

RULES AND REGULATIONS
DEPARTMENT OF PARKS AND RECREATION OF THE
COUNTY OF HAWAII

RULE 2
RULES RELATING TO
HILO MUNICIPAL GOLF COURSE

EFFECTIVE DATE: NOVEMBER 5, 2006

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DEPARTMENT OF PARKS AND RECREATION OF THE
COUNTY OF HAWAII

RULE 2 - RULES RELATING TO THE HILO MUNICIPAL GOLF COURSE

SECTION 1. Rule 2 of the Rules and Regulations of the Department of Parks and Recreation of the County of Hawaii, relating to the Hilo Municipal Golf Course, approved by the Mayor of the County of Hawaii on September 18, 1985, and amended on February 20, 1986, and December 22, 1994, is hereby amended to read as follows:

A. APPLICABILITY AND SCOPE

1. These rules and regulations shall apply to the Hilo Municipal Golf Course, inclusive of ground facilities and structures under the control, management and operation of the Department of Parks and Recreation, County of Hawaii.
2. If any provision of these rules and regulations or the application of such provision is found to be invalid, the remaining portions of these rules and regulations or the application of said portions shall not be affected.

B. DEFINITIONS

Whenever used in these rules and regulations, unless a different meaning is plainly intended by context:

1. "Citation" means the written certificate issued to a violator of these rules and regulations which shows the nature of the violation, the date and time.
2. "Club" means an organized group of players identified by a club name.
3. "Concessionaire" means the operators of commercial enterprises at the golf course under an agreement with the County of Hawaii.
4. "Course" means that portion of the golf course utilized for playing golf.

5. "Daily Green Fee" means the fee assessed an individual which entitles him/her to play golf at the Hilo Municipal Golf Course on the day for which the fee is paid.
6. "Department" means the Department of Parks and Recreation, County of Hawaii.
7. "Director" means the Director of Parks and Recreation, or his duly authorized representative.
8. "Golf Course" means the course, the clubhouse, practice green and range, structures and parking areas.
9. "Group" means one (1) or more golfers assigned an identical starting time on a particular teeing area of the course.
10. "Hawaii Resident" means a person who is a legal resident of the State of Hawaii.
11. "Holiday" means all days on which a holiday is observed by the County of Hawaii regardless of the date of the actual holiday.
12. "Junior" means a Hawaii resident, eighteen years or younger, who is enrolled in and attending any elementary, secondary, or high school, in a public or private academic institution, or home schooled in the State of Hawaii.
13. "Lesson" means the provision of golf instruction on a fee basis.
14. "Major Violation" means the malicious damage of public property, violation of maximum grouping of players, willful non-registration and/or non-payment of fees.
15. "Management" means the Director of Parks and Recreation or his duly authorized representative.
16. "Marshal" means any authorized golf course personnel patrolling the course to insure smooth play and compliance with these rules and regulations.
17. "Minor Infraction" means the violation of any provision under Section C-4, Rules Affecting Players.

18. "Monthly Green Fee" means the fee assessed a golfer which entitles that golfer to play at the Hilo Municipal Golf Course on any day that the golf course is open during the month for which the fee is paid, except as provided herein below. The fee shall be paid in advance and does not waive the requirement of registering to play and reserving a starting time. An additional charge of \$3.00 per round will apply for all weekend or holiday Monthly Green Fee Play. This permit shall be available to Hawaii residents only, entitles the golfer to one complete round of golf (18 holes) per day and may not be used for tournament play. Subsequent rounds may be allowed, but will be based upon availability of starting times.
19. "Permit" means a receipt, a rain check or a current monthly card issued by the department.
20. "Person With Disabilities" means with respect to an individual, a physical or mental impairment which substantially limits one or more major life activities of such individual, a record of such an impairment or being regarded as having such an impairment.
21. "Player" means a person who enters the course to play golf.
22. "Professional" means a golf professional who operates the golf pro shop in agreement with the County of Hawaii.
23. "Raincheck" means a written certification issued to a player when weather or course conditions prevent the completion of a round of golf and which shall entitle the player to play a complete round on a subsequent day.
24. "Registration" means and consists of signing in, paying of green fees or presenting a valid permit, and being assigned a starting time prior to going onto the course to begin play.
25. "Regular Golfer" means a player who is eighteen years of age or older and not a

student, university student, or a senior citizen.

26. "Senior Citizen" means a person who has attained sixty years of age, regardless of employment status.
27. "Service Animals" means animals that are individually trained to perform tasks for people with disabilities; such as any guide dog, signal dog, or other animal trained to provide assistance to persons with visual, hearing, or physical impairments.
28. "Round" means the completion of eighteen holes of golf in numerical sequence, beginning with first hole or as otherwise provided.
29. "Starter" means the County of Hawaii personnel assigned to and working out of the golf course office.
30. "Starting Time" means the specific time assigned a group for the start of play.
31. "Superintendent" means the superintendent of the golf course or his duly authorized representative.
32. "Tournament" means a golf event or competition, other than regular club play, which requires reserved tee times.
33. "Tournament Fees" means those fees, in addition to green fees, assessed the sponsors of all tournaments held at the golf course.
34. "UH Student" means any full-time student at the University of Hawaii or a Hawaii resident who is a full-time student at any accredited college or university.
35. "Weekend and Holiday Green Fees" means the fees assessed an individual which entitles him/her to play golf at the Hilo Municipal Golf Course on a weekend day or holiday.

C. RULES RELATING TO THE HILO MUNICIPAL GOLF COURSE

1. Operation of the Golf Course
 - a. The Hilo Municipal Golf Course shall be open for play every day

with the exception of Christmas Day and New Year's Day and when climatic, staffing or other unusual circumstances require its closing.

- b. The hours of play shall be from 7:00 a.m. to 6:00 p.m. The Director may allow early morning play with proper provision for liability and registration.
- c. In the event of major repair or renovation work to the golf course or the existence of conditions which substantially limit the normal use of the golf course, the director is authorized to adjust the playing fees charged and the hours of operation.
- d. The Superintendent shall have the authority to enforce all rules and regulations and to establish temporary rules and regulations which are found necessary to protect the course and players. Further the Superintendent, with the approval of the Director, may establish internal policies and procedures to ensure operational efficiency of the golf course.
- e. The Director may prohibit any person from playing at the Hilo Municipal Golf Course when the Director has a reason to believe that such person poses a threat to the health, safety, or welfare of persons or property at the golf course or when such person has previously been cited by the Superintendent for a violation of these rules and regulations, and such citation has not been reversed by the Director. Any person aggrieved by the decision of the Director to prohibit such play shall have the right to appeal the Director's decision within 30 days of such decision pursuant to Rule 1 of the Rules and Regulations of the Department of Parks and Recreation.
- f. Parking shall be allowed in designated areas only. Stalls located

adjacent to the Starter's Office shall be assigned to the golf course personnel, golf professional concessionaire, and the restaurant concessionaire. Loading zones and other areas where parking is regulated or prohibited shall be clearly identified.

- g. No practice golfing shall be allowed on the golf course except in the areas identified for such purposes.
- h. The following schedule sets forth the fees and charges applicable to the Hilo Municipal Golf Course.

GOLF COURSE FEE SCHEDULE

	9/1/02	7/1/03
Daily Green Fee (Weekday):		
Hawaii Resident	\$9.00	\$12.00
Out of State Resident	\$25.00	\$29.00
Daily Green Fee (Weekend / Holiday):		
Hawaii Resident	\$12.00	\$15.00
Out of State Resident	\$30.00	\$34.00
Monthly Green Fee:		
Regular	\$36.00*	\$40.00*
Senior//UH Student/Persons w/Disabilities	\$20.00*	\$24.00*
Junior	\$12.00*	\$14.00*

Effective 9/1/02:

- Additional charge of \$3.00 per round for all Weekend/Holiday Monthly Card Play

2. General Rules Affecting the Public

- a. No person shall be allowed on the course to play golf without first registering at the golf course starter's office with the exception of early play as provided for in Section C.1.b. of these Rules and Regulations.
- b. Activities not relating to golfing, including but not limited to jogging,

walking, skateboarding and bike riding, are not allowed on the golf course.

- c. The Hilo Municipal Golf Course professional concessionaire shall have the exclusive right to golf lessons conducted on a fee basis at the Hilo Municipal Golf Course.
- d. No private riding golf carts shall be allowed on the golf course, unless used to provide access for a golfer with mobility impairments.
- e. Players shall abide by these rules and regulations and all posted regulations at the facility.
- f. Any person who knowingly, willfully and maliciously damages the course or golf course property shall be duly prosecuted.
- g. No animals shall be allowed on the golf course, except for service animals.
- h. No bicycle, moped, go-cart, skate, motorcycle, skateboard, tricycle or similar items shall be permitted on the golf course.
- i. Only authorized vehicles shall be permitted on the golf course.
- j. Minors under the age of nine (9) years shall not be allowed on the course unless they are registered to play and are accompanied by an adult.

3. Rules of Play

- a. The order of play shall be determined by assigned starting times as designated through starting time registration procedures.
- b. Players shall be ready to tee-off fifteen (15) minutes prior to their respective tee starting times.
- c. Reserved starting times will not be honored after the assigned

starting time has elapsed. Tardy players will be required to re-register for new starting times.

- d. Registered clubs that have received starting times confirmed by the superintendent shall be assessed a penalty of \$4.00 for each uncanceled and unused starting time. Such penalty to be due and payable before the club's next confirmed starting time. A cancellation shall be made at least three days prior to any confirmed starting time.
- e. Play shall start at the Number One (1) tee unless otherwise directed by the Starter.
- f. Holes shall be played in numerical sequence.
- g. The Marshal may authorize faster players to pass slower players.
- h. All players shall abide by the United States Golf Association (USGA) rules of etiquette at all times.
- i. Maximum number of players per group shall be six.
- j. Within the allowable maximum, the Starter may adjust the number of players per group by reducing the group size, or combining groups when course conditions warrant such adjustments.

4. Rules Affecting Players

- a. With the exception of early play as provided for in Section C-1-b of these rules and regulations, a player shall register at the Starter's Office before start of play.
- b. Each player shall have his/her own clubs.
- c. A player shall replace divots on the fairways and bail marks on the greens.
- d. The putter shall be the only club used for putting on the greens.

- e. Driving a ball from the green is prohibited.
- f. Golf bags shall not be laid on the greens.
- g. Riding carts shall not be driven or parked within twenty (20) feet of the edges of the greens and shall be kept off the tees unless being used by a person with mobility impairments. The Superintendent may extend the area around the greens and the tees and delineate other areas where riding carts are prohibited when weather and other conditions warrant such restrictions.
- h. During adverse weather conditions, all riding carts shall be driven and parked on the paved pathways only.
- i. Any individual who operates any electric or gasoline-riding cart on the course must possess a valid driver's license.

5. Miscellaneous Rules

- a. Rain checks may be issued upon the closing of the course by the management. Rain checks shall be issued upon request to players who have not completed more than eight (holes) and who present their daily permits. Rain checks are not transferable and will be honored only within a thirty (30) day period from the date of issue.
- b. The sale of golf supplies and refreshments is prohibited except through the respective licensed concessionaires.
- c. Alcoholic beverages are not allowed on the golf course with the exception of the food and drink concession area.
- d. Disposal of any type of litter except in containers provided for that purpose is prohibited.
- e. The County of Hawaii will not be responsible for the loss of items left at the golf course.

- f. The Director may extend courtesy privileges to visiting dignitaries, certified golf professionals, and others. For the purpose of this section, courtesy privileges shall consist of waiving of green fees.
 - g. Proper attire is expected on the golf course at all times. Shirts, covering the chest and stomach areas, are required. Bikinis and other brief swimming attire are prohibited.
6. Tournaments
- a. Reservation requests for tournaments shall be made in writing to the Superintendent.
 - b. Except as provided in subsection c, below, the following schedule sets forth the fees and charges applicable to all tournaments held at the Hilo Municipal Golf Course:
 - i. A tournament reservation deposit of \$100 shall be required within ten (10) days from the date that the tournament request has been approved by the superintendent. Failure to make such payment in a timely manner shall result in the cancellation of the tournament reservation. The reservation deposit fee shall be non-refundable unless the tournament reservation is cancelled by the superintendent, for reasons beyond the control of the tournament committee, or the golf course is deemed to be unplayable by golf course personnel on the day of the tournament.
 - ii. Shotgun Tournaments: A fee of \$720 or \$5 per entrant, whichever is greater, will be assessed for all shotgun tournaments held at the golf course.
 - iii. Regular Tournaments: A tournament fee of \$5.00 per

entrant, per day, will be assessed for all regular tournaments.

- iv. Special Activities: A fee of \$1.00 per participant will be assessed for all non-tournament fundraising activities conducted on the golf course. All such activities shall be required to receive prior written approval of the Superintendent.
- v. All tournament fees, less deposits, shall be due and payable two (2) days prior to the date of the tournament.
- c. Upon the receipt of a written request therefore, the Director shall be authorized to waive any and all of the hereinabove fees for tournaments and/or activities sponsored by nonprofit groups and associations whose sole objective is to promote the sport of golf or to assist and develop public links, junior golf and/or high school golf programs for the residents of this county.

7. Penalties

- a. Any person who deliberately violates any rule or regulation may be prosecuted as provided by law for the prosecution of misdemeanors.
- b. Violators of parking provisions of these rules and regulations may be fined not more than Five Dollars (\$5.00) for each violation. Automobiles parked in prohibited areas may be towed away at the expense of the owner. The deputized County employee and police and police officers shall be authorized to enforce this rule.
- c. Other penalties, additionally or separately, may be imposed in accordance with Section C-l-e.

D. APPEALS PROCEDURE

1. Citation

Any person who feels that he or she has been unjustly cited for violation may appeal the citation to the Director within 30 days of such citation, pursuant to Rule 1 of the Rules and Regulations of the Department of Parks and Recreation.

2. Misdemeanor and Parking Violations

When the penalty imposed is the result of the prosecution and conviction of a misdemeanor or a violation of parking provisions, the appeal shall be in accordance with State statutes and/or County ordinances.

SECTION 2. If any provision of these rules, or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect other provisions or applications of the rules which can be given effect without the invalid provision or application, and to this end, the provisions of these rules are declared to be severable.

SECTION 3. This rule shall take effect ten (10) days after its filing with the County Clerk, except with respect to Section C-6 pertaining to tournaments, which shall become effective thirty (30) days after such filing.

CERTIFICATION

I, Patricia G. Engelhard, Director of the Department of Parks and Recreation of the County of Hawaii, State of Hawaii, do hereby certify:

1. That the foregoing is a full, true and correct copy of the amendments to the Rules and Regulations of the Department of Parks and Recreation on matters relating to the Hilo Municipal Golf Course. Rule 2 changes were adopted after public hearings held on October 3, and October 10, 2006.

2. That notices of the public hearing on the foregoing Rule 2, which notice included a statement of the substance of the proposed rule changes were published in both the Hawaii Tribune Herald and the West Hawaii Today on September 3, 2006.

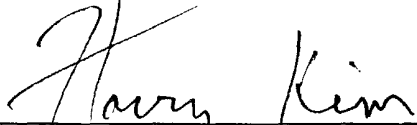
Dated this 18th day of October 2006.



PATRICIA G. ENGELHARD, Director
Department of Parks and Recreation


DATE OF PUBLIC HEARINGS:
OCTOBER 3, 2006 (East Hawai'i)
OCTOBER 10, 2006 (West Hawai'i)

APPROVED:



HARRY KIM, Mayor
County of Hawaii

APPROVED AS TO FORM AND LEGALITY:



Deputy Corporation Counsel
County of Hawaii

I hereby certify that the foregoing rule was received and filed in the Office of the County Clerk this 26th day of October 2006.



County Clerk
County of Hawaii