

DEPARTMENT OF PUBLIC WORKS – ENGINEERING DIVISION

SPECIAL ACTIVITY PERMIT
(FOR TEMPORARY COMMERCIAL ACTIVITY
WITHIN COUNTY STREETS)

PERMITTEE NAME: _____ PHONE NO.: _____
MAILING ADDRESS: _____ EMAIL: _____

PROPOSED COMMERCIAL ACTIVITY WITHIN COUNTY STREET (INCLUDE PRODUCTS/SERVICES OFFERED, SIGNAGE, ETC):

INTENDED LOCATION OF COMMERCIAL ACTIVITY – ATTACH LOCATION MAP (SEE HAWAII COUNTY CODE SECTION 22-3.3.2 FOR ALLOWABLE AREAS):

Name of County Road/Street _____ Adjacent Tax Map Key(s) _____

DURATION(Dates): From: _____ to _____ (Not to exceed 1 year)
(Times): From: _____ (am/ pm) to _____ (am/pm)

REQUIRED ATTACHMENTS: (Hawaii County Code Section 22-3.3)

- 1. Location map showing the activity.
2. Provide a certificate of insurance and proof of a public liability insurance policy naming as an additional insured, the county, its officers, representatives, employees, and agents covering any claim or liability for damages, injuries or death resulting from any of the uses permitted hereunder. The minimum amount of coverage under such policy shall be \$1,000,000 per occurrence. The policy and coverage shall be kept in force until the special activity permit is terminated.
3. Proof of valid business license or permit required for conducting commercial activities in the State of Hawaii.
4. Waste Management plan.

IN CONSIDERATION OF GRANTING THIS PERMIT, THE PERMITTEE UNDERSTANDS AND AGREES TO:

Hold harmless, indemnify and defend the County of Hawai'i; its officers, employees and agents thereof from all claims, demands, suits, actions, or proceedings of every name, character, and description which may be brought against the County of Hawai'i for or on account of any injuries or damages to any person or property received or sustained by any person by or in consequence of any act or acts of the holder of this permit for actions done under this permit. [Hawai'i County Code section 22-3.3(5)]; and

Comply with all conditions as printed on the back of this permit. [Hawai'i County Code section 22-3.9].

By signing below, the Permittee certifies that the Permittee has legal authority to sign in the capacity stated, and the Permittee understands and agrees that the terms and conditions of this permit are a legally binding contract.

By: _____
Permittee's Signature Date

Its: _____

APPROVED: _____
Director, Department of Public Works Date

AGENCY USE ONLY
PERMIT NO: _____ FEE: \$50

Please submit form via e-mail to dpweng@hawaiicounty.gov

**SPECIAL ACTIVITY PERMIT
CONDITIONS OF APPROVAL**
(Hawai'i County Code section 22-3.9)

In addition to any other conditions imposed by Chapter 22 of the Hawai'i County Code, all permits issued pursuant to this article shall be subject to the following conditions:

1. All permitted items shall be removed from the county street during all periods outside of the permitted times and days as specified in the publication dispenser, sidewalk use, or special activity permit.
2. Permittees shall comply with all laws, ordinances and regulations of the federal, state and county governments relating to the installation, operation and maintenance of their permitted items or uses.
3. Permittees shall be wholly responsible for the repair and maintenance of all permitted items, including any associated utility improvements.
4. Only the use described on the permit shall be deemed to be authorized by the Director of the Department of Public Works ("director"). Any additional uses shall require additional authorization from the director.
5. Should the permitted use, activity or improvement interfere with or obstruct any county facility or other authorized improvements, the permittee shall, at their own expense;
 - (A) Terminate the use and remove the activity or improvement; or
 - (B) Move the use to a location acceptable to the director.
6. Should the permitted use, activity or improvement impede or obstruct any emergency repairs to a county facility or public utility, the permittee authorizes the county to use of all necessary action to immediately relocate permitted activity use or improvement and shall make no claim for any damages that may result from the relocation action.
7. Any construction work associated with the permits of this article shall also be subject to the construction requirements of this chapter.
8. Upon termination of all permits, the permittee shall be responsible for the restoration of the county street used or occupied by the permittee to a condition equal to or better than its original condition.
9. Permittee shall comply with all conditions noted on the permit as may be reasonably necessary for public safety.

Additional Conditions for Special Activity Permit:

1. No commercial activities are allowed within marked parking stalls or on sidewalks, unless specifically approved by the Director.
2. No standing or serving is allowed on the roadway side of any vehicle conducting commercial activity, unless specifically approved by the Director.
3. Special activity permits are intended for itinerant use. No permittee shall remain in one location beyond the period designated by official signs or as allowed by the director.
4. Permittee shall comply with all conditions of Hawaii County Code Chapter 24 - Vehicles and Traffic, Article 8 - Parking, Standing, and Stopping, as amended.