



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 #3 April 7, 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:

Governor's Rule PART A	Local Rule
"All businesses or operations not identified as federal critical infrastructure sectors at https://www.cisa.gov/identifyingcritical-infrastructure-during-covid-19 or designated by the Director of HIEMA or listed below, must cease:"	1. <u>Public and private golf courses are not a critical infrastructure, or one of the essential businesses or operations listed in Part A, and therefore must cease operations.</u>
2. Stores that sell groceries and medicine. Grocery stores, pharmacies, licensed medical cannabis dispensaries, certified farmers' markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, alcoholic and non-alcoholic 3 of 8 beverages, and any other household consumer products (such as cleaning and personal care products). This includes establishments that sell groceries, medicine, including medication not requiring a medical prescription, supplies for children under the age of five and also that sell other non-grocery products, and products necessary to maintain the safety, sanitation, health and essential operation of residences and essential businesses and operations;	Must primarily provide the products (e.g. an establishment that sells snacks on the side is not a store under this rule). Establishments under 2,500 square feet must only allow 5 patrons at a time. Establishments 2,500 to 5,000 square feet must only allow 10 patrons at a time Establishments 5,001 to 10,000 square feet must only allow 25 patrons at a time Establishments 10,001 to 25,000 square feet must only allow 50 patrons at a time Establishments 25,001 to 50,000 square feet must only allow 75 patrons at a time.

	<p>Establishments over 50,001 square feet must allow only 100 patrons at a time.</p> <p>All establishments must implement controls to discourage hoarding of essential supplies.</p> <p>All establishments must establish wait in line procedures that require patrons waiting to enter must be six (6) feet apart at all times.</p> <p><u>Employees of these establishments that interact with customers or handle essential products are required to wear a covering over the nose and mouth while within the store.</u></p>
<p>13. Restaurants for consumption off-premises. Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out. Entities that typically provide food services to members of the public may continue to do so under this Third Supplementary Proclamation on the condition that the food is provided on a pick-up, delivery or takeaway basis only. Entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site due to the virus's propensity to physically impact surfaces and personal property;</p>	<p>Restaurants must establish a front counter procedure that allows no more than one (1) household at a time into the restaurant.</p> <p>All establishments must establish wait in line procedures that require patrons waiting to enter must be six (6) feet apart at all times.</p> <p>Food cannot be consumed on site, including outdoor spaces.</p> <p>Electronic commerce encouraged, cash is discouraged.</p> <p><u>Employees of these establishments that interact with customers or handle food are required to wear a covering over the nose and mouth while within the establishment or while making deliveries.</u></p>

<p>"23. Hotels and motels. Hotels and motels, to the extent used for lodging and delivery or carry-out food services;"</p>	<p>Tourist usage is discouraged. Individuals staying at these properties are not allowed to utilize any common spaces like pools, game rooms, and spas, etc.</p> <p><u>Transient vacation rentals and homestays are not hotels or motels and therefore must cease all operations, including advertising, for the period identified in the Governor's Emergency proclamation(s). Current occupants of transient vacation rentals and homestays may stay until the end of the pre-booked period.</u></p>
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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:

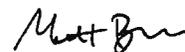
Any person violating any rule of the governor or mayor prescribed and promulgated pursuant to this chapter and having the force and effect of law, shall, if it shall be so stated in the rule, be guilty of a misdemeanor. Upon conviction, the person shall be fined not more than \$5,000, or imprisoned not more than one year, or both.

Term: Effective April 10, 2020 at 11:59 pm, through May 3, 2020, subject to modification. Executed on this 8th day of April 2020.



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

APPROVED FOR FORM & LEGALITY:



Matthew M. Bracken
County Attorney
County of Kaua'i