony

Written Testimony

| | |
|------------------------------|-------------------------------|
| Name | Brandon Keith |
| Phone | |
| Email | brandon.keith.oct23@gmail.com |
| Meeting Date | 11-10-2021 |
| Council/PH Committee | Council |
| Agenda Item | Bill 43 (2021) |
| Your position on the matter | Support |
| Representing | Self |
| Organization | |
| Written Testimony | I strongly support Bill 43 |
| Testimony Attachment | |
| Accept Terms and Agreement 1 | |

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, November 9, 2021 9:58 AM
Subject: Council Testimony

Written Testimony

Name Staci Kennedy
Phone
Email thriftchick@gmail.com
Meeting Date 11-10-2021
Council/PH Council
Committee
Agenda Item Bill 43
Your position on the matter Support
Representing Self
Organization

Written
Testimony

As a resident of Waikiki, I strongly support Bill 43. While I understand the economic reasons for allowing things to get back to normal, this should not include loud street musicians who often keep my 87 year old mother awake. Having many local musician friends on the Island I know that their noise level is strictly controlled. So why are these street performers not. All street performances used to be controlled and kept to Kalakaua, where I could be wrong, but I think is illegal. Please take those of us who live here into consideration when making these rulings.

Mahalo
Staci Kennedy

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, November 9, 2021 11:10 AM
Subject: Council Testimony

Written Testimony

Name Leonhard Nicolai
Phone
Email nicolai.hawaii@gmail.com
Meeting Date 11-10-2021
Council/PH Committee Council
Agenda Item Bill 43
Your position on the matter Support
Representing Self
Organization

I partly own and manage a small apartment building on Koa Avenue located a block from Kalakaua Avenue.

Written Testimony

The amplified music, drumming, etc coming from nearby street performers can be heard blocks away and has a great affect on the quality of life for those of us who live in Waikiki and those visiting here.

I strongly support Bill 43 and hope that regulations are being established to insure that residents and our visitors can live and visit here in a peaceful environment.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67



HAWAII STATE LEGISLATURE

STATE CAPITOL
415 SOUTH BERETANIA STREET
HONOLULU, HAWAII 96813

November 9, 2021

The Honorable Tommy Waters, Chair
and Members of the City Council
Honolulu Hale
530 S. King Street
Honolulu, HI 96813

Subject: **Bill 43**

Hearing: Wednesday, November 10, 2021, 10:00 am

Dear Chair and Members:

As the elected State Senator and State Representative of Waikiki, we testify in **strong support** of Bill 43 relating to amplified sound in Waikiki. As you know, Waikiki is a unique neighborhood in that residential apartments are located adjacent to resort and mixed-use areas attracting high pedestrian activity. It is commonplace for people to produce amplified sound from sidewalks for various reasons whether they are unauthorized street performers or people playing recorded music loudly.

Our offices receive regularly (almost daily) complaints of sidewalk noise generated from amplified noise (amongst other noise). The excessive noise disturbs the quality of life for residents and visitors alike. While we have been working with the Department of Health Noise Branch, Honolulu Police Department and the Liquor Commission to work on administrative solutions, Bill 43 would effectively prohibit the playing of amplified noise from sidewalks at levels exceeding a yet to be determined decibel level and provide for violation penalties. It would allow police to enforce against unwanted noise using a sound meter that measures by decibel, which they cannot now do.

We appreciate Bill 43 for the above reasons. It will help our community and others afflicted by excessive noise. Please pass Bill 43 for our community safety and health.

Aloha and mahalo for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharon Y. Mori".

SHARON Y. MORI WAKI
Senator, Senate District 12

A handwritten signature in black ink, appearing to read "Adrian K. Tam".

ADRIAN K. TAM
Representative, House District 22

From: CLK Council Info
Sent: Tuesday, November 9, 2021 11:57 AM
Subject: Council Testimony

Written Testimony

Name Sierra Laskowski
Phone
Email sierralaskowski11@yahoo.com
Meeting Date 11-10-2021
Council/PH Committee Council
Agenda Item Bill 43
Your position on the matter Support
Representing Organization Self

Written Testimony I moved to Waikiki in January of this year after visiting in 2019. I was fortunate to find a good job quickly, and have enjoyed my time here. The problem that I have experienced is related to the loud amplified music from the street entertainers on Kalakaua that has become louder and louder. I have to be at work at 6:00 am, so I go to bed early. Many nights my sleep is interrupted by the loud music, even with my windows closed. I understand that they are exercising their freedom of speech, but it does not have to be with amplification.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, November 9, 2021 3:59 PM
Subject: Council Testimony

Written Testimony

Name David Moskowitz
Phone
Email davemoskowitz10@hotmail.com
Meeting Date 11-10-2021
Council/PH Committee Council
Agenda Item 43
Your position on the matter Support
Representing Organization Self

Written Testimony

This very necessary bill should sail easily through the city council
I'm sure all the council members know fully about the impact of the ridiculous levels of over the top noise emissions within Waikiki .
The carnival like side show of screaming people and carry hawkers using our sidewalks to make a buck has evolved into a living nightmare for reside and visitors alike
Please move this bill ahead without hesitation to provide solace to our residents and visitors
It is sorely needed

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, November 9, 2021 12:27 PM
Subject: Transportation, Sustainability and Health Testimony

Written Testimony

Name A Quieter O'ahu
Phone
Email quieteroahu@gmail.com
Meeting Date 11-10-2021
Council/PH Committee Transportation, Sustainability and Health
Agenda Item Bill 43 (2021) RELATING TO AMPLIFIED SOUND IN WAIKIKI.
Your position on the matter Support
Representing Organization
Organization A Quieter O'ahu a 501(C)(3)

Written Testimony

Noise on O'ahu and across all of Hawai'i is out of control. Noise pollution, like every other form of pollution, affects both Health and Quality of Life. A Quieter O'ahu, a Hawai'i 501(c)(3) organization, has for the past 14 years been a source of information to O'ahu and Hawai'i residents on the problems we have with noise. You have but to visit our website at <https://www.quieteroahu.com> to read about this growing problem, this menace to health and individual well-being. On our home page, for example, is a video from the TedMed series by eminent Psychiatrist and scientist Dr. Mathias Basner discussing the harmful effects of noise. On our Noise Blog read dozens and dozens of submissions by O'ahu residents who tell story upon story of the negative impact of noise on their day to day life, and that seemingly there is no-one to help end the noise. But apart from this, common sense should tell you that noise can't be good for people. And to the subject at hand, uncontrolled noise on the streets of Waikiki, this is just one more onerous example of noise-out-of-control. Like the aftermarket exhaust industry which equips vehicles with noise-producing exhausts that create noise that is illegal by current Ordinances and Statutes; and the aftermarket stereo industry who install mega-wattage stereo systems that produce noise that is illegal by current Ordinances and Statutes; this is but one more industry that seeks to make a buck at the expense of the health and quality of life of everyone else. And we MUST stop it, and stop it now. This Bill may not end the noise, but it is a step in the right direction. A Quieter O'ahu strongly urges approval and enactment of Bill 43.

Testimony
Attachment
Accept Terms
and Agreement

1