

**BILL043(21)**  
**Testimony**

**MISC. COMM. 423**

COUNCIL

## **COUNCIL Meeting**

Meeting Date: Oct 5, 2022 @ 10:00 AM

Support: 34

Oppose: 1

I wish to comment: 1

Name: Jaime Smedes	Email: jaime.smedes@gmail.com	Zip: 96815
Representing: Self	Position: I wish to comment	Submitted: Sep 30, 2022 @ 11:16 AM
<p>Testimony:</p> <p>The noise level in Waikiki and around Oahu is unfortunate and impacts the mental health of more residents than we can understand. I urge the city and law enforcement to hold people accountable for creating unnecessary noise in the form of excessive vehicle exhaust systems, etc.</p>		
Name: Margaret Murchie	Email: Margaret@margaretm.com	Zip: 96816
Representing: Self	Position: Support	Submitted: Sep 30, 2022 @ 02:53 PM
<p>Testimony:</p> <p>Please support Bill 43, which will restrict amplified "entertainment" with its current painful, earsplitting noise level on almost every block with each "performer" attempting to outdo each other, cranking up their boom boxes. One cannot walk or hear themselves talk on the Waikiki sidewalks or restaurants with these chaotic competitions. There are also a couple of restaurants in the International Marketplace that are way louder than they should be and their security and police have been called many times. Why do we allow this? Ask the workers at the hotels along the way how many complaints they get. It also creates chaos with the predators using the distracted crowds gathered to easily pick pockets and riles up the mentally challenged homeless. We walk about three times a week, either early morning or evening, from the Elks to Lewers and it is a deterrance for sure. It is definitely not enjoyable nor is it necessary. I own a long term rental condo near Kapahulu and Kalakaua and have lost tenants over the noise issue. Please do something to quell the cacophony. We should also do something about the loud motorcycles and other vehicles with modified mufflers racing around the neighborhood. Mahalo for your consideration and attention.</p>		
Name: Bryan Mick	Email: bkmick@gmail.com	Zip: 96826
Representing: Self	Position: Support	Submitted: Sep 30, 2022 @ 04:37 PM
<p>Testimony:</p> <p>Aloha,</p> <p>Although I live just outside of Waikiki, and a parent to a four month old I can sympathize with the negative impact loud noises have on a family. A disruption in sleep is linked to many health problems, impacts a persons productivity at work, and can contribute to vehicular accidents. It therefore make sense that the Council would look to eliminate loud noise at the times when the vast majority of residents are sleeping. I urge you to pass this bill and in the future, consider expanding it to other urbanized areas such as the Ala Moana-Kakaako area. Mahalo.</p>		
Name: Michael Mischer	Email: michaelmischer@me.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 1, 2022 @ 01:27 AM
<p>Testimony:</p> <p>This bill is a sensible approach, to guarantee rights of individuals using amplified devises and the rights of taxpaying residents of Waikiki. Ultimately the goal is to protect the health of residents and visitors alike. I support the proposed bill.</p>		
Name: Staci Kennedy	Email: thriftchick@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 1, 2022 @ 01:37 PM
<p>Testimony:</p> <p>I am writing again on behalf of my elderly mother and myself as her caregiver in support of Bill 43 FD1. For decades we have lived several months each year in Waikiki. Over the past year I have realized how disruptive the noise from the street performers on Kalakaua is to the sleep and well-being of the elderly.</p>		

With age and diminished thought processes come sun downers symptoms. It is difficult for seniors to distinguish between the real and imagined during night hours. My mother needs to go to bed early, but is very often awakened by the street performer noise most evenings. It always leaves her agitated and unable to fall back to sleep right away.

At this stage in her life, routine is vital. Interrupted sleep is not routine and scientifically not healthful. I'm sure that she is not the only one who is going through this, as there are many elderly people in our neighborhood.

The constant amplified noise in the evenings that blares for hours all the way over to our side of Waikiki also affects me, her caregiver. It makes me stressed and tired, and I worry that it will affect my ability to properly care for my mother.

Please take this into consideration when making your decision about Bill 43, on behalf of the kupuna and their family/caregivers. Mahalo.

Name: Pam Walker	Email: crystaltravel@earthlink.net	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 2, 2022 @ 06:42 AM

Testimony:

Please pass Bill 43. I have lived in the Governor Cleghorn on Kaiulani Avenue since 1993 and have always loved being part of the Waikiki community. Unfortunately, my residential community is being unfairly subjected to excessive volumes of unwanted noise caused by street performers using powerful amplifiers. No one can legitimately say that it is the residents' fault for living in Waikiki because we live in the residential area blocks away.

Kalakaua Avenue was not an earsplitting circus when I moved here. Over the years I enjoyed seeing the musicians playing Hawaiian music while some of their family members danced the hula. It really promoted a Hawaiian sense of place. They probably don't come to Kalakaua now because it is impossible for them to be heard with the other types of acts blasting so loudly. It is a loss for both tourists and residents.

One evening I was sitting in my living room (mauka of Kuhio) while on the phone with a friend and the performers on the corner of Kalakaua and Kaiulani Avenues started to play. The music from their 3 elevated loud speakers was so loud that my friend asked what all the racket was. We had to hang up because I couldn't hear her well from any of the rooms in my apartment.

It seems that the noise gets louder as the weeks go on and they often play all evening, even till well past 10:30 PM. I have visited the HPD Waikiki substation three times to discuss this matter, and was always told they can't do anything to help. Passing Bill 43 will give them the ability to help.

Name: Cherlynn Thrasher	Email: sunnyhawaiiandays@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 2, 2022 @ 11:28 AM

Testimony:

Dear Councilmembers,

For the past 30 years I have spent several months a year in the Apartment Precinct of Waikiki and have done so because I love the diversity of the area, how close it is to the beach, mass transit, and being able to patronize the various restaurants within walking distance.

This past year has had the loudest street performers that I can remember in all those 30 years. It had been getting progressively disruptive over the last decade, but now that every performer has an unbelievably loud amplifier, it makes it uncomfortable to walk down Kalakaua or to dine at any of the restaurants with lanais or open window facing the street, especially in the evenings.

The volume of their amplifiers is not only deafening when walking by, but the noise is even heard all the way to my rental apartment between Kuhio and the Ala Wai. It makes it difficult to watch television with my volume set at a reasonable level. I was warned by our resident manager to turn it down because it was too loud in the hallway.

I SUPPORT Bill 43 because it will set decibel maximums for street performers which will be respectful of people living in the neighborhood around them.

Name:  
Salvatore Anello

Email:  
ring23@aol.com

Zip:  
96815

Representing:  
Self

Position:  
Support

Submitted:  
Oct 2, 2022 @ 11:37 AM

Testimony:

The noise and music coming from the street performers that are over 3 blocks away causes stress, anxiety and disruption of my sleep. I cannot even retire early if I am very tired because it wakes me up and then keeps me up. Instead of looking forward to a good night's sleep I start stressing over the anticipation of the noise that will happen later that evening.

I am forced to hear full concerts of unnecessarily loud noise for hours. It never used to be this bad. Years ago, only a couple of the street performers used amplifiers or some electronics to blast music. Now, they all do, and it is like they are all trying to outdo each other's volume. How can this be allowed to continue every night, 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'm not complaining about very common urban noise. This is about the street performers with their amplifiers creating an unnecessary volume of noise that makes it seem like they are performing right in front of my building in the Apartment Precinct.

I would also like to address vehicles and motorcycles with 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 is so loud, I feel like they are driving on my lanai on the 11th floor, not to mention the vibration throughout my condo. This is our home, our sanctuary. Please do something about this. Mahalo

Name:  
Sierra Laskowski

Email:  
sierralaskowski11@yahoo.com

Zip:  
96815

Representing:  
Self

Position:  
Support

Submitted:  
Oct 2, 2022 @ 12:02 PM

Testimony:

Aloha, I am submitting testimony in support of Bill 43 because Waikiki residents have rights, too.

I chose to live in Waikiki when I moved here in January 2021 to work because of the ease of mass transit and proximity to the beach so I could learn to surf. I live in a residential building several streets away from Kalakaua Avenue that is filled with families, children, working people, and retired senior citizens.

A few months after my move when tourism started to come back, I was shocked that incredibly loud amplified music was allowed on sidewalks. How can such loud noise be legal when it is so unhealthy for all the people who work near it? And especially when it can be heard from blocks away and bothers residents?

It makes it difficult for employees like me who must often be to work at 6 AM to get to sleep early. I am forced to stay awake or to get up again when they finally stop playing between 10 PM to 10:30 PM so that I may re-open my windows to have fresh air during the night. It is stressful and I am never refreshed in the morning.

The street performers need to understand that they are not being asked to stop playing or to stop using their amplifiers. We just need them, out of mutual respect, to lower the volume.

Please pass Bill 43, FD1.

Name:  
Kim Jorgensen

Email:  
hawaiiicondo@yahoo.com

Zip:  
96815

Representing:  
Self

Position:  
Support

Submitted:  
Oct 2, 2022 @ 02:12 PM

Name:  
Board of Directors AOA Governor

Email:  
governorcleghornaoao@gmail.com

Zip:  
96815

Cleghorn		
Representing: Self	Position: Support	Submitted: Oct 2, 2022 @ 03:13 PM
Name: Cynthia Vanaria	Email: cmvana@aol.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 2, 2022 @ 03:19 PM
<p>Testimony:</p> <p>Aloha, I reside in the Governor Cleghorn on Kaiulani Ave in Waikiki. I am writing in STRONG SUPPORT of Bill 43 FD1, and I implore you to pass this bill because something must be done about the unacceptably loud noise produced by the street performers on Kalakaua Ave.</p> <p>The performers are fun and clever tourist attractions, but the level of sound they produce makes them IMPOSSIBLE for me to enjoy. It is even unbearable when driving down Kalakaua with the car windows closed. I am now avoiding many of the restaurants on Kalakaua with outside seating.</p> <p>The amplified noise is loud enough to be a constant hours-long nightly disturbance, even for those of us who are residents MAUKA of Kuhio. I cannot begin to fathom how disturbing it must be for jetlagged tourists in any of the hotels on Kalakaua.</p> <p>Although I have no objection to the entertainment itself, it needs to be understood that we are truly a mixed neighborhood and the entertainers are not being considerate with their noise level. I hope that the bill will pass into law so the current unacceptable situation will be fairly corrected with mutual respect on BOTH sides. Thank you very much in advance.</p>		
Name: Audrey Daniels	Email: audreyjewelry@yahoo.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 2, 2022 @ 04:03 PM
<p>Testimony:</p> <p>Amplified sound in Waikiki is a health hazard which can lead to permanent auditory damage. Performances can be done and enjoyed without being extremely amplified. Merely walking by leaves my ears ringing, not to mention, trying to get a good nights sleep with noise that you can clearly hear through a closed window. Thank you for this opportunity to provide testimony.</p>		
Name: Mabel Chen	Email: mbl808@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 2, 2022 @ 05:53 PM
<p>Testimony:</p> <p>I support the Bill 43 (21) FD1</p>		
Name: Mike O'Dwyer	Email: bunsod4@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 3, 2022 @ 05:31 AM
<p>Testimony:</p> <p>Aloha,</p> <p>I'm testifying in FULL SUPPORT of Bill 43. I've lived at the Governor Cleghorn on Kaiulani Avenue since 1972 and have seen many changes in Waikiki over the decades; some good, some very bad.</p> <p>One of the worst changes in the last several years has become very stressful and disruptive on a nightly basis. Now almost every performing act on Kalakaua Avenue produces deafening amplified music that I am forced to hear several streets away in Waikiki's Apartment Precinct.</p>		

I miss watching the local street musicians who gently played Hawaiian music. It was fun to bring visiting friends and family to Kalakaua to see them but the sound level of the types of acts today makes me need to avoid Kalakaua.

Please pass Bill 43 because the rights of residents trying to enjoy a peaceful evening at home without being a captive audience to noise several blocks away should be as important as a street performer's right to speech and expression. That equity will not take place until an allowable decibel level is put into law and enforced.

Mahalo,  
Mike O'Dwyer

Name: Denise Boisvert	Email: infofordenise@yahoo.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 3, 2022 @ 07:41 AM

Name: Carlino Giampolo	Email: carlinog@hotmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 3, 2022 @ 08:01 AM

Testimony:

I fully support Bill 43. This is an issue about respecting the dignity and the freedom of the residents of our Waikiki community.

No outsiders should have the right to come into another's neighborhood and disturb the peace and tranquility of those residents with their unnecessary, abusive noise that is neither needed nor wanted by the residents.

The Bible states: Do unto others as you would have others do unto you. No street performers on Kalakaua Avenue deserve to have anyone disrupt the quietness within the confines of their homes. Waikiki residents do not deserve that disruptiveness, either.

The home is a sacred place that provides for the physical, emotional, mental, and spiritual well-being of its inhabitants. The dignity of those individuals, as well as their freedom not to hear the disruptive noise of others, must be respected.

Bills like Bill 43 are vital when that dignity and freedom is not respected.

Name: Jim Cosgrove	Email: jhcogrove@juno.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 3, 2022 @ 09:09 AM

Testimony:

Dear City Councilmembers:

Thank you for this opportunity to testify in support of Bill 43 (21) FD1. Waikiki is divided into two distinct sections, the Resort Area makai of Kuhio, and the Apartment Precinct mauka of Kuhio.

City dwellers understand that normal sounds like traffic and sirens go with the territory. The unregulated, highly-amplified music that can be heard from blocks away that comes from what tourists and residents alike have called the ear-splitting circus on Kalakaua is not normal in any city on a nightly basis.

The unmitigated noise that continues for hours in the evenings disturbs residents, children and adults, who live several streets away in the quieter residential part of Waikiki, but are forced to listen to it all evening long after long days at work or school.

We respect the rights of street performers, but Bill 43 is obviously needed so the rights of residents to not be forced to hear the sounds as loudly as we do now will also be acknowledged and enforced.

This bill is not banning the performers or their use of amplifiers; it is just a matter of lowering the volume and limiting the hours of the currently uncontrolled high-decibel levels.

Please pass Bill 43 (21) FD1.

Jim Cosgrove  
225 Kaiulani Avenue

Name: Bradley Patenaude	Email: braad@aol.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 3, 2022 @ 12:01 PM

Testimony:

Once again I am writing to support Bill 43 on Amplified Noise in Waikiki. The worst and most disruptive source of amplification is from street performers.

I live on Kaiulani Avenue just a few blocks from Kalakaua Avenue. Every evening we are subjected to street performers that set up on the corner of Kalakaua and Kaiulani with their amplifiers, and often times lighting etc...for a full concert. Some evenings the noise is so loud that it's near impossible to enjoy a quiet relaxing evening in our home. Couple it with the barrage of sirens and muscle cars that have become an ALL DAY NIGHTMARE in Waikiki, it's just really rather horrible.

We do not have air conditioning, nor do we want it, so our windows and sliders stay open 24/7. We do realize that part of Waikiki is a resort area, but it is also a residential neighborhood where people live, work and relax. This must be a consideration in passing this bill. Thank you for the consideration.

Bradley Patenaude  
225 Kaiulani Aye, #1405  
96815

Name: Terril Slusser	Email: terrilslusser@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 3, 2022 @ 12:07 PM

Testimony:

This is testimony in FULL SUPPORT of Bill 43 (21) FD1.

Residents who live between Kuhio and the Ala Wai as I do should not be forced to hear the street performers' amplified music the way we do inside our homes for hours at a time in the evenings.

Bill 43 is not banning amplifiers; it just addresses the need for decibel limits to be set starting at 7PM in the evenings to be fair to all people who live and work in Waikiki.

Name: Joseph Ganshert	Email: joseph.ganshert@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 3, 2022 @ 12:41 PM

Testimony:

I have lived in Waikiki for over five years on Kaiulani Avenue. I am a professional that is up early and I choose to live here with my two young children. Like many who live in Hawaii, we don't use air conditioning. With our windows open amplified noise from Kalakaua avenue is loud enough to be easily heard in our bedrooms and living space. I am not against street performers, but I do think some basic restrictions are necessary to allow residents and the many guests who visit Waikiki some degree of protected quiet time.

Name: Leonhard Nicolai	Email: nicolai.hawaii@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 3, 2022 @ 02:00 PM



Testimony:

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

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

I strongly support Bill 43 (21) FD1; and I hope that regulations will be established to insure that residents and our visitors can live and visit here in a peaceful environment. Please pass Bill 43.

Name:

Indira Braschi

Email:

zuica22@aol.com

Zip:

96815

Representing:

Self

Position:

Support

Submitted:

Oct 3, 2022 @ 03:43 PM

Testimony:

Dear Council Chair Waters and Councilmembers,

Please note my full support of Bill 43 (21) FD1, and gratitude to all councilmembers for your consideration to pass it.

The unnecessarily loud noise created by the amplifiers used by performers on Kalakaua Avenue is not only disruptive to all who must listen to it while sleeping, working or dining, but such noise is known to be dangerous to people's health.

As a resident in Waikiki's Apartment Precinct, I am forced to listen to it in the distance while trying to relax at home in the evenings. Closing my doors and windows does not help much at all; and doing so prevents my enjoying the trade winds until the performances stop.

There is nothing wrong with street performers entertaining tourists and locals, but the sounds they create in their acts should not be so loud that they are easily heard several streets away. Please pass Bill 43 (21) FD1; the restrictions are definitely needed.

Respectfully,

Indira Braschi

Name:

Thomas Bazan

Email:

tjbuzzb@gmail.com

Zip:

96815

Representing:

Self

Position:

Support

Submitted:

Oct 3, 2022 @ 04:18 PM

Testimony:

Approval of this bill is essential for "Quality of Life" for Waikiki citizens and guests!

Name:

Lana Bazan

Email:

lanabazan@outlook.com

Zip:

96815

Representing:

Self

Position:

Support

Submitted:

Oct 3, 2022 @ 04:21 PM

Testimony:

Please allow this bill to pass for the sake of Waikiki residents and tourists alike!

Name:

Alessandra Gallian

Email:

alessa.gallian@gmail.com

Zip:

96815

Representing:

Self

Position:

Support

Submitted:

Oct 3, 2022 @ 05:08 PM

Testimony:

I don't want to have to listen to a full blast concert every night. The noise travels and echoes all the way to us on 225 Kaiulani Avenue. I have difficulties to relax and sleep at night because of it. I live here and have to get up early for work.

Please pass Bill 43 to have the volume of the amplifiers lower starting at 7 PM. Thank you.

Name: Julia Rivera Reyes	Email: rivera30julia@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 3, 2022 @ 05:12 PM
<p>Testimony:</p> <p>I support Bill 43 FD1. Many residents who live between Kuhio and the Ala Wai are always forced to hear the amplified noise all evening. It's so loud I cannot sleep or I wake up multiple times at night. Please regulate noise levels. Thank you for your understanding.</p>		
Name: Alessandra Gallian	Email: alessa.gallian@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 3, 2022 @ 08:02 PM
<p>Testimony:</p> <p>The amplified music is much too loud and is disrupting my life. I feel that I am forced to have to listen to a full blown concert every evening and night. I can hear the music very clearly as the sound echoes into my apartment. I feel it is very disrespectful of the people who play their music amplified. They are taking it too far. We have ask them several times to turn it down but the musicians don't seem to care about the residents of Waikiki, who also have jobs and want to rest in the evening. This is not Pono.</p>		
Name: ROBERT COUTTS	Email: r.coutts@comcast.net	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 4, 2022 @ 10:56 AM
<p>Testimony:</p> <p>Please pass bill 43 as well as 23 to reduce noise in Waikiki</p> <p>Kalakaua Ave does not need to be home to carnival buskers and amplified noise at any point in the day, much less at night when people are resting in their homes.</p> <p>And please ban trash pickup in the early morning/late night hours.</p>		
Name: Rep Adrian Tam	Email: reptam@capitol.hawaii.gov	Zip: 96813
Representing: Self	Position: Support	Submitted: Oct 4, 2022 @ 12:47 PM
Name: William Owens	Email: bill96815@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 4, 2022 @ 03:06 PM
<p>Testimony:</p> <p>I agree noise is out of control in Waikiki and should be limited. My concern is that the major issue for those of us who live along Kapahulu and Kuhio, specifically near the zoo parking lot, is not being addressed by Bill 43. We are not often dealing with street performers' amplified sound. The big issue for us is overly and unnecessarily loud vehicle exhaust system modifications. The bill as introduced and amended focuses on stationary and/or amplified sound from a "sound amplifier." Almost every afternoon and evening, a series of cars and motorcycles that should be illegal make purposeful sound higher in decibels than emergency vehicle sirens. People deliberately remove mufflers and/or add devices that cause backfires that are louder than cannons. Some of these vehicles are so loud they set off car alarms. I am surprised the zoo keepers haven't complained about the disturbance to the animals.</p>		
Name: Katherine Kupukaa	Email: katherine4eversoy@yahoo.com	Zip: 96789
Representing: Self	Position: Oppose	Submitted: Oct 4, 2022 @ 05:05 PM

Testimony:

I oppose this bill and urge you not to pass it. Waikiki is a tourist destination and find the restriction on hours 7:00 pm - 6:00am to perform unreasonable. I believe performing in Waikiki until 10 pm is reasonable. The Foster family are members of my church and directs the praise music weekly. I don't believe that the people in the Waikiki community have made complaints against this family and in fact welcome their presence. This is their livelihood. Do allow him to exercise his First amendment rights.

Sincerely,

Katherine T. Kupukaa

Name: Rita Onorio	Email: rita.onorio@gmx.de	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 4, 2022 @ 06:07 PM

Testimony:

I am a graduate student at HPU who lives on Kaiulani Avenue between Kuhio Avenue and Ala Wai Blvd. The amplified noise on Kalakaua Avenue that can be heard in my apartment makes it difficult to use the time in the evening to study. I also get up early in the morning to attend lectures and I often have to wait until the street performers stop playing before I can go to sleep.

I support Bill 43 that would have the volume lowered starting at 7:00 PM.

Name: Kristina Holzapfl	Email: kristinaholzapfl@ymail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 4, 2022 @ 06:11 PM

Testimony:

Aloha. I am in full support of Bill 43, FD1.

The amplified music on Kalakaua Avenue should not be so loud that it can be heard in Waikiki's residential apartment district where people can even hear it in their living rooms. It disturbs the concentration I need for my studies in the evening hours. Please pass the bill.

Name: Julia Schmatz	Email: juliaschmatz@ymail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 4, 2022 @ 06:13 PM

Testimony:

Thank you for this opportunity to testify in support of Bill 43 to lower the volume of amplified noise on sidewalks in Waikiki so people may relax or study without being disturbed for hours every evening. As a student I will really appreciate the change in volume.

Name: Roland Nipps	Email: rnipps@midpac.edu	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 5, 2022 @ 06:17 AM

Testimony:

I am a resident of Waikiki. I live on Kaiulani Ave. Amplified noise, from Kalakaua Avenue, always reaches my home. I am a grade-school teacher, one who rises early and goes to sleep early as well. The noise regularly interrupts that routine. I urge you to pass Bill 43. Thank you,  
Roland Nipps

City Council Hearing October 5, 2022

Dear Chair Waters and members of the City Council,

I FULLY SUPPORT Bill 43 because it acknowledges mutual rights and freedoms.

I am an amateur musician and songwriter so I respect those who showcase their talents on sidewalks - - but, why do most of the street performers on Kalakaua need loudspeakers amped up so high for an audience that is ONLY 5 FEET AWAY and can be heard MANY streets away?

Last Spring and Summer, my wife and I individually reached out to a particularly loud band with 3 elevated loud speakers to try to have them understand their affect on our neighborhood several streets away. We suggested several ways to have a win-win situation:

- simply lower their volume, but that never happened
- move to a different part of Kalakaua so that the sound would not go up Kaiulani Ave, but they wouldn't do that
- place their loudspeakers on the ground instead of several feet high on poles...nope...
- turn the direction of the loudspeakers to project parallel to Kalakaua instead of toward the Apartment Precinct; again, they couldn't care less about our residential neighborhood

Each suggestion was met with a defensive, "We know our rights!!!" - - even though their rights to freedom of speech and expression were NEVER in question in the first place. It was simply residents begging for two-way understanding and human compassion.

We are grateful to Councilmember Waters for introducing Bill 43 so rights will run both ways and be protected by law.

Please pass Bill 43. It will not only benefit residents who live streets away in the Apartment Precinct, but also shop employees, restaurant and hotel workers, and jetlagged tourists.

Sincerely,  
Mr. Kim Jorgensen

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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Email:

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.

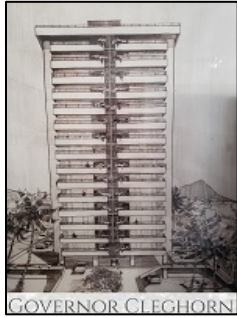
No one is above the law. Wearing a mask and pulling out a vaccine card to enter a restaurant, theater or other place of business is not the way we would like to live out our days, but choices and actions we take today have consequences that affect our future.

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

Don't people get this simple concept?

**Jill Thach**

*Kailua*



## **Governor Cleghorn**

225 Kaiulani Ave  
Honolulu, HI 96815  
(808) 923-4816  
GovernorCleghornAOAO@gmail.com

October 2, 2022

Aloha Chair Waters and Councilmembers,

The Association of Apartment Owners of Governor Cleghorn strongly supports Bill 43 (21) FDI.

Attached is a letter dated 5/18/21 from the former President of our Board of Directors to Senator Moriwaki, Representative Tam, Council Chair Waters, Mayor Blangiardi, Rick Egged of the Waikiki Improvement Association, and Bob Finley, Chair of the Waikiki Neighborhood Board, asking for help to lower the volume of the amplifiers on Kalakaua Avenue that greatly disturbs residents in our building several streets away, mauka of Kuhio, for hours in the evening.

We are grateful to Chair Waters for understanding the need for a decibel limit on amplified noise during the evening and night hours, and we hope that all members of the City Council will understand and approve Bill 43 (21) FD1.

Mahalo,

AOAO Governor Cleghorn Board of Directors

Attachment

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



October 5, 2022 Honolulu City Council Hearing Bill 43(21) FD1

Dear Chair Waters and Councilmembers.

Supporters of Bill 43 FD1 do not want to revoke the rights of street performers to express themselves on public sidewalks. Bill 43 is not going to ban amplifiers; it is a compromise that will set limits on when and how loudly the amplified noise may be.

I live mauka of Kuhio, **3 ½ streets away** from Kalakaua Avenue, and on some nights, **it is like watching TV with the radio on in the same room**, and even when we've been forced to have all our doors and windows closed. Most tourists who watch the performers stop for a few minutes at each act and move along. The families in my building must listen for hours and can't walk away.

Waikiki has been a gathering place for friends and families for far longer than the invention of portable amplifiers. Now, gathered friends and families are unable to clearly hear their televisions or their conversations in restaurants. We may not like the sirens that halt our conversations, but at least they pass by in half a minute!

**Would this hours-long noise be tolerated in any other commercial or resort area on the island?**

Noise pierces Waikiki's quiet night air just like it does in other districts. Imagine blaring serenades for hours in the evenings near the Waikale Outlets, or Haleiwa Joe's, or Hannara's, or Fatboys Kailua Town. All those commercial places have many condos and houses less than a block away. Would your constituents also complain?

Blaming Waikiki's residents because they chose to live in the peaceful residential side of Kuhio is like blaming the victim. The fact is we are a **captive audience of decibels that could fill Aloha Stadium** and who never had the choice of buying a concert ticket.

Please approve Bill 43; it is not a ban, it is a compromise for people to live and work together. Thank you for understanding that both sides have rights.

Sincerely,

Denise Boisvert

Waikiki's Residential Side of Kuhio









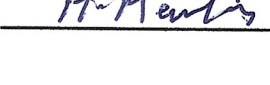
P.S. Attached is a petition signed by some residents in the Governor Cleghorn and others in nearby buildings.

ATTN: Transportation, Sustainability, & Health Committee, Honolulu City Council  
RE: Support of Bill 43 regarding Amplified Noise in Waikiki

We, the undersigned, residents of Waikiki are in FULL SUPPORT of Bill 43 for the following reasons:

- While we are not at all against street performers, we have the right to not be forced to listen to the noise produced by their performances
- The street performer noise can be heard in the Apartment Precinct mauka of Kuhio that is several streets away
- Our neighborhood has many families with babies and school age children, and adults of all ages whose health could be adversely affected by intrusive noise and lack of sleep
- The amplified noise forces us to close our windows and prevents us from breathing fresh air and can still be heard through our windows
- As residents in Waikiki, we understand that ambulance, siren, and traffic noise come with the territory, but amplified noise is voluntary and the decibel level needs to be controlled to be fair to everyone

**Please pass Bill 43.**

Name (print)	Signature	Street Address
COURTNEY David		218 Kaulani Ave #2
Anna Rhodan		218 Kaulani Ave #19 Hon, HI 96815
Deborah Bokala		424 Waike St #53 Honolulu HI 96815
Vu Dinh		218 Kaulani Ave #21
Lisa Somsan		2442 Tusiata St
Einstein Romero		222 Kaulani Ave #105
James Palakka		2423 Cleghorn St
Leigh Johnson		2415 Alahua #405
Arpine Martirosian		2452 Tusiata St. #73





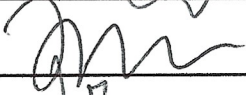
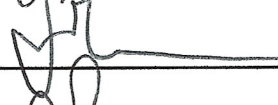



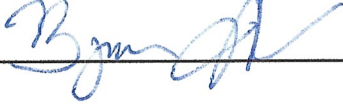
Residents of the Governor Cleghorn  
225 Ka'iulani Ave  
Honolulu, HI 96815

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**Please pass Bill 43.**

Name (print)	Signature	Date	Apt #
Andre Souza		08/12	301
SERAFIN SPARRELL		8/12/22	1203
Lisa Sparrell		8/12/22	1203
BRENCE LYNN		8/12/22	205
TIFFANY TORRE		8/12/22	705
JOSH TERESCO		8/12/22	705
Julia Rivera		8/12/22	703
Camilo Mojica		8/13/22	904
Samara Abreu		8/17	1602
Bryan Mosley		8/17	1505



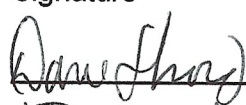
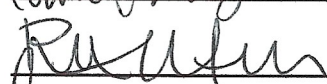


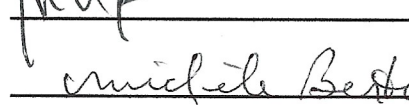
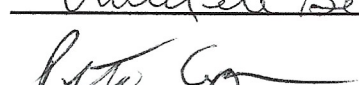
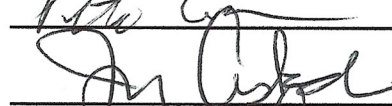

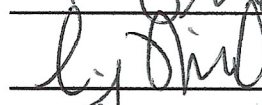

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**Please pass Bill 43.**

Name (print)	Signature	Date	Apt #
Dave I Hori		8-12-22	403
Rita McFarland		8-12-22	804
Johan Morala		8-12-22	804
Terril Slusser		8-12-22	405
Michelle Bertoin		8-12-22	1606
Peter Galagroun		8-12-22	"
Jerry Custals		8-12-22	PH 5
Kyle Vidal		8-12-2022	704
ERIC VIDAL		8-12-2022	704
Jiro Ku		8-12-2022	408





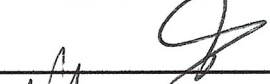

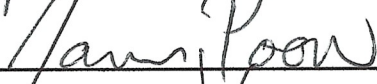

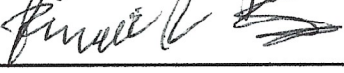

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**Please pass Bill 43.**

Name (print)	Signature	Date	Apt #
Darren Blair		08-11-22	303
Tom Elvrom		08/11/22	PH6
Alessandra Gallian		08-11-22	703
Claire Carlton		8/11/22	904
Mohamed El Gohary		8/11/2022	701
Vy Le		8/11/2022	808
James Poon		8/11/2022	902
Gracie Knoth		8/11/22	903
FRANASCA BENNETT		8/12/22	Apt 505
RT BARROGA		8/12/22	306

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Name (print)	Signature	Date	Apt #
<u>Luya Xu</u>	<u>Luya Xu</u>	<u>8/27/22</u>	<u>1001</u>
<u>William Albritton</u>	<u>[Signature]</u>	<u>8/27/2022</u>	<u>304</u>
<u>ADISAK WONGUDAWAN</u>	<u>[Signature]</u>	<u>8/29/22</u>	<u>702</u>
<u>Kelis Kaleopa'a</u>	<u>Kelis K.</u>	<u>9/12/22</u>	<u>1401</u>
<u>Peter Horwitz</u>	<u>[Signature]</u>	<u>9/2/22</u>	<u>PH 4</u>
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## HAWAII STATE LEGISLATURE

STATE CAPITOL  
415 SOUTH BERETANIA STREET  
HONOLULU, HAWAII 96813

October 4, 2022

Members of the City Council  
Honolulu Hale  
530 S. King Street  
Honolulu, HI 96813

**Subject: Bill 43 RELATING TO AMPLIFIED SOUND IN WAIKIKI**  
**Hearing: Wednesday, October 5, 2022, 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.

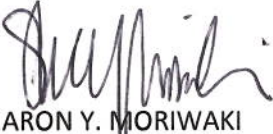
Our offices receive regularly (almost daily) complaints of sidewalk noise generated from amplified noise (amongst other noise). The excessive noise disturbs the quality of life for residents and visitors alike. While we have been working with the Department of Health Noise Branch, Honolulu Police Department 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,

  
SHARON Y. MORIWAKI  
Senator, Senate District 12

  
ADRIAN K. TAM  
Representative, House District 22