

**OFFICE OF THE MAYOR**  
**CITY AND COUNTY OF HONOLULU**

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KIRK W. CALDWELL  
MAYOR

ROY K. AMEMIYA, JR.  
MANAGING DIRECTOR

GEORGETTE T. DEEMER  
DEPUTY MANAGING DIRECTOR

**RULES OF THE MAYOR**  
**CITY AND COUNTY OF HONOLULU, HAWAII**

Purpose, Scope and Construction. The purpose of these Rules of the Mayor (the “**Rules**”) is to implement provisions of Hawaii Revised Statutes ch. 127A.

**§1-1 DEFINITIONS.**

“Authorized emergency management person” means any law enforcement person, and any person designated by the President of the United States, Governor, Mayor or Federal, State or County emergency management agency as an emergency worker.

“City and County of Honolulu” or “City” shall mean the island of Oahu and all other islands not including in any other county and waters as defined in the Revised Charter of the City and County of Honolulu 1973 (2017 Edition), Section 1-102.

"Disaster" means any emergency, or imminent threat thereof, which results or may likely result in loss of life or property and requires, or may require, assistance from other counties or states or from the federal government.

“Disaster relief” means any physical or financial assistance provided to individuals or areas in the aftermath of an emergency or disaster.

“Electrical or natural gas facilities” means any equipment and infrastructure owned and operated by a state utility for the purpose of generating, transmitting, distributing, or furnishing electrical energy or natural gas service.

“Emergency” means any occurrence, or imminent threat thereof, which results or may likely result in substantial injury or harm to the population or substantial damage to or loss of property.

“Emergency management” means a comprehensive integrated system at all levels of government, and also in the private sector, which develops and maintains an effective capability to prevent, prepare for, respond to, mitigate, and recover from emergencies or disasters.

“Emergency management functions” mean those tasks required to prepare for and carry out actions to prevent, prepare for, respond to, mitigate, and recover from emergencies and disasters, and includes management of resources, personnel, and facilities and administration of

economic controls as needed to provide relief in anticipation of, during, or after emergencies or disasters.

“Emergency period” means the dates covered by a proclamation issued by the governor declaring a state of emergency or by a mayor declaring a local state of emergency.

“Hazard” means an event or condition of the physical environment that results or may likely result in damage to property or injuries or death to individuals and which may result in an emergency or disaster.

“Laws” includes ordinances, rules, regulations, and orders prescribed under federal, state, or county laws or ordinances and having the force and effect of law.

“Local state of emergency” means the occurrence in any part of a county that requires efforts by the county government to save lives, and to protect property, public health, welfare, or safety in the event of an emergency or disaster, or to reduce the threat of an emergency or disaster.

“Materials” includes medicines, supplies, products, commodities, articles, equipment, machinery, and component parts.

“Mayor” means the mayor of the City and County of Honolulu.

## **§1-2 DECLARATION OF EMERGENCY.**

(a) The Mayor may declare the existence of a local emergency in the City and County of Honolulu or any part thereof, if the Mayor finds that an emergency or disaster has occurred or if there is imminent threat of danger or emergency as provided in Haw. Rev. Stat. ch. 127A.

(b) The Mayor may issue proclamations or orders directing City agencies, employees as the Mayor deems necessary to protect the health and safety of its citizens and property, as authorized under Haw. Rev. Stat. ch 127A.

(c) The Mayor may issues proclamations or orders directing or restricting actions of its citizens to protect the health and safety of its citizens and property, as the Mayor deems necessary and as authorized under Haw. Rev. Stat. ch. 127A.

## **§1-3 PROHIBITIONS.**

(a) No person shall commit the following acts during a state of emergency as declared by the President of the United States, Governor, or the Mayor:

- (1) Loiter, loaf, or idle upon any public or private highway, place, sidewalk, or beach, on foot or on any vehicle, in or close to an impending disaster or disaster area.
- (2) Disobey any direction or command of any authorized emergency management person.

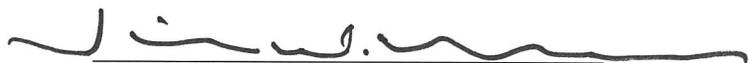
- (3) Refuse or fail to evacuate any area, public or private, upon order of any authorized emergency management person, which action impedes or tends to impede the effectiveness and orderly handling of the evacuation of persons from an impending disaster area.
- (4) Refuse or fail to leave any area public or private upon order of any authorized emergency management person, which action impedes or tends to impede the effective and orderly handling of the disaster; provided, however, nothing herein shall be construed to prevent any authorized person from lawfully preserving, protecting or salvaging any property, real or personal, or to prevent any other authorized emergency management person from performing any other lawful duty within a disaster area after the danger to life and property from natural causes or enemy action has passed.
- (5) Disobey or violate any proclamation or order issued by the President of the United States, Governor, or Mayor.

**§1-4 VIOLATION--PENALTY.**

Violation of any of the Rules is punishable as a misdemeanor, with fines of up to \$5,000, up to a year in jail, or both. Haw. Rev. Stat. § 127A-29.

**§1-5 AUTHORITY.**

The Rules are authorized pursuant to Haw. Rev. Stat. § 127A-25 and shall be posted on the City website as soon as practicable in one or more appropriate places, and shall remain posted while in effect. The Rules are effective upon execution. Nothing in these Rules shall be deemed to limit the power and authority of the Mayor under Haw. Rev. Stat. ch. 127A.



KIRK W. CALDWELL  
Mayor  
City and County of Honolulu

Date: March 20, 2020

Time: 10:15 am

APPROVED:



PAUL S. AOKI  
Acting Corporation Counsel  
City and County of Honolulu