



OFFICE OF THE MAYOR
THE COUNTY OF KAUAI

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

Mayor's Emergency Rule #2 (AMENDMENT #2 April 21, 2020)

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

I. Curfew

Pursuant to HRS §127A-12(a)(5)(D), §127A-12(c)(12), and §127A-25, a curfew from 9:00 pm to 5:00 am is established. Every individual within the County of Kaua'i must remain in their residence during the specified hours.

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

II. Exceptions

The only exceptions to this rule are individuals **who can prove by a preponderance of evidence that they are:**

1. Commuting to and from work;
2. Commuting to and from the airport;
3. Subsistence fishing or hunting;
4. Conducting work for an essential services provider;
5. Delivery services associated with food service establishments or stores that sell food and household supplies; ~~[and]~~ **or**
6. Seeking medical attention.

III. Definitions

1. "Essential service provider" – Any federal, state, or county government entity; a public utility providing water, wastewater, natural gas, telephone service, internet service, cable service, or electric power; transportation services (freight, towing, and fuel) and; a medical service provider including hospitals, urgent care facilities, medical product providers, and emergency medical transportation.
2. "Residence" – a person's home, vacation rental, or hotel room, **or, for a houseless person, that houseless person's camp site, parked car, or other fixed location.**
3. "Subsistence fishing or hunting" – activities that are carried out primarily to feed the family and relatives of the individual.



IV. 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 21, 2020, through May 3, 2020, subject to modification.

APPROVED FOR FORM & LEGALITY:



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



Matthew Bracken
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County of Kaua'i