HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

ORDINANCE _____

BILL 31 (2026)

A BILL FOR AN ORDINANCE

RELATING TO CULTURAL SITES IN PUBLIC PARKS.

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

SECTION 1. Purpose. The purpose of this ordinance is to amend provisions related to cultural sites in public parks.

SECTION 2. Section 10-6.1, Revised Ordinances of Honolulu 2021 ("Definitions"), is amended by adding new definitions of "Adopter," "Important Cultural Resource," and "Important Cultural Resource Area" to be appropriately inserted and to read as follows:

"***Adopter.*** A person approved by the department to help steward an important cultural resource area."

"***Important Cultural Resource.*** Any historic property, cultural site, heiau, burial, or other site recorded with the State historic preservation division pursuant to HRS Chapter 6E and identified as a resource with past or ongoing cultural, historic, or spiritual significance."

"***Important Cultural Resource Area.*** A park or portion thereof designated pursuant to § 10-6. ."

SECTION 3. Section 10-6.2, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"**§ 10-6.2 Cultural sites in** [~~Public Parks Program.~~] **public parks program.**

(a) The director may establish a program for the designation of cultural sites located in public parks. Any interested person may recommend the designation of a cultural site to the director for approval.

(b) The recommendation to the director by an interested person pursuant to subsection (a) must include the following:

(1) The name and address of the public park where the proposed cultural site is located;

(2) A description of the approximate location where the proposed cultural site will be located within the public park;

(3) A name and brief physical description of the proposed cultural site;

(4) A brief description of the cultural impact of the site on the city or surrounding communities; and

(5) Detailed information, such as the size, shape, types of materials to be used, any maintenance costs, and the total cost, including the labor required, of installing the marker at the designated cultural site.

(c) Upon the approval of the designation by the director, the department shall erect, install, or place a marker, in accordance with subsection (b)(5), informing the public of the designated cultural site; provided that the interested person making the recommendation, pursuant to subsection (a), agrees to reimburse the department for all costs related to the installation and maintenance of the marker and the marker itself, as determined by the director.

(d) Designation under this section does not by itself impose additional restrictions beyond those otherwise provided for in this article."

SECTION 4. Chapter 10, Article 6, Revised Ordinances of Honolulu 2021 ("Cultural Sites in Public Parks"), is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

"**§ 10-6. Important cultural resource areas program.**

(a) *Program establishment.* In addition to the program established in § 10-6.2, the director shall establish a program for important cultural resource areas.

(b) *Important cultural resource area designation process.* Any interested person may nominate a park or portion thereof to be designated an important cultural resource area. Upon finding that:

(1) The park or portion thereof contains an important cultural resource; and

(2) Enhanced stewardship measures are necessary to preserve and protect the cultural, historic, or ecological integrity of the important cultural resource,

the Council may, by resolution, designate the park or portion thereof as an important cultural resource area.

(c) *Adopter application.* Any interested person who wishes to help steward an important cultural resource area may submit an application to the department. The department shall review the application and determine whether the interested person possesses adequate knowledge and skill to carry out the duties and responsibilities of an adopter under this section.

(d) *Stewardship plans.*

(1) *Development requirements.* Within 12 months of the council's designation of an important cultural resource area and the department's approval of an adopter, the department and the adopter shall develop a stewardship plan for the important cultural resource area. In developing the stewardship plan, the department and the adopter shall consult with:

(A) The Oahu historic preservation commission;

(B) The State historic preservation division;

(C) Appropriate cultural practitioners or lineal descendants, where identifiable; and

(D) Appropriate State or city agencies where ecological resources are implicated.

(2) *Inclusions.* The stewardship plan may include but is not limited to:

(A) Establishment of boundaries and buffer zones;

(B) Identification of allowed and prohibited activities;

(C) Restrictions necessary to preserve and protect the important cultural resource, including but not limited to restrictions related to camping, habitation, commercial activities, climbing, alteration, removal, or other disturbances;

(D) Measures to protect native wildlife and shoreline habitats consistent with applicable State and federal law;

(E) Cultural access protocols consistent with Article XII, Section 7 of the State Constitution;

(F) Maintenance, monitoring, and resource condition assessment and remediation procedures; and

(G) Identification of signage to install or educational programs to implement, where culturally appropriate.

(3) *Amendment.* The department and adopter may amend the stewardship plan after consultation with the persons and entities listed in subdivision (1).

(e) *Rules.* The director of parks and recreation shall adopt rules pursuant to HRS Chapter 91 for the implementation, administration, and enforcement of this section, which may include rules related to prohibited activities and restrictions necessary to preserve and protect important cultural resources.

(f) *Signage.* The department of parks and recreation shall post a sign informing visitors to important cultural resource areas of any prohibited activities or restrictions related to the preservation and protection of important cultural resources.

(g) *Enforcement.* Police officers and any other officer so authorized shall issue a citation for any violation under this section or rules adopted pursuant to this section; provided that such officer may arrest any person for a violation under this section or rules adopted pursuant to this section when any of the conditions specified in § 10-1.6(a) exist. When a citation is issued, the citation shall be in the form and issued in the manner specified in § 10-1.6(b).

(h) *Penalty.* Any person cited for violating this section or any rule adopted pursuant to this section is subject to a fine of $25 for a first offense; $50 for a second offense within one year of the date of the first offense; and $100 for a third offense within one year of the date of the first offense.

(i) *Limitation of designation—conflict with State law.* The designation of an important cultural resource area pursuant to this section does not constitute historic designation under State law. Nothing in this section is intended to conflict with State law or supersede or replace the authority of the State historic preservation division.

(j) *Construction.* Nothing in this section shall be construed to restrict the exercise of traditional and customary rights protected under Article XII, Section 7 of the State Constitution.

(k) *Severability.* If any provision of this section, or the application thereof to any person or circumstance, is held invalid, the invalidity does not affect other provisions or applications of the section that can be given effect without the invalid provision or application, and to this end, the provisions of this section are severable."

SECTION 5. Ordinance material to be repealed is bracketed and stricken. New ordinance 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 material that has been bracketed and stricken, or the underscoring.

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

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A BILL FOR AN ORDINANCE

SECTION 6. This ordinance takes effect upon its approval.

INTRODUCED BY:

A. Fypola

DATE OF INTRODUCTION:

MAR 17 2026

Honolulu, Hawai'i

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____day of _____, 20 ____.

RICK BLANGIARDI, Mayor
City and County of Honolulu

Report Title:
Department of Parks and Recreation ("DPR"); Cultural Sites; Public Parks; Important Cultural Resource; Important Cultural Resource Areas; Historic Preservation; Stewardship; State of Hawai'i Historic Preservation Division ("SHPD"); Rulemaking Authority; Enforcement; Penalty

Description:
Requires the DPR Director to establish an Important Cultural Resource Area program to allow for improved stewardship of important cultural resources in City parks. Establishes the process for including City parks in the program and requires a stewardship plan for included parks. Provides the DPR Director with rulemaking authority. Imposes fines for violations.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.