

Chapter 10A
BOTANICAL GARDENS

Articles:

- 1. General Provisions**
- 2. Use of Botanical Gardens**
- 3. Fees and Charges**

Article 1. General Provisions

Sections:

10A 1.1 Definitions.

Sec. 10A 1.1 Definitions.

“Botanical garden” means an area developed for the recreational and educational appreciation of specific types of plants and plant communities, and includes Foster Botanical Garden, Lili’uokalani Botanical Garden, Wahiawa Botanical Garden, Koko Crater Botanical Garden and the Ho’omaluhia Botanical Garden.

“Disc golf” means the sport in which a person attempts to throw a disc from at least nine tee areas into at least nine pole hole baskets in the fewest number of throws.

(Added by Ord. 05-022)

Article 2. Use of Botanical Gardens

Sections:

10A-2.1 Exclusive use of portions of botanical gardens.

10A-2.2 Regulations of botanical gardens.

Sec. 10A-2.1 Exclusive use of portions of botanical gardens.

- (a) Subject to the applicable restrictions in the underlying conveyance document, the director of parks and recreation may allow, by permit, the exclusive use of a portion of a botanical garden for:
- (1) Weddings;
 - (2) Disc golf; and
 - (3) Any other recreational, cultural or ceremonial activity permitted by rule adopted by the department of parks and recreation pursuant to HRS Chapter 91.
- (b) The director may allow a portion of a botanical garden to be used exclusively and on a temporary basis for disc golf, provided that the director:
- (1) Finds that the playing of disc golf will not endanger any plants in the collection of the botanical garden.
 - (2) Shall issue a permit for the use of a botanical garden for this purpose, which shall include conditions designed to avoid damage to the plants in the garden.
 - (3) Shall determine the times and duration that the playing of disc golf will be allowed, which shall be included in the permit.
- (c) The director may allow a portion of a botanical garden to be used exclusively and on a temporary basis for weddings, provided that the director:
- (1) Shall issue a permit for the use of a botanical garden for a wedding, which permit shall include conditions designed to avoid damage to the plants in the garden.
 - (2) Shall determine the times and duration that weddings will be allowed in the botanical garden, which shall be included in the permit.
- (d) The director shall establish a fee structure for the use of a portion of a botanical garden for disc golf, weddings and any other activity permitted by rule.
- (e) The director shall establish procedures to notify the public when a portion of a botanical garden will be subject to use under this section.

(Added by Ord. 05-022)

Sec. 10A-2.2 Regulations of botanical gardens.

The city’s botanical gardens shall be subject to the same regulations and penalties applicable to parks as provided in Chapter 10, except where such regulations would conflict with the permitted use of botanical gardens as provided in this chapter.

(Added by Ord. 05-022)

Article 3. Fees and Charges

Sections:

10A-3.1 Admission fees for the Foster Botanical Garden.

10A-3.2 Students—School staff—Chaperones.

10A-3.3 Community service groups.

Sec. 10A-3.1 Admission fees for the Foster Botanical Garden.

- (a) The following daily admission fees shall be assessed for the Foster Botanical Garden:
- (1) Child five years of age and under: free. Child must be accompanied by a person 18 years old or older.
 - (2) Annual family pass holder as specified in subsection (b) of this section: free.
 - (3) Child six to 12 years of age: one dollar per person.
 - (4) Resident of Hawaii, 13 years of age and older: three dollars per person.
 - (5) Nonresident of Hawaii, 13 years of age and older: five dollars per person.
 - (6) Member of the Friends of the Honolulu Botanical Garden: free.
 - (7) The director of parks and recreation is authorized to set reduced rates for persons participating in structured educational tours, group purchases, and promotional packages and persons with promotional coupons. The director is also authorized to allow entry of any person into the Foster Botanical Garden as part of a promotional offer or package made available by the city.
- (b) An annual family pass may be purchased for twenty-five dollars each. An annual family pass holder is the person or persons named on the pass who is or are entitled to free unlimited admission, during operating hours, to the Foster Botanical Garden for the period specified in the pass.

(Added by Ord. 05-022)

Sec. 10A-3.2 Students—School staff—Chaperones.

The following shall be admitted free of charge to Foster Botanical Garden, provided the visit is for educational purposes and the teacher, school staff or group leader has scheduled the class visit at least one week prior to the requested date, and furnished a firm count of adult supervisors who fall under subsection (e):

- (a) Students at public schools operated by the Hawaii state department of education (DOE) and private schools licensed by the DOE, except for private trade, vocational or technical schools;
- (b) Children who are exempted from compulsory education under Hawaii state DOE regulations and procedures with current, approved DOE Form 4140;
- (c) Children of child care centers (with current approved Form DHS 1656 or 1658 from the Hawaii state department of human services) or City and County of Honolulu/State of Hawaii after school care programs;
- (d) State of Hawaii university and college students with school identification cards; and
- (e) Adult supervisors when they accompany Hawaii students in the following categories:
 - (1) Students five years old and younger: teachers, school staff or adult chaperones,
 - (2) Students six years old and older: teachers or school staff only,
 - (3) "Special education" students requiring monitors or health-care attendants: as required for children's supervision and care.

(Added by Ord. 05-022)

Sec. 10A-3.3 Community service groups.

- (a) The persons referred to in subsections (b) and (c) shall be admitted free of charge to Foster Botanical Garden, provided their visit is for educational purposes and a group leader has scheduled the visit at least one week prior to the requested date and has furnished a firm count of the adult attendants or group leaders needed to accompany and supervise the group.
- (b) Clients of Hawaii-based public institutions and public or private clinics, hospitals and health care facilities that serve persons on account of their disability, illness or senior citizen status, and the attendants needed to accompany and assist the group's members. Group leaders are required to present identification for themselves upon entry.
- (c) Clients or participants in Hawaii-based public, nonprofit or governmental community service groups, such as "Summer Fun," YWCA/YMCA, scout groups, etc., who are 18 years old and younger, and the staff attendants or group leaders needed to accompany and supervise the group.

(Added by Ord. 05-022)