



**OFFICE OF THE MAYOR
THE COUNTY OF KAUA'I**

DEREK S. K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

Mayor's Emergency Rule #2

Pursuant to HRS§ 127A-13 (b)(1), commercial tour boat operators possessing both a current State Division of Boating and Ocean Recreation Ocean Recreation Management Area Commercial Use Permit for Hanalei, and a County Department of Parks and Recreation Commercial Activity Permit for Hanalei ("Permittees") shall be allowed to load and unload commercial passengers ("passengers") along Weke Road at the County's Pavilion Beach Park ("Park"), TMK (4) 5-5-002:019, and passengers may traverse the Park to access the state shoreline subject to the following conditions:

1. Permittees shall comply with all Federal, State, and County laws, ordinances, and rules, and all permit conditions imposed by the above referenced State and County permits;
2. All passengers and employees of Permittees shall be shuttled to and from the Park in clearly marked vehicles indicating that they are owned and operated by a Permittee;
3. No passenger or employee of a Permittee shall park a vehicle on County property;
4. Other than active loading and unloading, and traversing the Park to reach the shoreline, Permittees shall not conduct any commercial activity in the Park including but not limited to advertisement, the staging of equipment, or the briefing of passengers;
5. Permittees shall only load and unload passengers from their respective vessels at the shoreline ingress and egress zones designated under HAR §§13-256-39(b)(5) and (e)(1);
6. Permittees shall only utilize the Park between the hours of 7:00 a.m. and 7:00p.m.;
7. Permittees shall not operate on Sundays;

Penalty per §127A-29:

In addition to any penalty that may be imposed under County ordinances or rules, any person violating any rule of the governor or mayor prescribed and promulgated pursuant to this chapter and having the force and effect of law, shall, if it shall be so stated in the rule, be guilty of a misdemeanor. Upon conviction, the person shall

www.kauai.gov

4444 Rice Street Suite 235 • Līhu'e, Hawai'i 96766 • (808) 241-4900 (b) • (808) 241-6877 (f)

An Equal Opportunity Employer



be fined not more than \$5,000, or imprisoned not more than one year, or both.

Term: Effective April 29, 2019, through August 26, 2019, subject to modification.



Michael A. Dahilig