

**New County of Kaua'i Ordinance as of December 10, 2025:**

BILL NO. 2976

ORDINANCE NO. 1185

A BILL FOR AN ORDINANCE TO ESTABLISH A NEW ARTICLE 29,  
CHAPTER 22, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING  
TO DISPOSABLE BODYBOARD REDUCTION

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BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

SECTION 1. Findings and Purpose. Polystyrene foam is neither degradable nor compostable and its disposal poses a significant risk to the environment and life forms throughout the food chain. Due to its lightweight nature and ability to break down into smaller fragments, polystyrene foam has significant negative impacts on the environment, and contributes to the potential death of marine animals and avian populations through ingestion.

The Council finds that disposable bodyboards have significant impacts on the environment, including contributing to unsightly litter, creating an additional burden on the landfill, contributing to potential death of marine animals through ingestion and entanglement, and requiring the use of millions of barrels of crude oil for their manufacture.

The Council further finds that disposable bodyboards should be regulated to protect the County's unique environment, the health and welfare of its marine and avian life, and to promote public health, reduce litter, and support increased diversion of organic waste by encouraging the use of environmentally preferred alternatives such as durable bodyboards.

The purpose of this Ordinance is to define and prohibit the sale, rental, or distribution of disposable bodyboards within the County of Kauai.

SECTION 2. Chapter 22, Kauai County Code 1987, as amended, is hereby amended by establishing a new Article 29 to be appropriately designated and to read as follows:

**"ARTICLE 29. Disposable Bodyboard Reduction.**

**Section 22-29.1 Purpose.**

The purpose of this Article is to define and prohibit the sale, rental, or distribution of disposable bodyboards within the County of Kauai.

**Section 22-29.2 Definitions.**

Except as otherwise provided herein, the following definitions shall apply to this Article:

"Bodyboard" means a buoyant rectangular object over 23 inches in length used for riding waves in a predominantly prone position.

"Disposable bodyboard" means a bodyboard with a polystyrene foam core.

"Durable bodyboard" means a one-piece, compression-molded, high-density polyethylene or polypropylene bodyboard.

"Polystyrene foam" means blown polystyrene, expanded, or extruded foams that are thermoplastic petrochemical materials utilizing a styrene monomer and processed by techniques including fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, and extrusion-blown molding (extruded foam polystyrene). Polystyrene foam does not include clear or solid polystyrene (oriented polystyrene).

### **Section 22-29.3 Disposable Bodyboard Restrictions.**

Businesses are prohibited from selling, renting, or distributing disposable bodyboards.

### **Section 22-29.4 Enforcement and Penalties.**

(a) Any person who violates this Article shall be subject to civil penalties as follows: (1) \$100.00 for the first violation, (2) \$200.00 for the second violation within the same year, and \$500.00 for each additional violation in the same year. Each occurrence of a violation, and each day that such violation continues, shall constitute a separate violation and shall be subject to a separate fine and may be cited as such.

(b) The County Engineer or designee will have primary responsibility for enforcement of this Article. The County Engineer or designee is authorized to promulgate regulations and to take any and all other actions reasonably necessary to enforce this Article, including, but not limited to, entering the premises of any affected Retail Establishment to verify compliance.

(c) The County Attorney may seek legal, injunctive, or other equitable relief to enforce this Article.

### **Section 22-29.5 No Conflict with Federal or State Law.**

Nothing in this Article shall be interpreted or applied to create any requirement, power or duty in conflict with any federal or state law."


SECTION 3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance that can be given effect without the invalid provisions 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 one (1) year from its approval.

Introduced by:



FERN HOLLAND



KIPUKAI KUALITI

DATE OF INTRODUCTION:

**October 15, 2025**

Lihu'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. 2976, 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 15, 2025, by the following vote:

FOR PASSAGE:	Bulosan, Carvalho, Cowden, Holland, Kuali'i, Rapozo	TOTAL – 6,
AGAINST PASSAGE:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kaneshiro	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Līhu'e, Hawai'i  
October 15, 2025


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

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2976 which was approved on second and final reading by the Council of the County of Kaua'i at its meeting held on November 26, 2025, by the following vote:


FOR APPROVAL:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualii, Rapozo	TOTAL - 7,
AGAINST APPROVAL:	None	TOTAL - 0,
EXCUSED & NOT VOTING:	None	TOTAL - 0,
RECUSED & NOT VOTING:	None	TOTAL - 0.

Lihu'e, Hawai'i  
November 26, 2025



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

ATTEST:

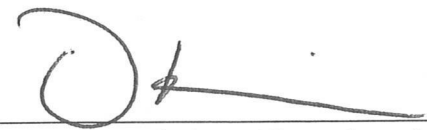


Mel Rapozo  
Chairman & Presiding Officer

DATE OF TRANSMITTAL TO MAYOR:

November 26, 2025

Approved this 10<sup>th</sup> day of  
December, 2025.



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