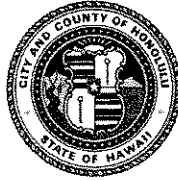


DEPARTMENT OF PARKS AND RECREATION
CITY AND COUNTY OF HONOLULU

1000 ULUOHIA STREET, SUITE 309 • KAPOLEI, HAWAII 96707
Phone: (808) 692-5561 • FAX: 692-5131 • Internet: www.co.honolulu.hi.us

MUFI HANNEMANN
MAYOR



LESTER K. C. CHANG
DIRECTOR

DANA L. TAKAHARA-DIAS
DEPUTY DIRECTOR

June 21, 2007

The Honorable Donovan M. Dela Cruz
and Members
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

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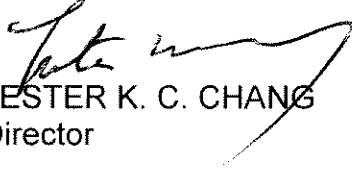
CITY CLERK
HONOLULU, HAWAII

Dear Councilmember Dela Cruz and Committee Members:

Attached is a draft of the proposed Water Events Rules for the North Shore that you requested at our April 2007 committee meeting. The rules are pending a public review process that will include applicable businesses that may be impacted by the rules.

We feel that the proposed rules provide a fair and equitable process to shore water event organizers and promoters. The rules provide a method to objectively rate permits in the event there are conflicts.

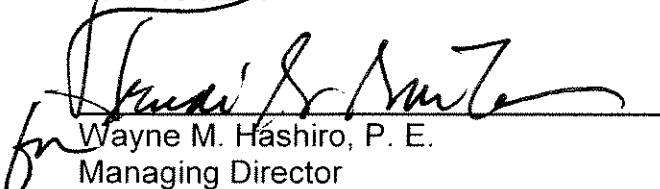
Should you have any questions, please feel free to contact me at 692-5585.


LESTER K. C. CHANG
Director

LKCC:mk
(213599-213779)

Attachment

APPROVED:


Wayne M. Hashiro, P. E.
Managing Director

DRAFT

SHORE WATER EVENTS ON THE NORTH SHORE

, 2007

1. The Rules entitled "Shore Water Events on the North Shore" are compiled to read as follows:

CITY AND COUNTY OF HONOLULU ADMINISTRATIVE RULES

TITLE 19

DEPARTMENT OF PARKS AND RECREATION

CHAPTER 4

SHORE WATER EVENTS ON THE NORTH SHORE

Subchapter 1 General Provisions

- §19-4-1 Purpose
- §19-4-2 Application
- §19-4-3 Definitions

Subchapter 2 Specific Provisions

- §19-4-4 Permit required
- §19-4-5 Permit application
- §19-4-6 Permit conditions
- §19-4-7 Revocation of permit
- §19-4-8 Regulations governing the shore water event
- §19-4-9 Scheduling of surf events
- §19-4-10 Permit application for north shore calendar
- §19-4-11 North shore calendar conflict resolution
- §19-2-12 Waiver
- §19-4-13 Indemnification
- §19-4-14 Violation
- §19-4-15 Severability

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SUBCHAPTER 1

GENERAL PROVISIONS

§19-4-1 Purpose. The purposes of these rules are to make public parks readily accessible to the public; to ensure maximum permissible use of park areas and facilities by appropriate distribution of users; and to ensure proper, orderly and equitable use of park areas and facilities through user controls; to ensure 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)

§19-4-2 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 §6-1403, ROH §1-9.1) (Imp: ROH §10-1.3)

§19-4-3 Definitions. As used in these rules unless the context clearly indicates otherwise:
"ADA" means the Americans With Disabilities Act of 1990, 42 U.S.C. Section 12101 et. seq., as amended.

"Amateur shore water event means shore water event where a person engages in surfing for pleasure and not as a livelihood.

"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 person submitting a permit application.

"Bodysurfing" means a water sport involving wave riding without the assistance of any floatation device.

"Bodyboarding" means a water sport involving wave riding with the assistance of a bodyboard.

"Certified lifeguard" means a person who has a current United States Lifesaving Association Open Water Lifeguard Certificate Class 1, American Red Cross Waterfront Lifeguard certificate, or equivalent; has a

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current American Red Cross Community 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 for the professional certificate.

"Competition day" means the day the shore water event is held.

"Cooling off period" means the ten-day period preceding and following a surf event when no other surf event will be allowed at the same park.

"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.

"Full day" means a competition day of more than 4 hours, but no more than 8 hours.

"Half day" means a competition day of 4 hours or less.

"Heat sheet" means record of individual's ranking and scores after each competitive surfing period.

"HRS" means the Hawaii Revised Statutes, as amended.

"IRC" means the Internal Revenue Code of 1954, as amended.

"Kitesurfing" or "kiteboarding" means a water sport using a power kite to pull the rider through the water on surfboard.

"Nonprofit organization" means an association, corporation or other entity, organized and operated exclusively for religious, charitable, scientific, literary, cultural, educational, recreational or other nonprofit purposes, no part of the assets, income or earnings of which inures to the benefit of any individual or member thereof, and whose charter or other enabling act contains a provision that, in the event of dissolution, the assets owned by such association, corporation or other entity shall be distributed to another association, corporation or other entity organized and operated exclusively for nonprofit purposes, and which further qualifies for exemption from the general excise tax provisions of HRS chapter 237 and under IRC section 501.

"North shore" means the shore water area which extends from Kaena Point to Kawela Bay under the jurisdiction of the department.

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"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 park or park facility.

"Person" means an individual, partnership, corporation, government, or government subdivision or agency, business trust, estate, association or any other legal entity.

"Professional shore water event" means a person engaged in a shore water event as a livelihood and receives monetary rewards.

"Pro-Am shore water event" means a combination of a surf event that includes amateur and professional participation.

"ROH" means the Revised Ordinances of Honolulu 1990, as amended.

"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 any organized water sport event including, but not limited to, sail race, jet ski race, paddle board race, surf event, swim race, canoe race, or similar activity held in the shore water sponsored by a person and which requires the use of a park.

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

"Skimboarding" or "skimming" means a water sport involving riding a board on wet sand or shallow water.

"State" means the State of Hawaii.

"State boating and ocean division" means state boating and ocean division, department of land and natural resources, State of Hawaii.

"State holiday" means the days of each year set apart and established as state holidays pursuant to HRS Section 8-1.

"Surfboard" means any type of board which is used for the sport of surfing.

"Surfing" means a water sport involving riding a

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surfboard on a breaking wave.

"Surf event" means a contest or competition involving surfing, tow-in surfing, bodysurfing, bodyboarding, windsurfing, kitesurfing, skimboarding, or combination thereof.

"Tow-in surfing" means a water sport utilizing a surfboard equipped with foot straps to surf waves with the assistance of a thrillcraft that is equipped with a rescue sled, bow tow-line and a tow-in-rope.

"Waiting period" means dates within the permit period from which permittee selects competition days.

"Water safety administrator" means the water safety administrator of the division of ocean safety and lifeguard services, City and County of Honolulu, in the Honolulu emergency services department or its duly authorized representative.

"Windsurfing" means a water sport using a windsurf board. [Eff _____] (Auth: RCH §6-1403, ROH §1-9.1) (Imp: ROH §10-1.3)

SUBCHAPTER 2

SPECIFIC PROVISIONS

§19-4-4 Permit required. No person shall use a city park to hold a shore water event on the north shore without first obtaining a park use permit from the department. [.] [Eff _____] (Auth: RCH _____, ROH §1-9.1) (Imp: ROH §10-1.3)

§19-4-5 a) Any person 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. The permit application shall be received by the department during regular business hours at least three weeks prior to the requested event date.

(b) The permit application shall set forth the name of the applicant, the requested contest date, number of days to set-up equipment and facilities, number of days to take down equipment and facilities, time, park, number of competition days, nature of the

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proposed event, an estimate of the number of persons participating in the event, an estimate of the number of spectators, 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 as may be requested by the department.

(c) Failure to complete the permit application or providing false information shall void the application.

(d) The director shall, without unreasonable delay and provided that 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 based upon the information provided that the shore water event will present a clear and present danger to the public health or safety; or
- (3) The shore water 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.

(e) If a permit is denied, the applicant shall be informed in writing, with the reasons for the denial set forth. [Eff _____] (Auth: RCH _____, ROH §1-9.1) (Imp: ROH §10-1.3)

§19-4-6 Permit conditions. (a) Permittee shall provide a current copy of the shore water permit issued by the boating and ocean recreation division.

(b) Permittees shall provide a minimum of one certified lifeguard for the shore water event. In meeting this permit condition, the permittee shall not include any certified lifeguard employed by the city on duty at the park where the event is to be held. The water safety administrator may require the permittee to provide additional certified lifeguards, depending on

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the size, type and location of the event. Permittee shall provide the names of the lifeguards and proof of certification to the water safety administrator 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 and crowd control.

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

(e) On the competition days of the shore water event, permittees shall service the portable toilets and public restrooms before the start of the event and shall maintain the portable toilets and public restrooms in a clean and sanitary condition. 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) Permittee shall present to the department a certificate of comprehensive general liability insurance in which the combined limit of liability for bodily injury and property damage is two million dollars per occurrence. Such policy or policies shall be placed with a company with an A.M. Best rating of A, Class 7, or better. The insurance certificate shall name the city and county of Honolulu, its officers and employees, the State, its officers and employees, as additional insured, and a copy of the certificate of insurance shall be filed with the parks permit section.

Said coverage to commence from the first date event equipment is set up on the park to the last day of the event or the last day equipment is removed from the

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park, whichever is the later. All policies and coverages required by this section are subject to the approval by the city risk manager as to content and form. If at any time in the judgment of the city risk manager said policies and/or coverages are not sufficient for any cause or reason, the city risk manager may require the permittee to replace said policies and/or coverages within five days of written notice to the permittee with other policies and/or coverages acceptable in accordance with this section. If said permittee fails to replace said policies within said period, the permittee's permit shall be, by such failure, automatically suspended until such time said requirement is complied with, and the director or his designated representative is hereby authorized to halt the activities of the permittee and enforce such suspension after receiving written notice from the city risk manager that said policies and/or coverage have not been replaced with good and sufficient policies and/or coverage.

The insurance certificate shall name the city and county of Honolulu, its officers and employees, the State, its officers and employees, as additional insured, and a copy of the certificate of insurance shall be filed with the parks permit section. Said coverage to commence from the first date event equipment is set up on the park to the last day of the event or the last day equipment is removed from the park, whichever is the later. All policies and coverages required by this section are subject to the approval by the city risk manager as to content and form. If at any time in the judgment of the city risk manager said policies and/or coverages are not sufficient for any cause or reason, the city risk manager may require the permittee to replace said policies and/or coverages within five days with other policies and/or coverages acceptable in accordance with this section. If said permittee fails to replace said policies within said period, the permittee's permit shall be, by such failure, automatically suspended until such time said requirement is complied with, and the director or his designated representative is hereby authorized to halt the activities of the permittee and enforce such suspension after receiving written notice from the city risk manager that said policies and/or coverage have not been replaced with good and sufficient policies and/or coverage.

10/12/00 6:40 p.m.

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(g) Permittee shall pay a \$500 deposit for cleanup and restoration of damages for an amateur shore water event. For professional shore water events, including Pro-Ams, the deposit shall be \$2,500. An additional \$250 deposit shall be required of any permittee requesting permission to drive or park vehicles on the grass at the park site. Any damage to utilities, including sprinklers, water and electrical lines, facilities and grounds shall be repaired by the permittee immediately and to the satisfaction of the department. Should clean-up and repair be deemed unsatisfactory by the department, the department shall clean-up and repair any damage to the park caused by the event or the permittee and use the deposit as full or partial payment for the clean-up and repair costs incurred by the department. If cleanup or restoration of damages is not satisfactory as determined by the director, or if clean-up and repair costs exceed the amount of the deposit, permittee shall be responsible for any costs incurred by the department exceeding the deposit.

(i) Permittee shall be responsible to provide security for all materials, supplies, equipment, and personal property stored on park property during the event.

(j) Permittee shall be responsible for monitoring and controlling noise levels generated by the event, loudspeaker system and other equipment in order to comply with HRS Chapter 342F and ROH Section 10-1.2(b)(8), as amended.

(k) The permit may contain such conditions as are reasonably consistent with the 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, and may require the permittee to provide additional portable toilet facilities, restroom maintenance, parking attendants, and police security.

(l) If required by the Department, permittee shall submit a financial statement upon completion of the shore water event.

(m) A permittee conducting a surf event shall submit completed heat sheets to the ocean recreation specialist assigned to Haleiwa Alii Beach Park within five working days after the end of the permit period.

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[Eff] (Auth: ROH §1-9.1) (Imp:
ROH §10-1.3)

§19-4-7 Revocation of permit. (a) A permit may be revoked under any of the conditions listed in Sections 19-4-5(c) and 19-4-11(e) 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 revocation of the permit and making the permittee ineligible to apply for future permits for a minimum of one year and other penalties provided in ROH sections 10-1.3(c) and 10-1. [Eff] (Auth: RCH §6-1203, ROH §1-9.1) (Imp: ROH §10-1.3)

§19-4-8 Regulations governing shore water events.

(a) Posting of any signage, banners, posters, brochures, commercial advertising, etc., at the park 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 ROH section 10-1.2(b)(8) 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 IRS § 501(c)(3) status shall be required.

(e) All litter shall be picked up, bagged and removed from the park at the end of each competition 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 shore water event.

(f) All shore water events equipment shall be removed from the park immediately after the event.

(g) Spectator bleachers, judges' stand, platforms, etc., may be allowed subject to the prior

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approval of the department and 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 at the park. 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: two 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 an 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

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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 a temporary concessions permit.

- (E) The permittee shall provide a copy of a state department of health temporary food concession permit for each caterer to the parks permit section and/or a lunch wagon State health certificate.

[Eff] (Auth: RCH §6-1203, ROH §1-9.1)
(Imp: ROH §10-1.3)

§19-4-9 Scheduling of surf events. (a) Surf events shall be permitted only at Mokuleia Beach Park, Haleiwa Alii Beach Park, Waialeale Beach Park, Waimea Bay Beach Park, Ehukai Beach Park, Sunset Beach Park and other parks as approved by the Director.

(b) A surf events shall not last for more than eight consecutive hours per competition day starting from the initial starting time, which shall be no earlier than 8:00 a.m.

(c) A surf events shall not be held for more than four full days or eight half days or any combination thereof not to exceed a maximum of 32 hours.

(d) A surf events shall not be held on an official state holidays.

(e) A maximum of 4 four competition days shall be allowed for a surf event.

(f) The waiting period for a surf event shall not exceed fourteen days.

(g) Following the conclusion of a surf event, there shall be a cooling off period when no other surf event may be held at the park.

(h) Scheduling of two surf events on the same dates at two or more of the following parks is prohibited: Waialeale Beach Park, Sunset Beach Park, Ehukai Beach Park, and Waimea Bay Beach Park.

(i) The department shall establish a north shore calendar for surf events held from October through March.

(j) Any surf event held from October through March must be calendared on the north shore calendar before a park use permit is issued.

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(k) For surf events calendared on the north shore calendar, the department shall schedule no more than sixteen competition days at each park. [Eff
] (Auth: RCH §6- , ROH §1-9.1) (Imp: ROH §10-1.3)]

§19-4-10 Permit application for north shore calendar.

(a) Any person requesting a permit to conduct a surf event during October through March on the north shore shall submit a permit application to the department. The permit application shall be received by the department during regular business hours on or before the last Friday of March preceding the north shore calendar or a date designated by the department.

(b) The permit application shall set forth the name of the applicant, the requested contest dates, number of days to set-up equipment and facilities, number of days to take down equipment and facilities, time, park, an estimate of the number of persons participating in the event, an estimate of the number of spectators, 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 as may be requested by the department. Additional information required in the event of conflict resolution governed by, Section 19-4-12, shall accompany the permit application.

(c) Failure to complete the permit application or providing false information shall void the application.

(d) The department shall review all applications for scheduling conflicts during the first week of April preceding the north shore calendar or date designated by the department.

(e) The director shall 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; or
- (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,

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interference with program activities, or impairment of the operation of public use facilities or services of county concessionaires or contractors.

(f) If a permit is denied, the applicant shall be informed in writing, with the reason(s) for the denial set forth. [Eff _____] (Auth: RCH §6-1203, ROH §1-9.1) (Imp: ROH §10-1.3)

§19-4-11 North shore calendar conflict resolution.

(a) Where the department has received permit applications requesting the same block of dates and parks on the North Shore calendar, the department shall implement the following conflict resolution process:

(1) Submitted information will be evaluated by a panel consisting of the department's windward district recreation director V, Waialua complex supervisor, ocean recreation specialist assigned to Haleiwa Alii Beach Park, and parks permits officer. The director may designate another department employee in the event one of the above is not available.

(b) The department will apply the following criteria in resolving scheduling conflicts:

- (1) (50 points) Benefit to the community, last two surf seasons. Whether the applicant:
- (A) community service. (15 points) Community Services provided by the permittee such as beach or community clean-up, adopt-a-park, sponsoring community events e.g., Surf Night
 - (B) indirect benefits to the community (15 points); Provide equipment or monetary donation for the community's benefit e.g., jet ski, rescue boards, life guard stand, computers.
 - (C) provide services to the community i.e. workshops, water safety clinics, etc, (10 points).
 - (D) had media coverage (list of media companies, coverage type, extent of exposure (10 points) Event markets the community through fliers, brochures, advertisements, media coverage, publication nationally and internally.
- (2) (20 points) Regulatory Compliance:

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- (A) comply with park rules. (3 points)
Permittee complied with all park rules
 - (B) traffic (3 points); Permittee maintained traffic control at the park during the activities.
 - (C) parking. (3 points) Permittee controlled parking areas, designating "official" parking, marking parking stalls, displaying proper signs.
 - (D) trash. (3 points)
 - (E) Honolulu Police Special Duty Officer 3 points); Permittee met the requirement of the permit to have the number of HPD Special Duty officers on site.
 - (F) Signage (3 points); Complied with all conditions of the permit applicable to signage.
- (3) (50 points) Others:
- (A) total number of participants to number of competition delays requested. (15 points); Graduating scale: number of registered contestants in relationship to number of event days 15:1 day or greater = 5 points, number of registered contestants in relationship to number of event days 25:1 day or greater = 10 points, number of registered contestants in relationship to the number of event days. 40:1 day or greater ratio.
 - (B) diversity to include but not limited to gender, age, types of event (15 points); Permittee having separate divisions male/female, age divisions and events types.
 - (C) participant eligibility (10 points; Open to all participants , invitational, Professional, amateur. Amateur = 5 points, pro-amateur =8 points professional = 10 points.
 - (D) Affiliation (State limited to local and state event = 5 points, National, International tour, International Qualifying events = 10 points).
- (4) (27 points) Others:
- (A) Last two years of compliance with last two years contest format (9 points); No changes in the contest event.

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Graduating scale in three categories:
 more than four changes to contest event
 = 3 points, three changes or less to
 contest event = 6 points, no changes to
 contest event = 9 points.

- (B) History of Event (9 points); Graduating scale in three categories ranging from 1-5 years = 3 points, 6-10 year conducting the event = 6 years, 11 or more years in conducting the event = 9 points.
- (C) Accuracy, thoroughness, and timeliness in submitting information (9 points)
Graduating scale: two violations of information packet, application for permit not accurately submitted = 0 points, one violation of information packet, application for permit, = 3 points, information packet, application for permit, accurately submitted = 9 points.
- (5) The department may reject any application that contains false information.
- (c) The department shall issue the park use permit to the applicant receiving the highest point total. [Eff] (Auth: RCH §6-1403 ROH §1-9.1) (Imp: ROH §10-1.3)

§1904-12 Waiver. The director may, in the director's discretion and if consistent with underlying purposes and policies of these rules and regulations and in the public interest, waive the rules and regulations, or any portion thereof. [Eff] (Auth: RCH §6-1403, ROH §1-9.1) (Imp: ROH §10-1.3)

§19-4-13 Indemnification. Prior to issuance of a permit, permittee shall submit to the department a signed agreement in a form approved by the director acknowledging that permittee assumes all risks of personal injury or wrongful death and of loss or damage to property by whomsoever owned, arising out of or in connection with permittee's use of the public facilities under such permit; and agrees to indemnify, hold harmless and defend the city and county of Honolulu against any claim, cause of action, liability, loss, damage, cost or expense for bodily injury, wrongful death, or property damage, arising or resulting from

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DEPARTMENT OF PARKS AND RECREATION

The Rules Relating To The Use of City Beach Parks And Other Beach Properties On The North Shore Under The Control Of The Department Of Parks And Recreation To Provide Access To Conduct Shore Water Events, which were adopted on _____, 2007, following a public hearing held on _____, 2007, after public notice was given on _____, in the _____.

These rules shall take effect ten (10) days after filing with the Office of the City Clerk.

DEPARTMENT OF PARKS AND RECREATION
CITY AND COUNTY OF HONOLULU

LESTER K. C. CHANG, Director

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of
_____, 2007.

MUFI HANNEMANN, Mayor
City and County of Honolulu

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CERTIFICATION

I, LESTER K.C. CHANG, in my capacity as Director of the Department of Parks and Recreation, City and County of Honolulu, do hereby certify that the foregoing is a full, true and correct copy of the Rules Relating To The Use Of Beach Parks And Other Beach Properties On The North Shore Under The Control Of The Department Of Parks And Recreation To Provide Access To Conduct Shore Water Events, which were adopted on _____ following a Public Hearing held on _____, after public notice was given on _____, in the Honolulu Star Bulletin.

LESTER K. C. CHANG, Director

Received this _____ day of _____, 2007

DENISE C. DECOSTA, City Clerk