

MAR 12 2021

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# SENATE CONCURRENT RESOLUTION

REQUESTING THE CITY AND COUNTY OF HONOLULU TO INCLUDE IN THE  
PENALTY FOR PARK CLOSURE OFFENSES A MANDATORY THIRTY-DAY  
BAN.

1           WHEREAS, the City and County of Honolulu enforces a range  
2 of ordinances relating to the use of public parks; and

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4           WHEREAS, these ordinances are necessary to ensure orderly  
5 administration of the City's green spaces and maintain the  
6 availability of public parks for use by the general public; and

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8           WHEREAS, entering or remaining in a public park during the  
9 hours that a park is closed, as indicated by signage posted on  
10 the park's premises, is a violation of section 10-1.2(a)(12) of  
11 the Revised Ordinances of Honolulu (park closure ordinance); and

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13           WHEREAS, a violation of the park closure ordinance is a  
14 petty misdemeanor offense under section 10-1.6(d)(1), Revised  
15 Ordinances of Honolulu, and punishable by a fine of up to \$500,  
16 imprisonment of up to thirty days, or both; and

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18           WHEREAS, the penalty for a park closure offense does not  
19 include a mandatory ban from subsequent use of the park; and

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21           WHEREAS, many persons who violate the park closure  
22 ordinance ultimately return to the same park and commit the same  
23 offense; and

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25           WHEREAS, instituting a mandatory ban that prohibits an  
26 offender from using the park for a thirty-day period after  
27 citation or arrest would deter and reduce future violations;  
28 now, therefore,

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30           BE IT RESOLVED by the Senate of the Thirty-first  
31 Legislature of the State of Hawaii, Regular Session of 2021, the  
32 House of Representatives concurring, that the City and County of



# S.C.R. NO. 180

1 Honolulu is requested to amend the Revised Ordinances of  
2 Honolulu to require that a person who is cited or arrested for  
3 violating the park closure ordinance be banned from using the  
4 park for a period of thirty days after the date of citation or  
5 arrest, as applicable; provided that the ban shall be enforced  
6 against the person twenty-four hours a day, seven days per week;  
7 provided further that a person who violates the thirty-day ban  
8 shall be subject to arrest under the park closure ordinance or  
9 under the trespass laws of the State, as applicable; and

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11 BE IT FURTHER RESOLVED that certified copies of this  
12 Concurrent Resolution be transmitted to the Mayor of the City  
13 and County of Honolulu; Director of Parks and Recreation of the  
14 City and County of Honolulu; and Chair of the Honolulu City  
15 Council.

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OFFERED BY:

*Kurt Ferrelia*

