

**A BILL FOR AN ORDINANCE AMENDING CHAPTER 19, ARTICLE 3,
SECTION 19-3.2, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING
TO PLAYING FEES AT THE WAILUA GOLF COURSE**

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII:

SECTION 1. Findings and purpose. The Council of the County of Kaua'i finds that the Department of Parks and Recreation recommends revising the resident and nonresident playing fees at the Wailua Golf Course due to current market conditions, the high demand for play, the significant cost of operations, and the condition of the Wailua Golf Course as compared to other options on Kaua'i. The purpose of this Ordinance therefore is to reestablish the playing fees at the Wailua Golf Course.

SECTION 2. Chapter 19, Article 3, Subsection 19-3.2, Kaua'i County Code 1987, as amended, is hereby amended as follows:

"Sec. 19-3.2 Playing Fees.

(a) Definitions. When used in this Article the following words or phrases shall have the meaning given in this Section unless it shall be apparent from the context that a different meaning is intended:

- (1) "Daily rate" means playing fee for a continuous play of eighteen (18) holes during the day, Mondays to Fridays.
- (2) "Golf course" means Wailua County Golf Course, located at Wailua, Kaua'i.
- (3) "Holiday" means a day designated as a holiday for County government employees.
- (4) "Junior Hawai'i resident" means any Hawai'i resident who has not attained the age of eighteen (18) prior to registration.
- (5) "Monthly rate, resident" means playing fees for the calendar month, regardless of the portion of the month gone prior to the registration for a monthly rate.
- (6) "Registration" means signing and paying of fee at the cashier's office at the golf course.
- (7) "Resident" means a person who has filed a Hawai'i resident State income tax return, Form N-11 or Form N-13, for the most recent tax period or voted in the most recent general or primary election in the State of Hawai'i, and possesses a valid Hawai'i driver's license with a Hawai'i address on it, or a valid State of Hawai'i identification card with a Hawaii address on it, and all active-duty military personnel stationed in Hawai'i. Persons who are not residents as so defined shall be deemed to be "non-resident." The income tax return shall bear a Hawai'i address.
- (8) "Senior Kaua'i resident" means any Kaua'i resident who has attained the age of sixty-five (65) prior to registration who has filed a Hawai'i resident State income tax return, Form N-11 or Form N-13, for the most recent tax period or voted in the most recent general or primary election in the County of Kaua'i and possesses a valid Hawai'i driver's license with a Kaua'i address on it, or a valid State of Hawai'i identification

card with a Kaua'i address on it. The income tax return shall bear a County of Kaua'i address.

- (9) "Twilight hours" means:
- (A) On the front nine (9) holes, starting time after 3:00 p.m.;
 - (B) On the back nine (9) holes, starting time before 7:00 a.m., when available; or
 - (C) At the discretion of the Director of Parks and Recreation or designee.
- (10) "Super Kaua'i senior" means any Kaua'i resident who has attained the age of seventy-five (75) prior to registration who has filed a Hawai'i resident State income tax return, Form N-11 or Form N-13, for the most recent tax period or voted in the most recent general or primary election in the County of Kaua'i and possesses a valid Hawai'i driver's license with a Kaua'i address on it, or a valid State of Hawai'i identification card with a Kaua'i address on it. The income tax return shall bear a County of Kaua'i address.

(b) Playing fees at the golf course are established as follows:

PER DAY			
	DAILY	WEEKENDS/HOLIDAY	MONTHLY
Resident	[\$15.00] \$18.00	[\$20.00] <u>\$23.00</u>	[\$60.00] <u>\$70.00</u>
Senior Kaua'i Resident	[\$12.00] <u>\$15.00</u>	[\$15.00] <u>\$18.00</u>	[\$40.00] <u>\$50.00</u>
Super Kaua'i Senior (75 years and older)	[\$9.00] <u>\$12.00</u>	[\$13.00] <u>\$16.00</u>	[\$26.00] <u>\$35.00</u>
Junior Hawai'i Resident	\$1.00	\$1.00	\$9.00
Non-Resident	[\$48.00] <u>\$80.00</u>	[\$60.00] <u>\$100.00</u>	
100% Disabled Veteran	<u>Exempt</u>	<u>Exempt</u>	
	TWILIGHT DAILY	TWILIGHT WEEKEND/HOLIDAY	
Resident	[\$7.50] <u>\$10.00</u>	[\$10.00] <u>\$13.00</u>	
Senior Kaua'i Resident	[\$6.00] <u>\$9.00</u>	[\$7.50] <u>\$12.00</u>	
Super Kaua'i Senior (75 years and older)	<u>\$8.00</u>	<u>\$10.00</u>	
Junior Hawai'i Resident	\$1.00	<u>\$1.00</u>	
Non-Resident	[\$24.00] <u>\$45.00</u>	[\$30.00] <u>\$50.00</u>	
100% Disabled Veteran	<u>Exempt</u>	<u>Exempt</u>	
[Non-Resident Playcard]		[\$215.00 (good for 5 rounds of golf)]	

- (c) **Playing Fee Exemptions.** Professional golfers, [and] officials of the Professional [Golfer's] Golfers' Association, and 100% Disabled Veterans are exempt from paying any playing fees.
- (d) **Special Playing Fee Rate and Budget.** Guests of the Mayor and Council Chairperson on official government business that could provide significant benefits to the golf course and/or the residents of the County of Kaua'i are entitled to utilize the daily resident rate for playing. The requesting department shall transfer funds to offset this fee. The Director of Parks and Recreation or his/her designee shall be notified in advance of playing before provisions of this Section can be utilized.
- (e) **Locker Fees.** The locker rental fee shall be payable on the first (1st) of every month that the locker is being rented for at the rate of seventy-five dollars (\$75.00) per year, forty dollars (\$40.00) semi-annually, or eight dollars (\$8.00) per calendar month. There shall be no reduction or rebate for any portion of a year, semi-annually, or month.
- (f) **Proof of Residence or Age.** The golf course personnel, when in doubt as to any golfer's claim for a reduced rate, may request proof of the golfer's residency or age. Proof may consist of birth certificates, affidavits or other evidence deemed satisfactory by the golf course personnel.
- (g) **The above-mentioned fees notwithstanding, fees for golf tournaments sponsored by nonprofit corporations or nonprofit associations whose primary objective is to assist and develop Kaua'i Junior Golf Programs for the benefit of junior resident golfers residing in this County, shall be five dollars (\$5.00) per round.**
- (h) **The golf course shall be closed on Christmas Day and New Year's Day for supervised play. The golf course may be open for unsupervised play on Christmas Day and New Year's Day at the discretion of the Parks and Recreation Director or designee.**
- (i) **Driving Range Ball Token Fees.** The fee for a driving range ball token is two dollars (\$2.00). One (1) token can be redeemed for one (1) small bucket of driving range balls and two (2) tokens can be redeemed for one (1) large bucket of driving range balls.]”

SECTION 3. If any provision of this Ordinance or application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

SECTION 4. Ordinance material to be repealed is bracketed. New Ordinance material is underscored. When revising, compiling, or printing this Ordinance for inclusion in the Kaua'i County Code 1987, as amended, the brackets, bracketed material, and underscoring shall not be included.

SECTION 5. This Ordinance shall take effect on January 1, 2024.

Introduced by: /s/ BILL DECOSTA
/s/ ROSS KAGAWA

DATE OF INTRODUCTION:

October 4, 2023

Līhu'e, Kaua'i, Hawai'i

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CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2907, Draft 1 which was adopted on second and final reading by the Council of the County of Kaua'i at its meeting held on November 15, 2023, by the following vote:

FOR ADOPTION:	Bulosan, Carvalho, Cowden, DeCosta, Kagawa, Rapozo	TOTAL - 6,
AGAINST ADOPTION:	None	TOTAL - 0,
EXCUSED & NOT VOTING:	Kuali'i	TOTAL - 1,
RECUSED & NOT VOTING:	None	TOTAL - 0.

Lihu'e, Hawai'i
November 15, 2023



Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i

ATTEST:



Mel Rapozo
Chairman & Presiding Officer

DATE OF TRANSMITTAL TO MAYOR:

November 30, 2023

Approved this 4th day of
December, 2023.



Derek S.K. Kawakami,
Mayor
County of Kaua'i