SUMMARY OF PROPOSED COMMITTEE DRAFT:

Bill 32 (2026)
RELATING TO PUBLIC PARKS, RECREATIONAL FACILITIES, AND BOTANICAL GARDENS.

The PROPOSED CD1 makes the following amendments:

A. Adds a new SECTION 2 to the bill to repeal ROH Section 9-3.1.

B. Adds a new SECTION 3 to the bill to amend ROH Section 9-3.2 to clarify that private schools are licensed by the Hawaii Council of Private Schools or accredited by a recognized accrediting body rather than the State of Hawai‘i Department of Education, and renumbers subsequent bill SECTIONS accordingly.

C. In renumbered SECTION 4 of the bill, amends proposed ROH Section 9-3._ to:

1. Add a new subsection (a) ("Policy") to state the Council's policy that fees and charges related to the use of botanical gardens and community gardens, including the use of botanical garden facilities, parking lots, and other recreational areas under the jurisdiction of the Department of Parks and Recreation, should be set in a manner that is fair, reasonable, and consistent with the City's commitment to equitable access, and reletters subsequent subsections;

2. Amend relettered subsection (b) to more broadly specify that the Council delegates to the Director of Parks and Recreation the authority to establish fees and charges by rule for the commercial and noncommercial use of botanical gardens and community gardens, including entry to and use of botanical garden facilities, parking lots, and other recreational areas under the jurisdiction of the Department of Parks and Recreation; and requires the Director of Parks and Recreation to ensure that any fees or charges established do not exceed what is necessary to support the sustainable operation, maintenance, and improvement of park facilities;

3. Amend relettered subsection (f) to increase the civil penalty fine from $35 to $500 to align with proposed ROH Section 10-2.1(f);

4. Amend relettered subsection (g) to specify that the Director of Parks and Recreation provide written notice to the Council of any proposed rules no later than 30 days prior to the deadline for the notice of a public hearing on such proposed rules specified in HRS Section 91-3(a); and

5. Amend relettered subsection (i) to require a report no later than September 30 of each calendar year and provide more specific requirements for the report.

D. In renumbered SECTION 6 of the bill, amends proposed ROH Section 10-2.1 to:

1. Add a new subsection (a) ("Policy") to state the Council's policy that fees and charges related to the use of public parks, recreational facilities, parking lots, or other recreational areas under the jurisdiction of the Department of Parks and Recreation, should be set in a manner that is fair, reasonable, and consistent with the City's commitment to equitable access, and reletters subsequent subsections;

2. Amend relettered subsection (b) to more broadly specify that the Council delegates to the Director of Parks and Recreation the authority to establish fees and charges by rule for the commercial and noncommercial use of public parks, recreational facilities, parking lots, or other recreational areas under the jurisdiction of the Department of Parks and Recreation; and requires the Director of Parks and Recreation to ensure that any fees or charges established do not exceed what is necessary to support the sustainable operation, maintenance, and improvement of park facilities;

3. Amend relettered subsection (g) to specify that the Director of Parks and Recreation provide written notice to Council of any proposed rules no later than 30 days prior to the deadline for the notice of a public hearing on such proposed rules specified in HRS Section 91-3(a); and

4. Amend relettered subsection (i) to require a report no later than September 30 of each calendar year and provide more specific requirements for the report.

E. Adds two new SECTIONS of the bill as follows:

1. SECTION 16 that makes conforming amendments to ROH Sections 10-1.2(h) and (i) due to the repeal of ROH Chapter 10, Article 3 in SECTION 7 of the bill.

2. SECTION 18 that establishes a 450-day deadline for the Director of Parks and Recreation to adopt the rules required by ROH Section 9-3.___(g) in SECTION 4 of the bill and ROH Section 10-2.1(g) in SECTION 6 of the bill.

Renumbers subsequent SECTIONS of the bill accordingly.

F. Amends renumbered SECTION 20 of the bill (the effective date section) to provide that the bill takes effect upon its approval (as opposed to 450 days after its effective date); provided that:

1. All fees and charges established in ROH Chapter 10, Article 2; ROH Section 10-3.1; ROH Section 10-5.4; ROH Section 10-8.2; ROH Section 10-9.3; and ROH Section 10-12.2, as those articles and sections read on the day prior to the effective date of this ordinance, are to remain in effect until such time that the Director of Parks and Recreation has adopted rules pursuant to and in accordance with ROH Section 9-3.___(g) in SECTION 4 of the bill, and ROH Section 10-2.1(g) in SECTION 6 of the bill, and such rules have taken effect; and

2. The amendments made to ROH Section 6-51.2 in SECTION 17 of the bill take effect on the effective date of the rules adopted by the Director of Parks and Recreation pursuant to and in accordance with ROH Section 10-2.1(g), as enacted in SECTION 6 the bill.

G. Makes miscellaneous technical and nonsubstantive amendments.

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

ORDINANCE _____

BILL **32 (2026), CD1**

PROPOSED

A BILL FOR AN ORDINANCE

RELATING TO PUBLIC PARKS, RECREATIONAL FACILITIES, AND BOTANICAL GARDENS.

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

SECTION 1. Purpose and findings. The purpose of this ordinance is to amend provisions related to public parks, recreational facilities, and botanical gardens.

The City Council ("Council") finds that costs for the maintenance of parks, beach parks, recreational facilities, and botanical gardens are increasing significantly due to various factors including aging infrastructure, vandalism, and an overall rise in the cost of supplies. The Council believes that it is important to support our parks, beach parks, recreational facilities, and botanical gardens as gathering places for our residents and communities. The Council further believes it is critical that any fees collected for the use of parks, beach parks, recreational facilities, and botanical gardens are retained by the Department of Parks and Recreation for the maintenance and upkeep of these finite and valuable resources.

SECTION 2. Section 9-3.1, Revised Ordinances of Honolulu 2021, is repealed.

["~~§ 9-3.1 Admission fees for the Foster Botanical Garden.~~

~~(a) The following daily admission fees shall be assessed for the Foster Botanical Garden:~~

~~(1) Child five years of age and under: free. Child must be accompanied by a person 18 years old or older;~~

~~(2) Annual family pass holder as specified in subsection (b): free;~~

~~(3) Child six to 12 years of age: $1 per person;~~

~~(4) Resident of Hawaii, 13 years of age and older: $3 per person;~~

~~(5) Nonresident of Hawaii, 13 years of age and older: $5 per person;~~

~~(6) Member of the Friends of the Honolulu Botanical Garden: free; and~~

~~(7) The director of parks and recreation is authorized to set reduced rates for persons participating in structured educational tours, group purchases, and promotional packages and persons with promotional coupons. The~~

~~director is also authorized to allow entry of any person into the Foster Botanical Garden as part of a promotional offer or package made available by the city.~~

~~(b) An annual family pass may be purchased for $25 each. An annual family pass holder is the person or persons named on the pass who is or are entitled to free unlimited admission, during operating hours, to the Foster Botanical Garden for the period specified in the pass.~~"]

SECTION 3. Section 9-3.2, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"**§ 9-3.2 Students—School staff—Chaperones.**

The following [~~shall~~] will be admitted free of charge to Foster Botanical Garden; provided that the visit is for educational purposes and the teacher, school staff, or group leader has scheduled the class visit at least one week before the requested date[~~,~~] and furnished a firm count of adult supervisors who fall under subdivision (5):

(1) Students at public schools operated by the State department of education (DOE) and private schools [~~licensed by the DOE,~~] licensed by the Hawaii Council of Private Schools or accredited by a recognized accrediting body, except for private trade, vocational, or technical schools;

(2) Children who are exempted from compulsory education under State DOE regulations and procedures with current, approved DOE Form 4140;

(3) Children of child care centers (with current certificate of approval or approved form from the State department of human services) or in after school care programs of the city or the State of Hawaii;

(4) State of Hawaii university and college students with school identification cards; and

(5) Adult supervisors when they accompany Hawaii students in the following categories:

(A) Students five years [~~old~~] of age and younger: teachers, school staff, or adult chaperones;

(B) Students six years [~~old~~] of age and older: teachers or school staff only; and

(C) "Special education" students requiring monitors or health-care attendants: as required for children's supervision and care."

SECTION 4. Chapter 9, Article 3, Revised Ordinances of Honolulu 2021 ("Fees and Charges"), is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

"**§ 9-3. Fees and charges for the use of botanical gardens, their associated parking lots, and other recreational areas.**

(a) *Policy.* It is the policy of the council that access to botanical gardens, botanical garden facilities, their associated parking lots, and other recreational areas under the jurisdiction of the department of parks and recreation is a fundamental public benefit that must be available to residents of all income levels. As such, the council directs that any fees and charges established by the director of parks and recreation must be set in a manner that is fair, reasonable, and consistent with the city's commitment to equitable access.

(b) *Delegation and authorization.* Unless otherwise specified, the council hereby delegates to the director of parks and recreation the authority to establish fees and charges by rule for the commercial and noncommercial use of botanical gardens and community gardens, subject to subsection (a), including entry to and use of botanical garden facilities, their associated parking lots, and other recreational areas under the jurisdiction of the department of parks and recreation, to help cover operating and maintenance costs. Before establishing any fees or charges, the director of parks and recreation shall notify all duly constituted botanical garden advisory organizations concerning the proposed fees.

The director of parks and recreation is also authorized to establish fees and charges for entry to all botanical gardens for nonresidents of Hawaii. The director of parks and recreation is authorized to establish fees and charges for entry to Foster Botanical Gardens for nonresidents of Hawaii and shall establish a discounted fee or charge for residents of Hawaii.

The director of parks and recreation shall ensure that any fees and charges established do not exceed what is necessary to support the sustainable operation, maintenance, and improvement of park facilities and programs. In establishing fees and charges, the director of parks and recreation must consider the impacts on low- and moderate-income residents and any barriers to broad community participation that such fees and charges may incur.

(c) *Revenues*. Revenues generated from user fees and charges established by rules in accordance with this section must be deposited into a fund designated by the director of parks and recreation.

(d) *Signage*. The department of parks and recreation must post signage informing visitors of any user fees established by rules in accordance with this section and payment instructions.

(e) *Payment*. The department of parks and recreation must ensure that user fees and charges established by rules in accordance with this section can be paid via electronic methods, such as by mobile application, kiosk, or online portal.

(f) *Civil penalty*. A person found by the director of parks and recreation, after an opportunity for a hearing in accordance with HRS Chapter 91, to have violated any provision of this section or any rules adopted by the director in accordance with this section, is subject to a fine of $500.

(g) *Rules*. The director of parks and recreation shall adopt rules in accordance with HRS Chapter 91 for the implementation, administration, and enforcement of this section, including procedures and criteria for the waiver of permit fees; provided that no later than 30 days prior to the deadline for the notice of a public hearing on any proposed rules pursuant to HRS Section 91-3(a) and in accordance with this section, the director of parks and recreation provide written notice to the council of the director's proposed rules. The written notice must, at minimum:

(1) Identify the fee or charge to be established or amended, including an explanation of the purpose of the fee or charge and the service, facility, or program to which it applies;

(2) Describe the program outcomes, services, or facilities access the department of parks and recreation intends to support or deliver through the fee or charge, including any improvements to or expansions of programs, offerings, or facilities access; and

(3) Explain how the department of parks and recreation considered affordability for low- and moderate-income residents, including any planned mitigation measures, such as reduced fees, waivers, or free alternatives to the proposed fee or charge.

(h) *Review and update of fees and charges.* The director of parks and recreation shall review fees and charges related to the use of botanical gardens at least every five years and update the fees and charges as needed.

(i) *Report required.* The director of parks and recreation shall provide the council with a report no later than September 30 of each calendar year that specifies the following:

(1) An outline of the fee structure, any adopted fee or charge increases, and the revenues generated from fees or charges;

(2) A listing of the programs, services, or facilities supported by the revenues generated from fees or charges, including a description of programs and other services, any maintenance or improvements to facilities, and a general estimate of the number of residents served through such programs, services, maintenance, or improvements; and

(3) A listing of any planned changes to fees or charges to support increased public access, participation, and the ongoing operation of commercial and noncommercial uses of botanical gardens and community gardens, including entry to and use of botanical garden facilities, parking lots, and other recreational areas under the jurisdiction of the department of parks and recreation."

SECTION 5. Chapter 10, Article 2, Revised Ordinances of Honolulu 2021 ("Fees and Charges for Use of Parks and Recreational Facilities"), is repealed.

SECTION 6. Chapter 10, Revised Ordinances of Honolulu 2021 ("Public Parks and Recreation Facilities"), is amended by adding a new Article 2 to read as follows:

"**ARTICLE 2: FEES AND CHARGES FOR USE OF PUBLIC PARKS AND RECREATIONAL FACILITIES**

§ 10-2.1 Fees and charges for the commercial and noncommercial use of public parks, recreational facilities, parking lots, and other recreational areas.

(a) *Policy.* It is the policy of the council that access to public parks, recreational facilities, parking lots, or other recreational areas under the jurisdiction of the department of parks and recreation is a fundamental public benefit that must be available to residents of all income levels. As such, the council directs that any fees and charges established by the director must be set in a manner that is fair, reasonable, and consistent with the city's commitment to equitable access.

(b) *Delegation and authorization.* Unless otherwise specified, the council hereby delegates to the director the authority to establish fees and charges by rule for the commercial and noncommercial use of public parks, recreational facilities, parking lots, or other recreational areas under the jurisdiction of the department of parks and recreation, subject to subsection (a), to help cover operating and maintenance costs.

The director may require a custodial deposit to serve as security for the cleaning, repairing, and restoration of any damage resulting from the use of the public parks, parking lots, or other recreational areas under the jurisdiction of the department of parks and recreation.

Fees and charges may include but are not limited to: program fees; entrance fees; permit fees; facility rental fees; storage fees; kitchen usage fees; fees for Hanauma Bay Nature Preserve; fees for use and rental of sports equipment; fees for camping; fees for recreational stops for tour vans and vehicles; attendant and custodial services fees; festival and event fees; commercial activities fees; and parking fees.

The director shall ensure that any fees or charges established do not exceed what is necessary to support the sustainable operation, maintenance, and improvement of park facilities and programs. In establishing fees and charges, the director must consider the impacts on low- and moderate-income residents and any barriers to broad community participation that such fees and charges may incur.

(c) *Revenues*. Revenues generated from user fees and charges established by rules in accordance with this section must be deposited into a fund designated by the director.

(d) *Signage*. The department of parks and recreation must post signage informing visitors of any user fees established by rules in accordance with this section and payment instructions.

(e) *Payment*. The department of parks and recreation must ensure that user fees and charges established by rules in accordance with this section can be paid via electronic methods, such as by mobile application, kiosk, or online portal.

(f) *Civil penalty*. A person found by the director, after an opportunity for a hearing in accordance with HRS Chapter 91, to have violated any provision of this section or any rules adopted by the director in accordance with this section, is subject to a fine of $500.

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(g) *Rules*. The director shall adopt rules in accordance with HRS Chapter 91 for the implementation, administration, and enforcement of this section, including procedures and criteria for the waiver of permit fees; provided that no later than 30 days prior to the deadline for the notice of a public hearing on any proposed rules pursuant to HRS Section 91-3(a) and in accordance with this section, the director provide written notice to the council of the director's proposed rules. The written notice must, at minimum:

(1) Identify the fee or charge to be established or amended, including an explanation of the purpose of the fee or charge and the service, facility, or program to which it applies;

(2) Describe the program outcomes, services, or facilities access the department of parks and recreation intends to support or deliver through the fee or charge, including any improvements to or expansions of programs, offerings, or facilities access; and

(3) Explain how the department of parks and recreation considered affordability for low- and moderate-income residents, including any planned mitigation measures, such as reduced fees, waivers, or free alternatives to the proposed fee or charge.

(h) *Review and update of fees and charges.* The director shall review fees and charges related to the use of public parks, recreational facilities, parking lots, and other recreational areas at least every five years and update the fees and charges as needed.

(i) *Report required.* The director shall provide the council with a report no later than September 30 of each calendar year that specifies the following:

(1) An outline of the fee structure, any adopted fee or charge increases, and the revenues generated from fees or charges;

(2) A listing of the programs, services, or facilities supported by the revenues generated from fees or charges, including a description of programs and other services, any maintenance or improvements to facilities, and a general estimate of the number of residents served through such programs, services, maintenance, or improvements; and

(3) A listing of any planned changes to fees or charges to support increased public access, participation, and the ongoing operation of commercial and noncommercial uses of public parks, recreational facilities, parking lots, or other recreational areas under the jurisdiction of the department of parks and recreation."

SECTION 7. Chapter 10, Article 3, Revised Ordinances of Honolulu 2021 ("Fees for Use of Parks and Recreational Facilities for Commercial Activities"), is repealed.

SECTION 8. Section 10-5.4, Revised Ordinances of Honolulu 2021, is repealed.

["~~§ 10-5.4 Fees for land-based commercial windsurfing activities.~~

~~(a) The following fees shall apply to windsurfing activity permits:~~

~~(1) $10 for daily permits;~~

~~(2) $75 for monthly permits; and~~

~~(3) $900 for annual permits.~~

~~(b) The director is authorized to adopt rules to allow for the rebate of the unused portion of an annual permit fee, on a pro rata basis, should a commercial windsurfing permittee voluntarily relinquish the permittee's permit.~~"]

SECTION 9. Chapter 10, Article 7, Revised Ordinances of Honolulu 2021 ("Policy on Fees for Organized Recreational Programs"), is repealed.

SECTION 10. Section 10-8.2, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"**§ 10-8.2 Fees for participation in summer fun program**[~~.~~] **or enrichment program.**

The [~~department shall charge a fee of $25~~] director shall assess a fee, to be established by rule, for each child who participates in a summer fun program. The director may assess a fee, to be established by rule, for [~~a~~] each child who is registered as a participant in an enrichment program but not in a summer fun program."

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SECTION 11. Section 10-9.3, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"**§ 10-9.3 Fee for professional sports activity at Hans L'Orange baseball facility.**

[~~The fee~~] The director may establish a fee by rule for a permit to conduct professional sports activities at Hans L'Orange baseball facility [~~shall be:~~

~~Daily permit~~	~~$100~~

]."

SECTION 12. Chapter 10, Article 12, Revised Ordinances of Honolulu 2021 ("After-School Programs"), is repealed.

SECTION 13. Chapter 10, Revised Ordinances of Honolulu 2021 ("Public Parks and Recreation Facilities"), is amended by adding a new article to be appropriately designated by the Revisor of Ordinances and to read as follows:

"**ARTICLE __: ADMISSION FEES FOR THE HONOLULU ZOO**

§ 10-__.1 Daily admission fees.

(a) The following daily admission fees will be assessed for the Honolulu Zoo; provided that a child less than 18 years of age must be accompanied by a person 18 years of age or older:

(1) Children two years of age and under: free;

(2) Resident of Hawaii, three to 12 years of age: $6 per person;

(3) Resident of Hawaii, 13 years of age and older: $10 per person; and

(4) Members of the Honolulu Zoological Society: free.

(b) The director of enterprise services may, by rules adopted in accordance with HRS Chapter 91, establish fees for admission to the Honolulu Zoo for the following:

(1) The United States military;

(2) Nonresidents of Hawaii, three to 12 years of age; and

(3) Nonresidents of Hawaii, 13 years of age and older.

(c) The director of enterprise services may set rates for persons participating in structured educational tours, group purchases, and promotional packages and persons with promotional coupons. The director of enterprise services is also authorized to allow entry of any person to the Honolulu Zoo as part of a promotional offer or package made available by the city."

SECTION 14. Chapter 10, Revised Ordinances of Honolulu 2021 ("Public Parks and Recreation Facilities"), is amended by adding a new article to be appropriately designated by the Revisor of Ordinances and to read as follows:

"**ARTICLE __: CANOE STORAGE FACILITIES—POLICY AND SPECIAL CONDITIONS**

§ 10-__.1 Policy.

The council finds that Hawaiian outrigger canoe paddling is the official State team sport and, as such, the city recognizes, supports, and encourages the sport by permitting the storage of outrigger canoes at city parks. The council further finds that Olympic canoe and kayak paddling are Olympic sports and, as such, the city recognizes, supports, and encourages those sports by permitting the storage of Olympic canoes and kayaks at city parks.

§ 10-__.2 Definition.

For the purposes of this article, the following definition applies unless the context clearly indicates or requires a different meaning.

Halau. A facility used for the storage of outrigger canoes and Olympic canoes and kayaks.

§ 10-__.3 Special conditions to be met when providing halau at city parks.

The following special conditions apply to the establishment of halau at city parks:

(1) Halau may be constructed only at park locations designated by the department of parks and recreation;

(2) If not constructed by the city, the design of the halau must be approved by the department of parks and recreation;

(3) No more than 20,000 square feet or 10 percent of any city park, whichever is less, may be used for a halau, unless approved by the council, and the halau must be situated so as not to impede public access and use of the park property;

(4) The director of parks and recreation shall establish policies to ensure that each halau is operated in a manner that provides equal opportunity for use by those who wish to store outrigger canoes and Olympic canoes and kayaks at the halau; and

(5) The department of parks and recreation shall control and monitor the use of each halau."

SECTION 15. Chapter 10, Revised Ordinances of Honolulu 2021 ("Public Parks and Recreation Facilities"), is amended by adding a new article to be appropriately designated by the Revisor of Ordinances and to read as follows:

"**ARTICLE __: COMMERCIAL FILMING ACTIVITIES**

§ 10-__.1 Definition.

For the purposes of this article, the following definition applies unless the context clearly indicates or requires a different meaning.

Special Event Videography. The production of motion pictures or videos for private noncommercial use, including motion pictures or videos of weddings, graduations, or similar events to be used as family mementos.

§ 10-__.2 Commercial filming activity permit fees.

(a) The fees charged for a commercial filming activity permit are as follows:

Activity	***Daily Permit***	***Monthly Permit***	***Annual Permit***
(1) Movie or television for (i) nonlocal network and cable television or major motion picture studios, or both; or (ii) national advertising	$300	No monthly permit	No annual permit

Activity	***Daily Permit***	***Monthly Permit***	***Annual Permit***
(2) Movie or television for (i) nonprofit organizations as defined in § 13-1.1; (ii) local television and local advertising; (iii) public service, educational, or school productions; or (iv) other movie and television productions not described in subdivision (1)	$20	No monthly permit	No annual permit
(3) Still photos/special event videography	$20	$100	$1,000

provided that the mayor or a city officer or employee designated by the mayor may reduce any daily permit fee if deemed necessary by the mayor or designee to assist the proposed filming activity, and it is deemed by the mayor or designee that the activity will feature or promote any one or more of the following: the State, the island of Oahu, or the city. The promotions may be through the production directly or via indirect promotions related to the production.

(b) The mayor or a city officer or employee designated by the mayor shall determine which fee applies to a particular commercial filming activity permit."

SECTION 16. Section 10-1.2, Revised Ordinances of Honolulu 2021 ("Park rules"), is amended by amending subsections (h) and (i) to read as follows:

"(h) Commercial activities prohibited at parks.

(1) Commercial activities, including recreational stops by commercial tour companies, but excluding commercial filming activities that take place from 1:00 p.m. on Saturdays through 6:30 a.m. on Mondays, are not allowed at any time at the following parks:

(A) Kailua Beach Park; and

(B) Kalama Beach Park.

(2) Commercial activities, including recreational stops by commercial tour companies, but excluding commercial filming activities and shore water events, are not allowed at any time at the following parks:

(A) Waialeʻe Beach Park;

(B) Sunset Beach Park;

(C) ʻEhukai Beach Park;

(D) Pūpūkea Beach Park;

(E) Waimea Bay Beach Park;

(F) Haleʻiwa Aliʻi Beach Park;

(G) Kaiaka Bay Beach Park; and

(H) The undeveloped portions of Haleʻiwa Beach Park adjacent to Puaʻena Point.

(3) Commercial activities, including recreational stops by commercial tour companies, but excluding movie or television filming activities permitted under [~~§§ 10-3.2(a)(1) and 10-3.2(a)(2),~~] §§ 10-__.2(a)(1) and 10-__.2(a)(2) are not allowed at any time at the following parks:

(A) Makapuʻu Beach Park;

(B) Kaupō Beach Park;

(C) Kaiona Beach Park;

(D) Waimānalo Beach Park;

(E) Hūnānāniho; and

(F) Bellows Field Beach Park.

Except for transportation services for commercial activities allowed under this subdivision, operators of taxicabs, commercial tour carriers, and other motor carriers regulated by the State Public Utilities Commission under HRS Chapter 271, who provide transportation services for passengers or property by motor vehicle, for the purposes of offering, providing, facilitating, participating in, or engaging in commercial activities, are prohibited from entering the parks enumerated in this subdivision.

For the purposes of this section, "taxicab" has the same meaning as defined in § 36-1.1(2).

(4) Recreational stops by commercial tour companies are not allowed at any time at Kokololio Beach Park.

(i) Commercial activities, including recreational stops by commercial tour companies, but excluding movie or television filming activities permitted under [~~§§ 10-3.2(a)(1) and 10-3.2(a)(2),~~] §§ 10- .2(a)(1) and 10- .2(a)(2), are not allowed at any time at city-owned or -operated beach rights-of-way and easements from Makapu'u Point to Kapoho Point (Castle Point).

Commercial activities, including recreational stops by commercial tour companies, but excluding commercial filming activities and shore water events, are not allowed at any time at city-owned or -operated beach rights-of-way and easements from Sunset Point to Kaiaka Point."

SECTION 17. Section 6-51.2, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"**§ 6-51.2 Purpose and deposits.**

There will be deposited into the Hanauma Bay Nature Preserve fund all receipts from the fees imposed [~~under § 10-2.8~~] pursuant to the authority granted to the director of parks and recreation under Chapter 10, Article 2, that are derived from the use of the Hanauma Bay Nature Preserve and all concession revenues from the Hanauma Bay Nature Preserve concessions, plus any interest earned on deposits in the Hanauma Bay Nature Preserve fund. All moneys deposited into the Hanauma Bay Nature Preserve fund [~~will~~] must be used for the following purposes in the order of priority as indicated:

(1) First, for the operation, maintenance, and improvement of the Hanauma Bay Nature Preserve;

(2) Second, for educational and orientation programs for visitors to the [~~preserve;~~] Hanauma Bay Nature Preserve; and

(3) Third, for a carrying capacity study of the [~~preserve~~] Hanauma Bay Nature Preserve and for other studies relating to the environmental condition of the [~~preserve.~~] Hanauma Bay Nature Preserve."

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SECTION 18. Within 450 days of the effective date of this SECTION, the Director of Parks and Recreation shall adopt the administrative rules required by Section 9-3.___(g), Revised Ordinances of Honolulu 2021 ("ROH"), as enacted in SECTION 4 of this ordinance, and ROH Section 10-2.1(g), as enacted in SECTION 6 of this ordinance.

SECTION 19. In SECTIONS 2, 3, 4, 8, 10, 11, 16, and 17 of this ordinance, ordinance material to be repealed is bracketed and stricken and 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 material that has been bracketed and stricken, or the underscoring. Additionally, the Revisor of Ordinances shall:

1. Replace the blank ROH article number in the references to ROH Sections 10-__.2(a)(1) and 10-__.2(a)(2) in ROH Sections 10-1.2(h) and (i) in SECTION 16 of this ordinance with the new ROH article number of the new ROH article enacted in SECTION 15 of this ordinance; and

2. Pursuant to the Revisor's authority under SECTION 2 of Ordinance 23-7, update the Reporting Requirements Table to delete the reporting requirements repealed by SECTION 5 and to include the reporting requirements enacted by SECTION 4 and SECTION 6 of this ordinance.

SECTION 20. This ordinance takes effect upon its approval; provided that:

1. All fees and charges established in ROH Chapter 10, Article 2; ROH Section 10-3.1; ROH Section 10-5.4; ROH Section 10-8.2; ROH Section 10-9.3; and ROH Section
10-12.2, as those articles and sections read on the day prior to the effective date of this ordinance, are to remain in effect until such time that the Director of Parks and Recreation has adopted rules pursuant to and in accordance with ROH Section 9-3.___(g), as enacted in SECTION 4 of this ordinance, and ROH Section 10-2.1(g), as enacted in SECTION 6 of this ordinance, and such rules have taken effect; and

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2. The amendments made to ROH Section 6-51.2 in SECTION 17 of this ordinance take effect on the effective date of the rules adopted by the Director of Parks and Recreation pursuant to and in accordance with ROH Section 10-2.1(g), as enacted in SECTION 6 of this ordinance.

INTRODUCED BY:

Tommy Waters

Andria Tupola

DATE OF INTRODUCTION:

March 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:
Parks; Recreational Facilities; Botanical Gardens; Fees; Charges; Revenues; Permits; Commercial Use; Noncommercial Use; Department of Parks and Recreation ("DPR"); Rules; Rulemaking Authority; Report

Description:
Repeals certain specific fees and charges for the use of botanical gardens, public parks, and recreational facilities. Authorizes the DPR Director to establish fees and charges by rule for the commercial and noncommercial use of parks; recreational facilities; and botanical gardens under the jurisdiction of the DPR and requires that the fees and charges collected (except those derived from the use of the Hanauma Bay Nature Preserve) be deposited into a fund designated by the DPR Director. Provides the DPR Director with rulemaking authority. Establishes reporting requirements. Takes effect upon approval; provided that fees established by ROH articles and sections to be repealed will remain in effect until the DPR Director adopts rules.

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