

NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Kaua'i County Council will hold a public hearing on Wednesday, November 1, 2023, at 8:30 a.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Līhu'e, on-the following:

Bill No. 2907

A BILL FOR AN ORDINANCE AMENDING CHAPTER 19, ARTICLE 3, SECTION 19-3.2, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO PLAYING FEES AT THE WAILUA GOLF COURSE

This Bill proposes to reestablish the playing fees at the Wailua Golf Course due to current market conditions, the high demand for play, the significant cost of operations, and the condition of the Wailua Golf Course as compared to other options on Kaua'i.

Any person may testify at the public hearing, and at any Council and Committee Meeting (at which time any Bill may be amended). Meeting notices and full-text Bills are available at least six (6) days in advance at the Office of the County Clerk, Council Services Division and [kauai.gov/Government/Council/Webcast-Meetings](http://kauai.gov/Government/Council/Webcast-Meetings). Written testimony may be submitted via [counciltestimony@kauai.gov](mailto:counciltestimony@kauai.gov), mail, or fax. For further information, please call (808) 241-4188.

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the Kaua'i County Council passed on first reading and ordered to print Bill No. 2907 during the October 4, 2023 Council Meeting, by the following vote:

AYES:	Bulosan, Carvalho, Cowden, DeCosta, Kagawa, Kualii	TOTAL – 6,
NOES:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Rapoza	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Līhu'e, Hawai'i  
October 5, 2023

/s/ Jade K. Fountain-Tanigawa  
County Clerk, County of Kaua'i

NOTE: IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF THE COUNTY CLERK, COUNCIL SERVICES DIVISION AT (808) 241-4188 OR [COKCOUNCIL@KAUAI.GOV](mailto:COKCOUNCIL@KAUAI.GOV) AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST.

UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

(One publication – The Garden Island – October 12, 2023)

**A BILL FOR AN ORDINANCE AMENDING CHAPTER 19, ARTICLE 3,  
SECTION 19-3.2, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING  
TO PLAYING FEES AT THE WAILUA GOLF COURSE**

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BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII:

SECTION 1. Findings and purpose. The Council of the County of Kaua'i finds that the Department of Parks and Recreation recommends revising the resident and nonresident playing fees at the Wailua Golf Course due to current market conditions, the high demand for play, the significant cost of operations, and the condition of the Wailua Golf Course as compared to other options on Kaua'i. The purpose of this Ordinance therefore is to reestablish the playing fees at the Wailua Golf Course.

SECTION 2. Chapter 19, Article 3, Subsection 19-3.2, Kaua'i County Code 1987, as amended, is hereby amended as follows:

"Sec. 19-3.2 Playing Fees.

(a) Definitions. When used in this Article the following words or phrases shall have the meaning given in this Section unless it shall be apparent from the context that a different meaning is intended:

- (1) "Daily rate" means playing fee for a continuous play of eighteen (18) holes during the day, Mondays to Fridays.
- (2) "Golf course" means Wailua County Golf Course, located at Wailua, Kaua'i.
- (3) "Holiday" means a day designated as a holiday for County government employees.
- (4) "Junior Hawai'i resident" means any Hawai'i resident who has not attained the age of eighteen (18) prior to registration.
- (5) "Monthly rate, resident" means playing fees for the calendar month, regardless of the portion of the month gone prior to the registration for a monthly rate.
- (6) "Registration" means signing and paying of fee at the cashier's office at the golf course.
- (7) "Resident" means a person who has filed a Hawai'i resident State income tax return, Form N-11 or Form N-13, for the most recent tax period or voted in the most recent general or primary election in the State of Hawai'i, and possesses a valid Hawai'i driver's license with a Hawai'i address on it, or a valid State of Hawai'i identification card with a Hawaii address on it, and all active-duty military personnel stationed in Hawai'i. Persons who are not residents as so defined shall be deemed to be "non-resident." The income tax return shall bear a Hawai'i address.
- (8) "Senior Kaua'i resident" means any Kaua'i resident who has attained the age of sixty-five (65) prior to registration who has filed a Hawai'i resident State income tax return, Form N-11 or Form N-13, for the most

recent tax period or voted in the most recent general or primary election in the County of Kaua'i and possesses a valid Hawai'i driver's license with a Kaua'i address on it, or a valid State of Hawai'i identification card with a Kaua'i address on it. The income tax return shall bear a County of Kaua'i address.

(9) "Twilight hours" means:

- (A) On the front nine (9) holes, starting time after 3:00 p.m.;
- (B) On the back nine (9) holes, starting time before 7:00 a.m., when available; or
- (C) At the discretion of the Director of Parks and Recreation or designee.

(10) "Super Kaua'i senior" means any Kaua'i resident who has attained the age of seventy-five (75) prior to registration who has filed a Hawai'i resident State income tax return, Form N-11 or Form N-13, for the most recent tax period or voted in the most recent general or primary election in the County of Kaua'i and possesses a valid Hawai'i driver's license with a Kaua'i address on it, or a valid State of Hawai'i identification card with a Kaua'i address on it. The income tax return shall bear a County of Kaua'i address.

(b) Playing fees at the golf course are established as follows:

<b>PER DAY</b>			
	<b>Daily</b>	<b>Weekends/Holidays</b>	<b>Monthly</b>
Resident	[ <del>\$15.00</del> ] <u>\$20.00</u>	[ <del>\$20.00</del> ] <u>\$25.00</u>	[ <del>\$60.00</del> ] <u>\$70.00</u>
Senior Kaua'i Resident	[ <del>\$12.00</del> ] <u>\$15.00</u>	[ <del>\$15.00</del> ] <u>\$20.00</u>	[ <del>\$40.00</del> ] <u>\$50.00</u>
Super Kaua'i Senior (75 years and older)	[ <del>\$9.00</del> ] <u>\$12.00</u>	[ <del>\$13.00</del> ] <u>\$17.00</u>	[ <del>\$26.00</del> ] <u>\$36.00</u>
Junior Hawai'i Resident	[ <del>\$1.00</del> ] <u>\$3.00</u>	[ <del>\$1.00</del> ] <u>\$5.00</u>	[ <del>\$9.00</del> ] <u>\$30.00</u>
Non-Resident	[ <del>\$48.00</del> ] <u>\$80.00</u>	[ <del>\$60.00</del> ] <u>\$100.00</u>	None
	<b>Twilight Daily</b>	<b>Twilight/Weekend/Holiday</b>	
Resident	[ <del>\$7.50</del> ] <u>\$12.00</u>	[ <del>\$10.00</del> ] <u>\$15.00</u>	
Senior Kaua'i Resident	[ <del>\$6.00</del> ] <u>\$10.00</u>	[ <del>\$7.50</del> ] <u>\$12.00</u>	
Super Kaua'i Senior (75 years and older)	<u>\$8.00</u>	<u>\$10.00</u>	
Junior Hawai'i Resident	[ <del>\$1.00</del> ] <u>\$3.00</u>	<u>\$5.00</u>	
Non-Resident	[ <del>\$24.00</del> ] <u>\$60.00</u>	[ <del>\$30.00</del> ] <u>\$80.00</u>	
[Non-Resident Playcard]	<u>\$215.00 (good for 5 rounds of golf)</u>		

- (c) **Playing Fee Exemptions.** Professional golfers and officials of the Professional Golfer's Association are exempt from paying any playing fees.
- (d) **Special Playing Fee Rate and Budget.** Guests of the Mayor and Council Chairperson on official government business that could provide significant benefits to the golf course and/or the residents of the County of Kaua'i are entitled to utilize the daily resident rate for playing. The requesting department shall transfer funds to offset this fee. The Director of Parks and Recreation or his/her designee shall be notified in advance of playing before provisions of this Section can be utilized.
- (e) **Locker Fees.** The locker rental fee shall be payable on the first (1st) of every month that the locker is being rented for at the rate of seventy-five dollars (\$75.00) per year, forty dollars (\$40.00) semi-annually, or eight dollars (\$8.00) per calendar month. There shall be no reduction or rebate for any portion of a year, semi-annually, or month.
- (f) **Proof of Residence or Age.** The golf course personnel, when in doubt as to any golfer's claim for a reduced rate, may request proof of the golfer's residency or age. Proof may consist of birth certificates, affidavits or other evidence deemed satisfactory by the golf course personnel.
- (g) The above-mentioned fees notwithstanding, fees for golf tournaments sponsored by nonprofit corporations or nonprofit associations whose primary objective is to assist and develop Kaua'i Junior Golf Programs for the benefit of junior resident golfers residing in this County, shall be five dollars (\$5.00) per round.
- (h) The golf course shall be closed on Christmas Day and New Year's Day for supervised play. The golf course may be open for unsupervised play on Christmas Day and New Year's Day at the discretion of the Parks and Recreation Director or designee.
- (i) **Driving Range Ball Token Fees.** The fee for a driving range ball token is two dollars (\$2.00). One (1) token can be redeemed for one (1) small bucket of driving range balls and two (2) tokens can be redeemed for one (1) large bucket of driving range balls."

SECTION 3. If any provision of this Ordinance or application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

SECTION 4. Ordinance material to be repealed is bracketed. New Ordinance material is underscored. When revising, compiling, or printing this Ordinance for inclusion in the Kaua'i County Code 1987, as amended, the brackets, bracketed material, and underscoring shall not be included.

SECTION 5. This Ordinance shall take effect upon its approval.

Introduced by:

A handwritten signature in black ink, appearing to read "Bill Decosta". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

BILL DECOSTA

A handwritten signature in black ink, appearing to read "Ross Kagawa". The signature is cursive and somewhat stylized, with a long horizontal stroke at the end.

ROSS KAGAWA

DATE OF INTRODUCTION:

**October 4, 2023**

Līhu'e, Kaua'i, Hawai'i

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CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2907, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on October 4, 2023, by the following vote:

FOR PASSAGE:	Bulosan, Carvalho, Cowden, DeCosta, Kagawa, Kualii	TOTAL - 6,
AGAINST PASSAGE:	None	TOTAL - 0,
EXCUSED & NOT VOTING:	Rapoza	TOTAL - 1,
RECUSED & NOT VOTING:	None	TOTAL - 0.

Lihu'e, Hawai'i  
October 4, 2023



Jade K. Fountain-Tanigawa  
County Clerk, County of Kaua'i