
A BILL FOR AN ACT

RELATING TO PUBLIC ORDER.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Urinating and defecating in public frightens
2 and offends many people. These behaviors also create a public
3 health risk because of the spread of disease and other health
4 hazards stemming from improper disposal of human waste. These
5 concerns, and the smell associated with public urination and
6 defecation, discourage people from patronizing establishments
7 located in the Waikiki district, as well as using the beach and
8 parks in the Waikiki district.

9 The purpose of this Act is to prohibit public urination or
10 defecation in the Waikiki area.

11 SECTION 2. Chapter 711, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§711- Urinating or defecating in public in the Waikiki
15 area. (1) A person commits the offense of urinating or
16 defecating in public in the Waikiki area if the person
17 intentionally or knowingly urinates or defecates in a public



1 place or any area where such an act is likely to be observed by
2 any member of the public within the Waikiki area.

3 (2) As used in this section:

4 "Waikiki area" means the part of the city of Honolulu on
5 the island of Oahu, which includes the Waikiki peninsula and the
6 western slope of Diamond Head, bounded on:

7 (a) The shoreline and the Ala Wai Canal inlet;

8 (b) Northeast and south along the Ala Wai Canal to Paki
9 Avenue;

10 (c) Southeast to Monsarrat Avenue;

11 (d) East on Monsarrat Avenue;

12 (e) Northeast to Kanaina Avenue, Kanaina Street and
13 Diamond Head Circle;

14 (f) Up the slope of Diamond Head between Diamond Head
15 Circle and Kanaina Street and the end of Noela Drive
16 to the rim of Diamond Head Crater;

17 (g) South to Leahi Peak;

18 (h) Down the slope in line with Coconut Avenue to the
19 shoreline; and

20 (i) North and West to the Ala Wai Canal inlet.

21 As used in this section, "public place" means any publicly-
22 owned or privately-owned property open for public use or to



1 which the public is invited for entertainment or business
2 purposes and includes any street, sidewalk, driveway, alley,
3 doorway, mall, plaza, park, beach, zoo, public building, or
4 parking lot.

5 (3) This section shall not apply where the person failed
6 to use a restroom or other facility because of a medical
7 condition verified by a licensed physician.

8 (4) This section shall not apply to a person urinating or
9 defecating while using appropriate fixtures in any restroom or
10 other facility designed for the sanitary disposal of human
11 waste.

12 (5) Urinating or defecating in public in the Waikiki area
13 is a violation punishable by no more that forty hours of
14 community service work or a fine of not more than \$200."

15 SECTION 3. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 4. New statutory material is underscored.

19 SECTION 5. This Act shall take effect on January 1, 2059,
20 and shall be repealed on December 31, 2014.



Report Title:

Urinating and Defecating in Public

Description:

Prohibits urination and defecation in public places in the Waikiki area. Act to sunset December 31, 2014. Effective January 1, 2059. (HB254 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

