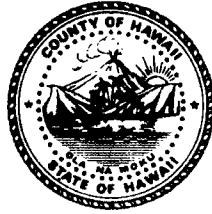


Mitchell D. Roth
Mayor



Lee E. Lord
Managing Director

Robert H. Command
Deputy Managing Director

County of Hawai'i Office of the Mayor

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Mayor's COVID-19 Emergency Rule No. 18

Pursuant to the authority vested in me by Hawai'i Revised Statutes Chapter 127A and due to the public health concerns related to COVID-19, I hereby adopt and promulgate the following rules which have the force and effect of law.

The following State of Hawai'i proclamations related to the COVID-19 emergency authorized by Governor David Ige are relevant to this emergency rule: The Thirteenth Proclamation established a negative test exception to the mandatory self-quarantine requirement for persons entering the State of Hawai'i effective October 15, 2020 and suspended certain specified laws; the Fourteenth Proclamation authorized each county to establish a two-test system for transpacific travelers entering the respective counties; the Fifteenth Proclamation established a statewide face covering requirement; the Sixteenth Proclamation modified the requirements for transpacific travel to Hawai'i; the Seventeenth Proclamation reduced the mandatory self-quarantine for persons entering the State of Hawai'i and for travelers to the counties of Maui, Kaua'i, Hawai'i and Kalawao from 14 days to 10 days; the Eighteenth Proclamation extended the state of emergency and clarified the state of mind required for violation of the proclamation and the requirements for self-quarantine exceptions; the Nineteenth, Twentieth and Twenty-First Proclamation which began to recognize progress made on managing the crisis and implementing limiting relaxation of certain restrictions.

Since then, however, there has been an alarming increase in the spread of COVID-19 which is primarily related to the DELTA variant of COVID-19. Consistent with the forgoing, the Governor issued an Emergency Proclamation Related to the COVID-19 DELTA Response dated October 1, 2021. This Emergency Rule is based upon evidence that COVID-19 continues to endure within this state and county via transpacific travel related cases as well as through dramatic increased community spread as reported by the State Department of Health ("DOH") and the Centers for Disease Control and Prevention ("CDC"). This Emergency Rule is also based upon scientific evidence that reinforces the types of best practices and social policies that are most effective at mitigating or preventing the transmission of COVID-19. To date, the number of documented cases of COVID-19 in the State is in excess of

78,404, and there have been at least 757 deaths attributed to this disease in the State.

The dramatic increase in community spread of COVID-19 has resulted in increased hospitalization and strained health care resources, including utilization of all ICU hospital beds on island. Without immediate action, the County of Hawai'i is unable to meet urgent health care needs of our island community. As a result, it has become necessary to re-implement more stringent restrictions in order to reduce the threat of spread and enable our health care resources to meet urgent health care needs attributable to the spread of COVID-19.

I, Mitchell D. Roth, Mayor of the County of Hawai'i, hereby authorize the following:

A. Work in Businesses or Operations

All businesses, operations, and activities are permitted to remain open except those businesses, operations and activities delineated in Exhibit 5, or as otherwise provided by this rule, and subject to all face covering, safety restrictions and physical distancing requirements of this rule, the Governor's Emergency Proclamation Related to the COVID-19 DELTA Response, dated October 1, 2021, as may be amended, and any subsequent proclamations or orders. Nothing in this rule shall prevent businesses, operations or activity sponsors from protecting their employees and customers by requiring proof of vaccination or a recent negative COVID test of employees or customers as a condition to entry into the business establishment, operation or to participating in an activity.

1. Retail businesses are encouraged to limit the number of customers to a single household member.

B. County Government Operations

1. Entry into County Buildings and Department offices that are occupied/staffed by county employees, contractors, and volunteers in furtherance of their work duties (collectively "County Facilities" or individually "County Facility") shall be limited to those members of the public carrying out "Official County Business", as described below, subject to social distancing and other requirements set forth in this Rule, except as otherwise stated herein.

2. "Official County Business" as used in this Rule shall include:
 - i. Individuals required to appear in person at County Facilities to obtain or renew a benefit, license or permit and the county department or agency has not provided emergency alternatives to in-person appearance.
 - ii. Individuals who must submit or file documents with the county and who are unable to submit electronically if allowed by the county department or agency.
 - iii. Individuals granted written or electronic permission to enter a County Facility either by request or invitation.
 - iv. Individuals attending or participating in committee or board meetings subject to the Hawai'i Sunshine Law and for which electronic participation or streaming has not been established.
3. Individuals entering a County Facility pursuant to this Rule shall minimize time within County Facilities to the extent reasonably possible. This shall include going directly to the room, department, or area of the County Facility in which their presence is required and leaving immediately after their Official County Business is complete. Individuals who enter County Facilities must, while therein, comply with Safe Practices requirements set forth in the Governor's Emergency Proclamation, dated October 1, 2021, as may be amended, maintain six (6) feet between themselves and any other person to the extent feasible.
4. Inasmuch as county offices vary in size and ability to accommodate members of the public in a manner consistent with safe practices, each county department head may issue protocols and adjust department operations as necessary to minimize direct interaction between its staff and the public or to minimize the number of persons entering its offices.

C. Safe Practices

All persons shall implement the following physical distancing and sanitation requirements to the fullest extent possible:

1. Face Coverings Required. Face coverings shall be required pursuant to the Governor's Emergency Proclamation Related to the

COVID-19 DELTA Response, dated October 1, 2021, as may be amended from time to time. In addition, all persons shall wear masks outdoors in crowded settings. For purposes of this rule, crowded settings shall include areas where more than ten (10) persons congregate in an outdoor area and six (6) feet social distancing is difficult to maintain or impracticable to achieve or not being adhered to, e.g, waiting in line to enter a retail or restaurant establishment, waiting in line to use a restroom in an otherwise permitted outdoor gathering.

2. High risk populations. Those not fully vaccinated and others at high risk for COVID-19 are urged to stay in their residences to the extent possible, except as necessary to seek medical care.
3. Persons who are sick. Persons who are sick or are exhibiting symptoms such as fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, sore throat, new loss of taste or smell, congestion or runny nose, nausea or vomiting, diarrhea or any other symptoms of COVID-19 identified by the CDC shall NOT report to their places of employment and shall stay at their residences, except as necessary to seek medical care.
4. Physical distancing requirements. Physical distancing requirements shall be set by the Governor's Emergency Proclamation Related to the COVID-19 DELTA Response, dated October 1, 2021, as may be amended from time to time and as otherwise provided in this rule.
5. Hand sanitizing products. Businesses and operations shall provide hand sanitizer or equivalent hand sanitizing products for all employees and customers. All customers shall sanitize hands before entry. Hand sanitizing stations shall be available at each entrance.
6. Disinfection. Businesses and operations shall regularly disinfect all high-touch surfaces. Businesses and operations shall assign, train and schedule employees/staff to sanitize carts, conveyors, counters, handles, knobs, and other high-touch surfaces.
7. Safeguards for high risk populations. Businesses and operations are urged to implement processes to safeguard members of the public by implementing requirements for vaccination or proof of a negative COVID test within 72 hours of entry. Those not fully vaccinated and other high risk person identified by the CDC that are at increased risk for severe illness from COVID-19 are

encouraged to stay in their residence to the extent possible, and to avoid crowded settings except as necessary.

8. Signage. Businesses or operations shall post a sign at the entrance of the facility informing all employees and customers of any vaccination and/or testing restrictions and that they shall, at a minimum: wear face coverings while at the business or operation; avoid entering the business or operation if they have a cough or fever or otherwise do not feel well; maintain the required physical distancing from all others; and not shake hands or engage in unnecessary physical contact.

D. Gatherings

Rules stated herein may be superseded by rules promulgated by the Governor.

Except as otherwise permitted in this Rule and pursuant to Exhibit 6, indoor and outdoor social gatherings of more than ten (10) persons are prohibited. Members of a single residential or family unit who share the same address are not restricted.

A social gathering is defined as a planned or spontaneous event, assembly, or meeting that brings together multiple people from separate households in a single space or area, indoors or outdoors, at the same time and in a coordinated fashion.

1. A social gathering includes, but is not limited to, such get-togethers as a banquet, barbecue, concert, fair, festival, funeral, luau, parade, party, picnic, or wedding.
2. A social gathering does not include, and this definition does not apply to:
 - Federal, state and county government operations and functions;
 - Educational, adult and childcare facilities with adequate and active supervision and monitoring, enforcement capabilities, and established emergency response protocols;
 - Businesses, operations, and activities operating under Section A of this Rule;
 - Park operations and functions governed by Exhibit 2.

E. Commercial and Recreational Boating

Commercial and recreational boating will be allowed, subject to all County or State regulations, including any specific operational restrictions imposed by the State of Hawai'i Department of Land and Natural Resources, and the following conditions:

1. Any vessel having received a certificate of inspection may allow 100% of the rated capacity individuals allowed on the boat, including the boat crew.
2. Sanitation rules detailed in Rules C5 and C6 are followed.
3. If food is served or there are indoor cabins in which passengers congregate, the rules regarding indoor and restaurant service apply.

F. Travel to the County of Hawai'i

Transpacific travel to the County of Hawai'i shall be governed by the Governor's proclamations and rules as may be amended from time to time.

Further pursuant to the Governor's Proclamations, as may be amended from time to time, all persons traveling from outside the State of Hawai'i to Hawai'i Island are subject to the State of Hawai'i's mandatory 10 day self-quarantine unless an exemption or modification applies. The period of self-quarantine shall begin from the date of entry onto Hawai'i Island and shall last 10 days or the duration of the person's presence in the state, whichever is shorter.

G. Specific Rules Relating to Businesses, Operations, and Activities

- Exhibit 1. Restaurants, bars, food courts, and other food establishments
- Exhibit 2. County Parks and Recreational Facilities
- Exhibit 3. Barber Shops and Beauty Operators
- Exhibit 4. Places of Worship
- Exhibit 5. Businesses, Operations and Activities to Remain Closed
- Exhibit 6. Commercial/Business Gatherings

H. Violations and Penalties

Pursuant to Hawai'i Revised Statutes Section 127A-29, and Hawai'i Revised Statute Chapter 291D, any person violating this Rule shall be guilty of an emergency period infraction, as defined in section 291D-2, HRS, and fined \$250.00 for each violation. Any person violating mandatory quarantine/isolation requirements shall be guilty of an emergency period infraction, as defined in section 291D-2, and fined \$500.00 for each violation.

Nothing contained in this section shall modify the criminal penalties for violating transpacific travel or quarantine rules set forth in the Governor's Proclamations as may be amended. Should the penalty provisions relating to quarantine violations be

adjudged inconsistent with the Governor's Proclamation, the Governor's Proclamation shall govern.

Additionally, it shall be a petty misdemeanor for any person to intentionally and/or knowingly fail or refuse to comply with any lawful order or direction of any law enforcement officer, to and including failing to provide the person's name and address, or any proof thereof, or both, as requested in the course and scope of the law enforcement officer's duties under this Rule.

I. This rule shall take effect on October 4, 2021, and shall continue through December 3, 2021, unless extended, rescinded, superseded, or amended by my subsequent order, or as otherwise provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the County of Hawai'i to be affixed. Done this 30th day of September, 2021 in Hilo, Hawai'i.



Mitchell D. Roth
Mayor
County of Hawai'i

CONCURRENCE:


Governor David Y. Ige

EXHIBIT 1

Restaurants, bars, food courts, and other food establishments

Restaurants, bars, food courts, and other food establishments, whether indoors or outdoors, in the County shall comply with the following requirements:

A. General.

- i. Compliance with Physical Distancing and face covering Requirements stated in the Governor's Emergency Proclamation Related to the COVID-19 DELTA Response, dated October 1, 2021, as may be amended.
- ii. Compliance with all regulatory guidelines.
- iii. Development, posting, and implementation of written protocols ("COVID-19 Mitigation Plan") consistent with County, State, industry-specific associations or organizations, and CDC guidance to mitigate the spread of COVID-19 including, but not limited to the following:
 1. <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/business-employers/bars-restaurants.html>

B. Operations.

- i. Face coverings. Employees and customers must follow the Statewide face covering mandate contained in the Governor's Emergency Proclamation Related to the COVID-19 DELTA Response, dated October 1, 2021, as may be amended from time to time.
- ii. All customers are required to sanitize hands upon entry of the establishment.
- iii. Groups are limited to a maximum of ten (10) individuals per table. All customers shall remain seated.
- iv. Seating shall be arranged so that six (6) feet of separation is maintained between groups seated at separate tables unless there is a solid barrier between seating groups.
- v. Seating shall be arranged so that six (6) feet of separation is maintained between single customers.
- vi. Customers shall not be permitted to eat or drink except while sitting or standing at their table. Customers must wear face coverings whenever stepping away from the table at which they are served.
- vii. Condiments, silverware, flatware, glasses, or other traditional tabletop items must not be left on an unoccupied table.
- viii. Tables and chairs must be fully sanitized after each group (or individual customer) leaves the restaurant.
- ix. When non-disposable food ware or utensils are used, they must be sanitized after each use consistent with Hawai'i Department of Health guidance and regulations, and "best practices" of the U.S. Food & Drug Administration ("FDA"), available at:

<https://www.fda.gov/food/food-safety-during-emergencies/best-practices-re-opening-retail-food-establishments-during-covid-19-pandemic>

- x. Provide disposable menus or menu board, or sanitize reusable menus after each use.
- xi. Hourly touch-point sanitization (workstations, equipment, screens, doorknobs, restrooms, etc.) required.
- xii. Valet services are prohibited, except for vehicles with placards or plates for disabled parking.
- xiii. Buffets, salad bars, and other types of self-service of food or beverages are not allowed.

C. Hygiene.

- i. Employer must provide hand washing capability or sanitizer for employees and customers.
- ii. An adequate supply of soap, disinfectant, hand sanitizer, and paper towels must be available at all times.
- iii. Frequent hand washing by employees, especially between interactions with customers.
- iv. To the maximum extent possible employees shall wear food-grade gloves while handling food. Should employees handle any payment transaction (cash or credit card) or the property of the customer, they must sanitize gloves or change gloves before servicing the next customer.
- v. No customer exhibiting a fever or other COVID-19 symptoms shall enter a restaurant, bar food court, or other food establishment.

D. Staffing.

- i. Provide training for employees regarding these requirements.
- ii. Conduct pre-shift screening, and maintain a staff screening log.
- iii. No employee displaying symptoms of COVID-19 shall provide services to customers. Symptomatic or ill employees shall not report to work.
- iv. No person should work within 72 hours of exhibiting a fever or other COVID-19 symptoms, and follow the CDC's "What To Do If You Are Sick" guidance, available at: <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>
- v. Employer must establish a plan for employees getting ill and a return-to-work plan following CDC guidance, which can be found online at: <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

E. Cleaning and Disinfecting.

- i. Cleaning and disinfecting must be conducted in compliance with CDC guidance.

- ii. When an active employee is identified as being COVID-19 positive by testing, cleaning, and disinfecting must be performed as soon after the confirmation of a positive test as practical consistent with CDC guidance.
 - iii. CDC guidance can be found online at:
<https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>
- F. Encouraged Practices. Restaurants and bars are encouraged to do the following:
- i. Have customers enter and exit through different doorways using one-way traffic, where possible.
 - ii. Start or continue entryway, curbside, and home delivery, if permissible.
 - iii. Encourage making reservations, preordering for dine-in service, and ordering for contactless pick-up and delivery by either telephone or other remote means.
 - iv. Implement cashless and receiptless transactions.
 - v. Implement vaccination or COVID testing requirements for employees and customers.
- G. Specific requirements for bars.
- i. Limit groups within the bar to a maximum of ten (10) individuals per table. If bar seating is provided, customers shall be seated at least six (6) feet apart.
 - ii. Ensure groups within the bar maintain at least six (6) feet of separation from other groups.
 - iii. Prohibit groups within the bar from intermingling.
 - iv. Designate areas to separate groups at least six (6) feet apart from each other. (e.g., through ropes or other physical separation for standing areas, or the seating of guests at separate tables, or both).
 - v. Require all employees and customers to follow the Statewide face covering mandate contained in the Governor's Emergency Proclamation Related to the COVID -19 DELTA Response, dated October 1, 2021, as may be amended from time to time.

EXHIBIT 2

COUNTY PARKS AND RECREATIONAL FACILITIES

1. All County of Hawai'i ("County") parks and recreational facilities: (1) listed specifically in Hawai'i County Code, Chapter 15 Parks & Recreation, Article 3, Section 15-68.1 "parks and recreational facility schedule," or (2) as defined by Hawai'i County Code, Chapter 15, Article 1, Section 15-3 as a "park area" or "recreational area," (hereinafter referred to as "park" or "parks") are open unless otherwise stated herein or addressed by separate administrative action, pursuant to the following requirements.
 - a. Indoor groups of more than ten (10) persons are prohibited. Each group shall maintain no less than twenty (20) feet of physical separation. No mingling shall be allowed between members of separate groups.
 - b. Outdoor organized sports activities with groups of more than twenty-five (25) persons are prohibited. Each group shall maintain no less than twenty (20) feet of physical separation. No mingling shall be allowed between members of separate groups.
 - c. All parks pavilions remain closed.
 - d. All canopies and pop-up tents remain prohibited, except as allowed under section 8 of this Exhibit.
 - e. Physical distancing and Face Covering requirements contained in Section C of these rules and the Governor's Emergency Proclamation Related to the COVID-19 DELTA Response, dated October 1, 2021, as may be amended from time to time, shall be followed.
 - f. Events or activities with the potential to generate gatherings in excess of the permitted maximum number of persons will not be allowed unless a comprehensive plan to protect the health, safety and wellbeing of participants, officials, supporters, spectators and other individuals present is pre-approved by the Director of Parks and Recreation (hereinafter "Director"). The plan shall include, but not be limited to, the following:
 - i) Reasonable means and methods to limit and enforce restrictions on the gathering including realistic, sufficient resources to implement such; and
 - ii) Reasonable means to inform, and methods to ensure and enforce, physical distancing requirements for all persons present; and
 - iii) Reasonable strategies for disinfection/sanitization of all common and high-touch surfaces.
 - g. Businesses and operations with the appropriate permit(s) to operate in a park may continue, subject to specific approval of the Director acknowledging this Rule and provided they adhere to applicable COVID-19 industry standards, CDC guidance, and State and County requirements.
2. The following County parks and recreational facilities remain closed to the public:

- a. All community centers and senior centers
- b. All indoor gymnasiums

The Director may authorize limited term, specific uses of the above-listed facilities for County-operated, managed, sponsored or approved activities, programs, services and functions.

3. The following County open-air covered play-courts are open for scheduled, organized recreation activities with modified rules for play in effect:
 - a. Panaewa Park
 - b. Pahoa District Park
 - c. Waimea District Park
 - d. Edith Kanaka'ole Multi-Purpose Stadium
4. All County cemeteries, including veterans' cemeteries administered by the County, remain open for visitation from 7:00 a.m. to 7:00 p.m.
5. The Hilo Municipal Golf Course remains open with modified rules for play in effect. The golf pro shop and driving range concession and restaurant concession remain open pursuant to compliance with all state and county emergency proclamations and rules.
6. County swimming pools remain open with modified days/hours of operations and modified rules in effect as established by the Director.
7. Face coverings are required at the Panaewa Rainforest Zoo and Gardens except when eating or drinking. The pavilion and petting zoo are closed.
8. Camping at County facilities of groups in excess of ten (10) persons is not permitted. Any permits that exceed this limit are cancelled. One (1) 10x10 canopy or pop-up tent will be allowed per camping permit. The camping permit shall be prominently displayed on the canopy or pop-up tent for the duration of the camping permit. Tents/canopies belonging to separate groups of campers shall be separated by not less than twenty (20) feet.
9. All County beach parks and shoreline parks remain open. All persons must abide by the face covering, physical distancing, and gathering requirements contained in Sections B and C of these rules, as amended or superseded.
10. All other State or County restrictions related to COVID-19 must be followed, including, but not limited to, applicable quarantine restrictions.

The foregoing is subject to additional specific park closures, changes to hours of use, and operational modifications as designated by the County Department of Parks and Recreation by posting of appropriate signage and supersedes any conflicting County emergency rule or provision.

EXHIBIT 3

Barber Shops and Beauty Operators

1. Barber shops and beauty operators (hereinafter collectively "Salons") shall follow all safe practices described in this rule.
2. Salons shall prohibit any person from entering their place of business when exhibiting symptoms such as fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, sore throat, new loss of taste or smell, congestion or runny nose, nausea or vomiting, diarrhea or any other symptoms of COVID-19 identified by the CDC.
3. Sanitizing: Provide hand sanitizing stations for employees and customers. Hand sanitizing stations must be available at each entrance.
4. All persons shall maintain a minimum of six (6) feet of physical separation from all other persons to the fullest extent possible. Each business and operation shall determine the maximum number of customers that its respective facility may reasonably accommodate while maintaining the specified physical distancing requirements.
5. Signage: The business shall post signage at the entrance informing all customers of the requirement to wear CDC recommended face coverings while in the salon, not to enter the facility if they have a cough, fever, or do not feel well; to maintain a six (6) feet distance from others, and not to shake hands or engage in unnecessary physical contact.
6. All operators shall wash hands thoroughly with soap and hot water and dry hands thoroughly with sanitary towels or hand dryers prior to client contact and in-between each client.
7. All implements and coverings that come into contact with a client must be changed and laundered or sterilized prior to being used on any other client.
8. Chairs shall be cleaned and disinfected after occupancy by each client. A clean towel or paper cover must be placed on the head rest of any chair, and changed for each client.
9. All clean towels must be kept in a closed cabinet at all times when not being used.
10. A clean strip of cotton, a towel or paper band shall be placed around the neck of each client, so that at no time will hair, cloth, or cape come in contact with the neck or skin of the customer.

11. All fixtures, furnishings, equipment, workstations and restrooms are to be cleaned regularly and disinfected with EPA registered products.
12. Employees must wash hands after using phones, computers, handling cash, or credit cards, and wipe all services between each use.
13. No food or beverages, except water, shall be sold, kept for sale, or stored in any salon.

EXHIBIT 4

Places of Worship

Places of Worship, including in-person spiritual services may be conducted subject to the following:

- A. All persons present at the service must maintain six (6) feet of physical distance between others, except members of the same household or living unit. The gathering limits contained in Section D. of this rule are not applicable to places of worship, however organizers shall limit the number of persons attending in-person spiritual services to ensure physical distancing requirements are met.
- B. Organizers and employees are strongly encouraged to develop and implement appropriate COVID-19 mitigation plans and procedures for their respective in-person services, which must include, but are not limited to, addressing the following issues:
 - i. Adherence to the Statewide face covering mandate contained in the Governor's Emergency Proclamation Related to the COVID-19 DELTA Response, dated October 1, 2021, as may be amended from time to time.
 - ii. Safeguards for higher risk populations consistent with CDC guidance, available at <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/index.html>.
 - iii. Persons who are sick.
 - iv. Personal hygiene.
 - v. Usage of hand sanitizer and sanitizing products.
 - vi. Cleaning and disinfection.
 - vii. Online and remote access and/or drive-in services.
 - viii. Signage.
 - ix. Limiting community sharing of worship materials and other frequently touched items.
 - x. Projection of hymns and verses, when possible.
- C. Organizers and employees of in-person spiritual services must follow, to the greatest extent possible, current COVID-19 related County guidelines, State of Hawai'i guidelines, and CDC guidelines (available at: <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/index.html>)
- D. Encouraged Practices. Places of Worship are encouraged to do the following:
 - i. Modify the methods used to receive financial contributions. Consider a stationary collection box, the main, or electronic methods of collection regular financial contributions instead of shared collection trays or baskets.
 - ii. If food is offered at any event, consider pre-packaged options, and avoid buffet or family-style meals, if possible.

EXHIBIT 5

Businesses, Operations and Activities to Remain Closed

Businesses, operations and activities identified below shall remain closed, unless permission has been granted pursuant to Exhibit 6:

1. Nightclubs
2. Large indoor venues
3. Large outdoor venues
4. Road races (marathons, triathlons, etc.)

Note, however, travel to engage in minimum basic operations of the businesses and operations identified above is allowed, including the minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, and related functions as well as the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences. Minimum basic operations do not include in-person public/customer contact.

Exhibit 6

Commercial/Business Gatherings

Under the supervision of professional planners or venues, or a responsible business or person, business, events or gatherings otherwise prohibited by Section D or Exhibit 5 (collectively "events"), events may seek approval for events otherwise prohibited by Section D and Exhibit 5 upon approval of the Mayor or his designate. The intention of this request procedure is to allow limited supervised types of events which can be held safely. A request shall be submitted to <https://coronavirus-response-county-of-hawaii-hawaii-county-gis.hub.arcgis.com/> at least thirty (30) days before the proposed event and must at a minimum include the following:

- a. The applicant's name and tax identification number under which the event shall be held.
- b. Evidence of event insurance.
- c. Identification of the responsible person(s) for adherence to these Rules and this request.
- d. Description of the event and floor plan for the event which illustrates adherence to safe distancing and practices as required by any federal or state law, Gubernatorial Proclamation or Mayoral Proclamation as may be amended from time to time.
- e. A COVID-19 Event Plan which;
 - i) restricts table seating to no more than 10 persons per table, subject to safe distancing guidelines, and to the extent possible, groups people by members of the same household or business;
 - ii) describes how compliance with these Rules shall be supervised and enforced; and
 - iii) Adheres to Exhibit 1 of these Rules relating to restaurants, bars, food courts, and other food establishments.

The Mayor retains discretion to grant, deny, or require additional information and/or safety measures as a condition of granting a request.

Failure to comply with the terms of permission granted shall nullify the permission. In addition to sanctions provided by mayoral proclamation, the event will be immediately cancelled, the applicant shall not be granted further request(s), and/or the applicant's business may be closed or fined.