

CITY AND COUNTY OF HONOLULU
DEPARTMENT OF PARKS AND RECREATION

Amendments to Title 19, Chapter 5
City and County of Honolulu Administrative Rules
Department of Parks and Recreation
Rules Governing Dogs in Public Parks

January 9, 2013

SUMMARY

1. New definitions are added to §19-5-3.
2. §19-5-5(b) is amended.
3. §19-5-7 is amended.

"Dangerous dog" means any dog which, without provocation, attacks a person or animal. A dog's breed shall not be considered in determining whether or not it is dangerous.

"Provocation" means the attack by a dog upon a person or animal was precipitated under the following circumstances:

- (1) The dog was protecting or defending its owner or a member of its owner's household from an attack or assault;
- (2) The person attacked was committing a crime or offense while on the property of the owner of the dog;
- (3) The person attacked was teasing, tormenting, abusing or assaulting the dog or at any time in the past had teased, tormented, abused or assaulted the dog;
- (4) The dog was attacked or menaced by the animal or the animal was on the property of the owner of the dog;
- (5) The dog was responding to pain or injury inflicted by the attacked person or animal;
- (6) The dog was protecting itself, its kennels or its offspring from the attacked person or animal;
- (7) The person or animal attacked was disturbing the dog's natural functions, such as sleeping or eating, while the dog was on its owner's property; or
- (8) The dog was responding to a command or encouragement to attack the person or animal. [Eff 6/4/73, am and com 12/03/09; am AUG 07 2014] (Auth: RCH §4-105 (4))
(Imp: ROH §10-1.7)

§19-5-5 Leash Parks. * * *

(b) Any handler bringing a leashed dog into a public park or areas within public parks where leashed dogs are permitted shall comply with the following:

- (1) The dog must be on a leash, cord, chain or other similar means of physical restraint of not more than eight feet in length and under the physical restrictive control of its handler at all times except when performing at a dog show, during training in a dog obedience class or at a dog trial.
- (2) The handler shall carry equipment for the removal and disposal of dog feces.
- (3) The handler is responsible for picking up and disposing of any and all dog feces left by the dog.
- (4) A leashed dog is required to wear a valid current Hawaii dog license tag attached to the dog's collar.
- (5) The handler shall be eighteen years of age or older.
- (6) The handler shall comply with all departmental rules and regulations, city ordinances and signs posted in the public park. [Eff and comp 12/03/09; am **AUG 07 2014**] (Auth: RCH §6-1403, ROH §1-9.1) (Imp: ROH §§10-1.2(a)(9), 10-1.7)

§19-5-7 Off-Leash Parks. (a) The director may designate public parks wherein unleashed dogs are permitted. The public parks where unleashed dogs are permitted shall be identified by appropriate signs.

(b) Any handler bringing a dog into a public park designated for use as an off-leash park shall comply with the following:

- (1) Off-leash parks are for dogs, their handlers and those accompanying them. No other use is allowed.
- (2) A dog must be on leash, cord, chain or other similar means of physical restraint of not more than eight feet in length and under the physical restrictive control of its handler at all times when entering or exiting the off-leash park.
- (3) No handler shall have more than two dogs under the handler's control.
- (4) The handler shall maintain voice control over the dog at all times.
- (5) The handler must have control of the dog and must carry a leash while the dog is in the off-leash park.
- (6) The dog must be free of diseases and parasites such as fleas and ticks.
- (7) No dog in estrus/heat is allowed in the off-leash park.
- (8) The dog is required to wear a valid current Hawaii dog license tag attached to the dog's collar.
- (9) The handler shall carry equipment for the removal and disposal of dog feces.
- (10) The handler shall pick up and dispose of any and all feces left by the dog.
- (11) The handler shall be eighteen years of age or older.

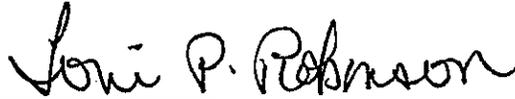
- (12) The handler shall immediately leash and remove the dog from the off-leash park if the dog exhibits aggressive behavior towards other park users or other dogs.
 - (13) No food or animal snacks are permitted in the off-leash park.
 - (14) The handler must stop the dog from digging and must fill all holes dug up by the dog.
 - (15) The handler must remain in the off-leash park and keep the dog in view at all times. No dog shall be left unattended in the off-leash park.
- (c) Any person entering an off-leash park enters and remains in the off-leash park at the person's own risk. The City is not liable for any injury or harm to any person or dog incurred or caused by any other person or dog entering or remaining in the off-leash park.
 - (d) Any child below the age of eighteen shall not be allowed in the off-leash park unless under the control and direct supervision of an adult.
 - (e) No person shall bring a dangerous dog into an off-leash park.
 - (f) Any person entering the off-leash park shall comply with all departmental rules and regulations, city ordinances and signs posted in the park [Eff and comp 12/03/09; am AUG 07 2014] (Auth: RCH §6-1403, ROH §1-9.1) (Imp: ROH §§10-1.2(a)(9), 10-1.7)

DEPARTMENT OF PARKS AND RECREATION

Amendments to Title 19, Chapter 5, City and County of Honolulu Administrative Rules, Department of Parks and Recreation, Rules Governing Dogs in Public Parks, on the Summary page dated January 9, 2014, were adopted on January 10, 2014, following a public hearing held on November 20, 2013, after public notice was given on October 19, 2013, in the Honolulu Star Advertiser.

These amendments shall take effect ten (10) days after filing with the Office of the City Clerk.

DEPARTMENT OF PARKS AND RECREATION
CITY AND COUNTY OF HONOLULU



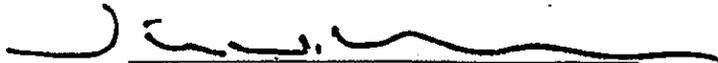
TONI P. ROBINSON
Director

APPROVED AS TO FORM
AND LEGALITY:



Deputy Corporation Counsel

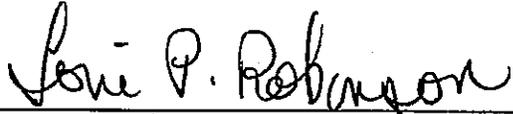
APPROVED this 23rd day of
July, 2014.



KIRK CALDWELL, Mayor
City and County of Honolulu

CERTIFICATION

I, TONI P. ROBINSON, in my capacity as Director of the Department of Parks and Recreation, City and County of Honolulu, do hereby certify that the foregoing is a full, true and correct copy of the Amendments to Title 19, Chapter 5, Rules Governing Dogs in Public Parks, on the Summary page dated January 9, 2014 were adopted on January 10, 2014 following a public hearing held on November 20, 2013, after public notice was given on October 19, 2013, in the Honolulu Star Advertiser.



TONI P. ROBINSON
Director

Received this 28th day of
July, 2014.


City Clerk