

# OFFICE OF THE MAYOR

DEREK S.K. KAWAKAMI, MAYOR

MICHAEL A. DAHLIG, MANAGING DIRECTOR



## EMERGENCY PROCLAMATION

By the authority vested in me as Mayor by the Constitution and laws of the State of Hawai'i and Charter and laws of the County of Kauai, in order to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people, I, Derek S. K. Kawakami, Mayor of the County of Kauai, hereby determine, designate and proclaim as follows:

A landslide occurred in Waimea on Kauai blocking Menehune Road. The landslide has left residents in at least twenty-seven homes without safe ingress or egress from this area. All actions and all steps necessary or appropriate to carry out the purposes of chapter 127A, Hawaii Revised Statutes may be invoked.

NOW, THEREFORE, I, Derek S. K. Kawakami, Mayor of the County of Kauai, hereby determine that an emergency or disaster contemplated by section 127A-14, Hawaii Revised Statutes, has occurred and do hereby proclaim these areas to be disaster areas for the purpose of implementing the emergency management functions as allowed by law, authorizing the expenditure of monies as appropriated for the speedy and efficient relief of the damages, losses, and suffering resulting from the emergency or disaster.

Pursuant to Section 127A-12(c)(11), Hawaii Revised Statutes, I hereby require each public utility, or any person owning, controlling, or operating a critical infrastructure facility that I may designate, to protect and safeguard its or the person's property, or to provide for such protection and safeguarding; and provide for the protection and safeguarding of all critical infrastructure and key resources; provided that without prejudice to the generality of the foregoing two clauses, the protection and safeguarding may include the regulation or prohibition of public entry thereon, or the permission of the entry upon such terms and conditions as I may prescribe.

Pursuant to Section 127A-13(b)(1), Hawai'i Revised Statutes, I invoke my authority to relieve hardships and inequities, or obstructions to the public health, safety, or welfare, that I find to exist in the laws of the county and to result from the operation of federal programs or measures taken under this chapter, by suspending the county laws, in whole or in part, or by alleviating the provisions of county laws on such terms and conditions as I may impose, including county licensing laws, and county laws relating to labels, grades, and standards.

Pursuant to section 127A-13(b)(2), Hawai'i Revised Statutes, I hereby suspend any county law that impedes or tends to impede or be detrimental both expeditious and efficient execution of, or to conflict with, emergency functions, including laws which by this chapter specifically are made applicable to emergency personnel.

Pursuant to Sections 127A-12(a)(5), 127A-13(b)(3), and 127A-13(b)(4), Hawai'i Revised Statutes, the Emergency Management Administrator of the County of Kauai Emergency Management Agency is directed to take appropriate actions to direct or control, as may be necessary for emergency management:

- a. Alerts, warnings, notifications, and activations;

- b. Warnings and signals for alerts and any type or warning device, system, or method to be used in connection therewith;
- c. Partial or full mobilization of personnel in advance of or in response to an actual emergency or disaster;
- d. The conduct of civilians and the movement and cessation of movement of pedestrians and vehicular traffic during, before, and after alerts, emergencies, or disasters;
- e. Shut off water mains, gas mains, electric power connections, or suspension of other services; and
- f. Mandatory evacuation of the civilian population.

Pursuant to Section 18.03 of the Charter, I authorize expenditures from the emergency management contingency fund, as provided by the annual budget, for public purposes during this state of emergency or disaster.

Pursuant to Section 127A-12(c), Hawaii Revised Statutes, and in order to provide emergency disaster relief, I hereby direct all county agencies and officers to cooperate with and extend their services, materials, and facilities as may be required to assist in all efforts to eliminate the danger.

I FURTHER DECLARE that a disaster emergency relief period shall commence January 4, 2022, and continue for 60 days or until further act by this office.

Done at the County of Kaua'i  
This 4th day of January 2022



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

APPROVED:



Matthew M. Bracken  
County Attorney