

**Section 14-109. Exemptions.**

The Pana'ewa Rainforest Zoo is exempt from this article.  
(2011, Ord. No. 11-116, sec. 2.)

**Section 14-110. Penalty.**

Any person who violates this article shall, upon conviction thereof, be guilty of a misdemeanor, and be sentenced to a fine of up to \$2,000, or imprisonment for a period of up to one year, or both.  
(2011, Ord. No. 11-116, sec. 2.)

**Article 18. Animal Eradication.****Section 14-111. Findings and purpose.**

- (a) The County of Hawai'i is charged with the ultimate responsibility to protect, preserve, and enhance the health, safety, and welfare of the people of Hawai'i Island. With regard to the bond between the people and the land, the County of Hawai'i hereby finds:
- (1) Animal eradication by aerial shooting is in conflict with the cultural and traditional values of the people of Hawai'i County;
  - (2) Aerial hunting eradication creates unnecessary risk to human life, while also disturbing endangered flora and fauna; and
  - (3) Animal population control measures can be performed in a manner that is harmonious with the culture, values, and principles of the people.
- (b) The purpose of this article is to declare:
- (1) Animal eradication by aerial shooting on Hawai'i Island shall no longer be practiced;
  - (2) The State of Hawai'i should conform and comply with the provisions of this article;
  - (3) Other methods of animal population control must be used. Any such method to be enacted will take in to account the will of the people, which requires effective communication and a concerted effort to remain linked to the people that take responsibility for the land and its resources; and
  - (4) The State of Hawai'i should increase public access to the areas of Hawai'i Island that will allow hunters and gatherers the opportunity to provide subsistence to the families of Hawai'i Island. Valuable food resources should be consumed rather than wasted.

(2012, Ord. No. 12-109, sec. 2.)

**Section 14-112. Aerial eradication of animals; unlawful.**

It is a violation of this article for any person to engage in the eradication of any animal for any reason while being transported by helicopter, airplane, or any other similar means.  
(2012, Ord. No. 12-109, sec. 2.)

**Article 19. Geothermal Drilling.****Section 14-113. Definitions.**

For the purposes of this article, the following words and phrases, unless the context otherwise requires, shall be defined as indicated:

“Residence” means a building or a part thereof permitted and designed for or used for a home.

“One mile” means the measurement made from the well bore, in a straight line, without regard to intervening structures or objects, to the property line of the nearest residence.

(2012, Ord. No. 12-151, sec. 1.)

**Section 14-114. Restrictions.**

Geothermal resources exploration drilling and geothermal production drilling operations being conducted one mile or less from a residence, shall be restricted to the operating hours of 7:00 a.m. – 7:00 p.m. (2012, Ord. No. 12-151, sec. 1.)

**Article 20. Plastic Bag Reduction.****Section 14-115. Purpose.**

The purpose of this article is to reduce the use of plastic bags and to encourage the use of environmentally preferable alternatives, such as reusable cloth or paper bags. (2013, Ord. No. 12-1, sec. 2.)

**Section 14-116. Definitions.**

As used in this article:

“Business” means any commercial enterprise or establishment, including sole proprietorships, joint ventures, partnerships and corporations, or any other legal entity, and includes any independent contractors associated with the business.

“Plastic checkout bag” means a carryout bag that is provided by a business to a customer for the purpose of transporting groceries or other retail goods, and that is made from non-compostable or compostable plastic and not specifically designed and manufactured for multiple re-use.

“Reusable bag” means a bag that is specifically designed and manufactured for multiple re-use and is (1) made of cloth or other machine washable fabric or (2) made of paper specifically designed for multiple and long-term use.

(2013, Ord. No. 12-1, sec. 2.)

**Section 14-117. Administration.**

The director of the department of environmental management shall administer this article including providing education and enforcement and shall adopt administrative rules including defining permissible bags and establishing penalties pursuant to chapter 91, Hawai‘i Revised Statutes, by July 16, 2013.

(2013, Ord. No. 12-1, sec. 2.)

**Section 14-118. Plastic checkout bags prohibited.**

Businesses shall not provide plastic checkout bags to their customers.

(2013, Ord. No. 12-1, sec. 2.)

**Section 14-119. Exemptions.**

(a) Organizations classified under Section 501 (c) of the United States Internal Revenue Code and non-incorporated community booster organizations are exempt from the provisions of this article.

(b) Businesses may make plastic checkout bags available for purchase until January 17, 2014.

(2013, Ord. No. 12-1, sec. 2.)