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CITY AND COUNTY OF HONOLULU  
DEPARTMENT OF PARKS AND RECREATION

CHAPTER 1

RULES AND REGULATIONS GOVERNING SHORE WATER EVENTS  
AT CITY PARKS ON THE NORTH SHORE

- §1-1 Purpose
- §1-2 Application
- §1-3 Definitions

§1-1 Purpose. The purposes of these rules are to make public parks readily accessible to the public; to promote the beauty of parks on a national and international level; to insure maximum permissible use of park areas and facilities by appropriate distribution of users and to insure proper, orderly and equitable use of park areas and facilities through user controls; to insure protection and preservation of areas and facilities by not overtaxing facilities, and to promote the health, safety, and welfare of the users of park areas and facilities. [Eff ] (Auth: RCH §4-104, ROH §10-1.3) (Imp: ROH §10-1.3)

§1-2 Application. These rules govern shore water events held in public parks on the North Shore of Oahu under the jurisdiction, management, and operation of the department of parks and recreation. [Eff ] (Auth: RCH §6-1203, ROH §1-9.1) (Imp: ROH §10-1.3)

§1-3 Definitions. As used in these rules unless the context clearly indicates otherwise:

"Application for use of parks facilities" or "permit application" means a department form to request a permit to use a park or park facility.

"Applicant" means the individual or organization submitting a permit application.

"Certified lifeguard" means a person who has a current United States Lifesaving Association Open Water Lifeguard Certificate Class 1, or equivalent; has a current American Red Cross Standard First Aid or First Responder Certificate that meets the guidelines of the United States Department of Transportation; and has a current Hawaii Heart or American Red Cross Cardio-Pulmonary Resuscitation Certificate.

"Department" means the department of parks and recreation, city and county of Honolulu.

"Director" means the director of the department of parks and recreation, or his or her duly authorized representative.

"North shore" means the shoreline area which extends from Kaena Point to Kawela Bay under the jurisdiction of the department of parks and recreation.

"North shore calendar" means the department's schedule of surf events to be held at the north shore from October through March.

"Parks permit section" means the office in the department responsible for processing and final approval of the permit application and issuing of the park use permits.

"Park use permit" means a permit authorizing use of a City park or park facility.

"Shore water" means any shore or water between the three nautical mile limit and the mean high tide mark on the shores of the islands of the State.

"Shore water event" means, but shall not be limited to, sail race, jet ski race, paddle board race, surf event, swim race, canoe race, etc.

"Shore water event permit" means a permit issued by the state boating and ocean recreation division, department of land and natural resources which authorizes exclusive use of a particular area of the shore water of the state for a specific time period.

"State" means the State of Hawaii.

"Surf event" means surf meet, body board meet, body surf meet, windsurfing meet, kite surfing meet, skim boarding, jet ski race, or combination thereof. [Etc ] (Auth: RCH § 6-1203, ROH §1-9.1) (Imp: ROH §10-1.3)

## CHAPTER 2

### SPECIFIC PROVISIONS

- §2-1 Permit required
- §2-2 Application for permit for shore water events
- §2-3 Permit conditions
- §2-4 Waiver
- §2-5 Revocation of permit
- §2-6 Regulations governing the event
- §2-7 Scheduling of surf events held from October through March on the North Shore
- §2-8 Application for permit for scheduling of surf events on the North Shore calendar
- §2-9 North Shore calendar conflict resolution

§2-1 Permit required. No person or organization shall hold a shore water event on the North Shore without first obtaining a park use permit from the department.

§2-2 Application for permit for shore water events. (a) Applicants requesting a permit to conduct a shore water event not required to be scheduled on the North Shore calendar, shall submit a permit application to the department of parks and recreation, windward district office, post office box 4042, Kaneohe, Hawaii 96744. An application for permit shall be received by the department during regular business hours at least three weeks prior to the requested event date.

(b) An application for such permit shall set forth the name of the applicant, the requested date, time, site, number of competition days, nature of the proposed event, an estimate of the number of persons expected to

attend, a statement of equipment or facilities to be used, including site plan, proposed fees, including entry fees, applicable federal, state, and county identification numbers and any other information required by the permit application form.

(c) The director shall, without unreasonable delay and provided an application is submitted with reasonable timeliness and applicant has met all permit requirements, issue a permit on proper application, unless:

- (1) A prior application for a permit for the same time and place has been made that has been or will be granted;
- (2) It reasonably appears that the event will present a clear and present danger to the public health or safety; or
- (3) The event is of such nature or duration that it cannot reasonably be accommodated in the particular location applied for, considering things such as probable damage to the park's resources or facilities, interference with program activities, or impairment of the operation of public use facilities or services of county concessionaires or contractors.

(h) If a permit is denied, the applicant shall be informed in writing, with the reason(s) for the denial set forth.

§2-3 Permit conditions for shore water events. (a) Permittee shall provide a current copy of the shore water permit issued by the boating and ocean recreation division, department of land and natural resources, State of Hawaii.

(b) Permittees shall provide a minimum of one certified lifeguard for the shore water and surf event. This requirement shall be in addition to the City's water safety officer regularly on duty at the site where the event is to be held. The water safety administrator, Honolulu emergency services department may require the permittee to provide additional certified lifeguards, depending on the size, type and location of the event. Permittee shall provide the names and proof of certification to the water safety administrator, Honolulu emergency services department, no later than one week before the scheduled event. Certified lifeguards shall provide first aid and resuscitation equipment.

(c) Permittee shall provide special duty police officers as determined necessary by the department for traffic, parking or crowd control.

(d) Permittee shall provide portable toilets at locations where public restrooms are not available or where existing rest rooms are determined inadequate for the estimated participants and spectators. Where public restrooms are not available, permittees shall be required to provide a minimum of one male and one female portable toilet for every 500 spectators. Where public restrooms are available, permittee shall provide one male and one female portable toilet for every 1000 spectators if it is determined that the public restrooms are inadequate for the estimated number of participants and spectators. Permittees shall provide ADA accessible toilets, or, shall provide a minimum of one ADA accessible portable toilet for every ten inaccessible portable toilet.

(e) Permittees shall maintain the portable toilets in a clean and sanitary condition. Portable toilets shall be serviced before the start of each day's event. Permittees shall insure that the portable toilets are

accessible to the service contractor and that people, vehicles or equipment do not block access to the portable toilets.

(f) Permittees shall present evidence of comprehensive general liability insurance coverage in which the combined limit of liability for bodily injury and property damage is one million dollars per occurrence. The insurance certificate shall name the city and county of Honolulu, its officers and employees, the state of Hawaii, its officers and employees, as additional insured, and a copy shall be filed with the parks permit section.

(g) Permittees shall pay a \$100 deposit for cleanup and restoration of damages for an amateur shore water event. If cleanup or restoration of damages is not satisfactory as determined by the director, or if damages exceed \$100, the deposit shall be increased to \$250 for the next event. For professional shore water events, including Pro-Ams, the deposit shall be \$1,000. Deposits may not be waived for department-assisted events. An additional \$250 deposit shall be required of applicants requesting permission to drive or park vehicles on the grass at the park site.

(h) The permit may contain such conditions as are reasonably consistent with protection and use of park land for the purposes for which the land is managed. It may also contain reasonable limitations on equipment to be used and the time and area within which the event is allowed.

§2-4. Waiver. The director may, in the director's discretion and if consistent with purposes of these rules and regulations and in the public interest, waive the rules and regulations.

§2-5. Revocation of permit. (a) A permit may be revoked under any of the conditions listed in Sections 2-2(c) and 2-8(f) that constitute grounds for the denial of a permit. Such revocation shall be in writing, with the reason(s) for revocation clearly set forth, except under emergency circumstances, when an immediate verbal revocation or suspension of the permit may be made, to be followed by written confirmation within seventy-two hours.

(b) Violation of the terms and conditions of a permit issued in accordance with these rules and regulations may result in the suspension or revocation of the permit for up to one year and penalties provided in section 10-1.3(c) and 10-1.6, ROH, as amended. [Eff ] (Auth: ROH §6-1203, ROH §1-9.1) (Imp: ROH §10-1.3)

§2-6. Regulations governing shore water events. (a) Posting of any signage, banners, posters, brochures, etc, at the sites shall be subject to prior approval of the director.

(b) Commercial announcements over the public address systems shall be limited to recognition of sponsors only.

(c) Announcements over the public address systems and music in excess of 80 dBA sound pressure level, as established by Section 10-1.2(b)(9), Revised Ordinances of Honolulu 1990, as amended, shall not be allowed except as authorized by permit.

(d) Sales shall be allowed only by bonafide nonprofit organizations with a temporary concession permit issued by the parks permit section. Proof of IRC § 501(c)(3) status shall be required.

(e) All litter shall be picked up, bagged and removed from the beach park at the end of each event day, or the permittee shall provide an on-site dumpster for the purpose of daily rubbish collection. The dumpster shall be emptied as needed and removed no later than 12 noon of the first working day after the end of the event.

(f) Except as authorized by the director, all shore water events equipment shall be removed from the contest site immediately after the event.

(g) Spectator bleachers, judges' stand, platforms, etc., may be allowed, provided 24-hour security is provided by the permittee.

(h) Permittee may not enter into any agreement with any for-profit organization to be on the park premises during the shore water event, except for commercial sponsors, commercial filming (T.V., movies, stills) and the following:

(1) Non-fundraising events. The permittee may arrange for a commercial food caterer or lunch wagon to provide prepaid food at non-fundraising events held on City park properties. Authorization is to be noted on the park use permit.

(a) Food and refreshments shall be served only to event participants and not to other park users and spectators. There shall be no exchanging of monies on park properties.

(b) Liability insurance coverage, including products liability, is to be provided by the commercial food caterer or lunch wagon in the following minimum amounts: one million dollars per occurrence for bodily injury and property damage.

(c) The certificate of insurance shall name the city and county of Honolulu and the state of Hawaii and their employees as additional insured.

(2) Fund-raising events. Permittee may enter into agreement with a nonprofit organization to conduct fund-raising. Authorization is to be noted on the park use permit.

(a) Commercial food caterers and lunch wagons are allowed to operate only; by prior arrangement with the nonprofit organization conducting the fund raiser.

(b) The nonprofit organization shall obtain authorization from the parks permit section to operate a temporary concession.

(c) Liability insurance coverage, including products liability shall be provided by both the nonprofit organization and the commercial food caterer or lunch wagon in the minimum amounts stated above.

(d) In parks, where a food concession is operated under contract with the City, the non-profit organization shall obtain written permission from the food concessionaire to sell food and refreshments in that park. The written permission shall be presented to the parks permit section prior to obtaining the a temporary concessions permit.

(e) The permittee shall provide a copy of a State department of health temporary food concession permit to the parks permit section and/or a lunch wagon State health certificate.

52-7 Scheduling of surf events held from October through March. (a) The department shall establish a north shore calendar for surf events held from October through March on the North Shore.

- (b) The department shall designate on the north shore calendar the block of dates and north shore sites available for surf events.
- (c) Surf events must be calendared on the department's north shore calendar before a park use permit is issued.
- (d) Surf events shall be permitted only at Mokule'ia Beach Park, Haleiwa Alii Beach Park, Waimea Bay Beach Park, Ehukai Beach Park and Sunset Beach Park.
- (e) Surf events shall not last for more than eight consecutive hours per day starting from the initial starting time, not earlier than 8:00 a.m..
- (f) Surf events shall not be held for more than four full days or eight half days or any combination thereof. Half days include competitions held for less than four hours. Competitions over four hours shall be considered a full day of competition.
- (g) No surf event shall be held on official state holidays.
- (h) A maximum of 4 days of competition shall be allowed for each surf event.
- (i) There will be no more than five surf events scheduled at each surf site.
- (j) Waiting periods shall be an eleven day period, as designated on the Department calendar. The eleven day blocks will begin on October 1<sup>st</sup>.
- (k) Cooling off periods for each site shall be those date blocks preceding and following the scheduled event.
- (l) Scheduling of two surf events on the same dates at Sunset Beach Park, Ehukai Beach Park, Haleiwa Alii and Waimea Bay Beach Park is prohibited.

§2-8 Application for permit for scheduling of surf events on the North Shore calendar. (a) Applicants shall submit a permit application to the department of parks and recreation, windward district office, post office box 4042, Kaneohe, Hawaii 96744. An application for permit shall be received by the department during regular business hours on or before the last Friday of November preceding the north shore calendar or a date designated by the department.

(b) An application for such permit shall set forth the name of the applicant, the requested block of dates for the north shore site, number of competition days, nature of the proposed event, an estimate of the number of persons expected to attend, a statement of equipment or facilities to be used, including site plan, proposed fees, including entry fees, applicable federal, state, and county identification numbers and any other information required by the permit application form.

(c) Only one date block shall be listed on each permit application.

(d) Failure to complete the permit application shall void the application.

(e) The department shall review all applications for scheduling conflicts during the first week of December preceding the north shore calendar or date designated by the department. Applicants shall be notified of any scheduling conflicts.

(f) The director shall, without unreasonable delay and provided an application is submitted with reasonable timeliness and applicant has met all permit requirements, issue a permit on proper application, unless:

(1) The department has received an application for a permit for the

- same block of dates and site;
- (2) It reasonably appears that the event will present a clear and present danger to the public health or safety; or
  - (3) The event is of such nature or duration that it cannot reasonably be accommodated in the particular location applied for, considering things such as probable damage to the park's resources or facilities, interference with program activities, or impairment of the operation of public use facilities or services of county concessionaires or contractors.
- (g) If a permit is denied, the applicant shall be informed in writing, with the reason(s) for the denial set forth.

§2-9 North shore calendar conflict resolution. (a) Where the department has received permit applications requesting the same block of dates and sites on the north shore calendar, the department shall implement the following conflict resolution process:

- (i) Applicants shall be required to provide additional information regarding economic benefit and community relations.
  - (ii) Submitted information will be evaluated by a panel consisting of the department's windward district manager, recreation district supervisor, district maintenance superintendent, and aquatics specialist.
  - (iii) Comments from residents, community association and business associations will be considered in the evaluation.
- (b) The department will apply the following criteria in resolving scheduling conflicts:
- (i) economic impact (65%)
    - a/ list of sponsors and dollar amount of contributions;
    - b/ total amount of entry fees collected;
    - c/ list of in-kind services sponsor, service provided and estimated value;
    - d/ list of logistical expenses for event;
    - e/ list of media companies, coverage type and estimated value;
    - f/ total amount of prize money to be awarded and amount to be awarded to first place
  - (ii) community relations (35%)
    - a/ whether the applicant effectively addressed community concerns regarding traffic, parking, and trash in prior events;
    - b/ whether the applicant is proactive in dealing with the community and their concerns;
    - c/ whether there are any benefits to the community, city and state; and
    - d/ whether the applicant complied with all park rules and regulations, ordinances and state laws in prior events.
- (c) The department shall issue the park use permit to the applicant receiving the highest point total.

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