ORDINANCE NO. 18 61

**AN ORDINANCE DESIGNATING TAX MAP KEYS 2-1-013:005 AND 2-1-013:006 AS "LEHIA BEACH PARK" PURSUANT TO CHAPTER 15, ARTICLE 8, SECTION 15-67 OF THE HAWAI'I COUNTY CODE 1983 (2016 EDITION, AS AMENDED); AMENDING SECTION 15-68.1 TO ADD IT TO THE PARKS AND RECREATIONAL FACILITY SCHEDULE; AND AMENDING CHAPTER 14, ARTICLE 1, SECTION 14-1 RELATING TO PROHIBITING THE POSSESSION OR CONSUMPTION OF INTOXICATING LIQUORS AT ALL TIMES.**

**BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAI'I:**

**SECTION 1.** Purpose. The purpose of this ordinance is to officially name the park situated at Tax Map Keys: 2-1-013:005 and 2-1-013:006, located at the eastern terminus of Kalaniana'ole Street on the former site of the Pu'u Maile Hospital, pursuant to chapter 15, article 8, section 15-68, Hawai'i County Code 1983 (2016 Edition, as amended), which provides that all County parks and recreational facilities shall be named by ordinance and included in the parks and recreational facilities schedule, codified as section 15-68.1.

Chapter 15, article 8, section 15-67(a)(1), provides that the naming of any aesthetic area shall either "retain any existing name which has been historically accepted through common usage" or "be named, preferably in the Hawaiian language, in a manner which describes significant features or the geographic location of said aesthetic area." The park located on the two subject parcels was originally set aside as "Lehia Park" for the public's use by the Governor's Executive Order No. 59 dated June 27, 1919, and thus shall be named "Lehia Beach Park."

**SECTION 2.** Chapter 15, article 8, section 15-68.1 of the Hawai'i County Code 1983 (2016 Edition as amended), the parks and recreational facility schedule, is amended by adding a new park listing to the "Hilo/Hāmākua" section to be appropriately inserted and to read as follows:

"Lehia Beach Park"

**SECTION 3.** Chapter 14, article 1, section 14-1, of the Hawai'i County Code 1983 (2016 Edition, as amended) is amended to read as follows:

**“Section 14-1. Intoxicating liquors prohibited in certain public places.**

- (a) No person shall drink, offer to drink, or display in public view in the following public areas or buildings located thereon, any intoxicating liquors, whether in a bottle, jug, container or otherwise:
- (1) Public highways and public rights-of-way, public sidewalks, public breakwaters and public seawalls, except seawalls in parks where drinking is not prohibited;
  - (2) Public parking lots, which for the purposes of this section shall mean the entire area within any County-owned or operated off-street parking lot or facility, including but not limited to parking and loading stalls, designated parking areas within County parks, landscaping strips, stairwells and pedestrian passageways, internal roadways, and roadways for ingress to and egress from such parking lot or facility;
  - (3) Public school grounds and buildings;
  - (4) Public areas or buildings contiguous to all public school grounds and buildings, except as provided herein;
  - (5) Public parks, except parks enumerated in section 14-2, on which children's playground equipment, such as slides, jungle gyms, seesaws and swings are located;
  - (6) That certain portion of parcel 24 consisting of some twenty-seven thousand ninety-nine square feet, more or less, being a portion of the property designated upon the tax maps of the Third Taxation Division as Tax Map Key No. (3)1-5-2-24, and located in Pāhoa, District of Puna, County and State of Hawai'i;
  - (7) South Hilo:
    - (A) Ainaola Park;
    - (B) Clem Akina Park;
    - (C) Ahualani Park;
    - (D) All public areas, except Coconut Island, located on the Waiākea Peninsula, makai of Kamehameha Avenue-Kalaniana'ole Avenue from the Wailoa River estuary to the site of the former Reeds Bay Restaurant (TMK Nos. 2-1-06:11, 12, 19, and 20);
    - (E) Drag Strip, Hilo;
    - (F) Kalākaua Park;
    - (G) Kaūmana Caves;
    - (H) Keikiland;
    - (I) Lanakila Center;
    - (J) Lincoln Park;
    - (K) Lōkahi Park;
    - (L) Mo'oheau Park;
    - (M) Pana'ewa Park;
    - (N) Honoli'i Beach Park;
    - (O) Richardson Park and Center;
    - (P) Skeet and Trap Range;
    - (Q) Waiākea Recreation Center;
    - (R) Waiākea-Waena Playground;

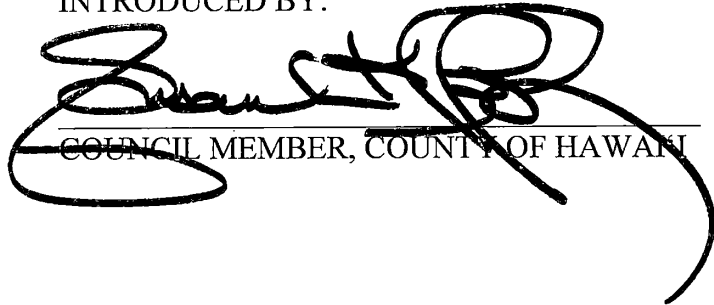
- (S) Waiolama Canal Archery/Jogging Area;
  - (T) Zoo, Pana'ewa Rainforest;
  - (U) All cemeteries;
  - (V) All swimming pools;
  - (W) All tennis courts (except Edith Kanakaole);
  - (X) Bakers Beach;
  - (Y) Hualani Park;
  - (Z) Mohouli Park;
  - (AA) Wai'olena and Wai'uli Beach Parks, portion located between the pavilions and the west end of the seawall beginning at a point four-tenths of a mile west of Leleiwi Street and extending three hundred twelve feet in the westerly direction;
  - (AB) James Kealoha Beach Park[-];
  - (AC) Lehia Beach Park.
- (8) North/South Kona:
- (A) Kailua Playground;
  - (B) Ku'emanu Heiau;
  - (C) Kailua Park, except as provided in section 14-2(a)(2)(F);
  - (D) All swimming pools;
  - (E) All tennis courts;
  - (F) Higashihara Park;
  - (G) Hillcrest Park;
  - (H) Kona Scenic Park;
  - (I) La'aloa Bay Beach Park.
- (9) Ka'ū:
- (A) Pāhala School Ground;
  - (B) All swimming pools;
  - (C) All tennis courts.
- (10) Puna:
- (A) Glenwood Park;
  - (B) Kalapana Playground;
  - (C) All swimming pools;
  - (D) All tennis courts;
  - (E) Kahakai Park.
- (11) North Hilo/Hāmākua:
- (A) Laupāhoehoe Playground;
  - (B) All swimming pools;
  - (C) All tennis courts;
  - (D) Waipi'o Lookout.
- (12) North/South Kohala:
- (A) Church Row;
  - (B) All swimming pools;
  - (C) All tennis courts;
  - (D) Waikoloa Highway Park;
  - (E) Spencer Beach Park."

**SECTION 4.** Material to be repealed is bracketed and stricken. New material is underscored. In printing this ordinance, the brackets, bracketed and stricken material, and underscoring need not be included.

**SECTION 5.** Severability. If any provision of this ordinance, or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect other provisions or applications of the ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared to be severable.

**SECTION 6.** This ordinance shall take effect upon its approval.

INTRODUCED BY:



COUNCIL MEMBER, COUNTY OF HAWAII

Hi lo, Hawai'i

Date of Introduction: May 21, 2018  
Date of 1st Reading: May 21, 2018  
Date of 2nd Reading: June 5, 2018  
Effective Date: June 19, 2018

REFERENCE Comm. 894

OFFICE OF THE COUNTY CLERK  
 County of Hawai'i  
 Hilo, Hawai'i

COUNTY CLERK  
 COUNTY OF HAWAII

2018 JUN 20 AM 8:49

Introduced By: Susan Lee Loy  
 Date Introduced: May 21, 2018  
 First Reading: May 21, 2018  
 Published: June 2, 2018

REMARKS: \_\_\_\_\_  
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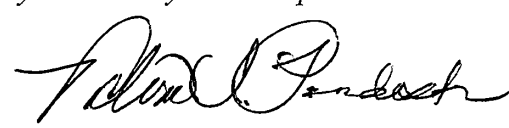
Second Reading: June 5, 2018  
 To Mayor: June 14, 2018  
 Returned: June 20, 2018  
 Effective: June 19, 2018  
 Published: June 30, 2018

REMARKS: \_\_\_\_\_  
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ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung			X	
David	X			
Eoff	X			
Kanuha	X			
Lee Loy	X			
O'Hara	X			
Poindexter	X			
Richards	X			
Ruggles	X			
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ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung	X			
David	X			
Eoff	X			
Kanuha	X			
Lee Loy	X			
O'Hara			X	
Poindexter	X			
Richards			X	
Ruggles	X			
	7	0	2	0

I DO HEREBY CERTIFY that the foregoing BILL was adopted by the County Council published as indicated above.



COUNCIL CHAIRPERSON



COUNTY CLERK

~~Approved~~ Disapproved this 19th day  
 of June, 20 18.

Acting  6/19/18  
 MAYOR, COUNTY OF HAWAII

Bill No.: 138  
 Reference: C-894/PWPRC-47  
 Ord No.: 18 61