



**OFFICE OF THE MAYOR**

**THE COUNTY OF KAUA'I**

**DEREK S. K. KAWAKAMI, MAYOR**

**MICHAEL A. DAHLIG, MANAGING DIRECTOR**

**Mayor's Emergency Rule #5 (AMENDMENT #2 March 31, 2020)**

The following are amendments or additions to the following rules and they shall read as follows (additions underlined and **bolded**; deletions [bracketed] and ~~stricken~~ . :

**II. "LOCAL" RULES WITH RESPECT TO THIRD SUPPLEMENTARY PROCLAMATION PART I.A:**

<b>Governor's Rule PART A</b>	<b>Local Rule</b>
<p>3. Food, beverage, cannabis production and agriculture. Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, hunting, gathering, fishing, baking, and other agriculture, including marketing, production, cultivation and distribution of animals and goods for consumption; licensed cannabis cultivation centers; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities;</p>	<p>Cannabis production only for medical cannabis.</p> <p>Fishing includes subsistence and commercial fishing for fish sales, not recreational or sport fishing.</p> <p>Food production means food for consumption.</p> <p>Any indoor facilities must require social distancing consistent with the CDC guidelines.</p> <p><b><u>Spay and neuter procedures are not considered essential.</u></b></p>
<p>10. Critical trades. Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, essential activities, and essential businesses and operations;</p>	<p><del>[Does not include new market home, or commercial construction.]</del> <b><u>Vertical construction, including renovation &amp; remodeling activities, is not considered essential.</u></b> <del>[Essential m]</del> Maintenance and repairs <b><u>essential to maintain health and safety</u></b> only, and construction related to the response and recovery effort as directed by a governmental.</p> <p><b><u>Those homeowners impacted by the flooding event on March 28, 2020 are allowed to repair their homes to make them safely habitable provided any contractor or</u></b></p>

	<p><b><u>construction activity must engage in social distancing, limit field workers on site, and refrain from sharing tools with each other.</u></b></p> <p>Utility and refuse workers are critical trade employees if actively engaging in work for that business.</p> <p><b><u>Landscaping is not an essential service unless it is required for vector or fire control, or to mitigate a liability for personal injury (i.e. coconuts being trimmed from a coconut tree).</u></b></p> <p><b><u>Grading and grubbing is also not an essential service unless it is necessary to maintain health and safety.</u></b></p>
--	--

This rule supplement shall have the force and effect of law. Violation of this rule is a misdemeanor, subject to penalty per HRS §127A-29.

**Penalty per §127A-29:**

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

**Term:** Effective March 25, 2020, through May 3, 2020, subject to modification. Executed on this 31<sup>st</sup> day of March 2020.



Derek S.K. Kawakami  
Mayor  
County of Kaua'i

APPROVED FOR FORM & LEGALITY:



Matthew M. Bracken  
County Attorney  
County of Kaua'i