

ORDINANCE NO. _____

BILL NO. _____

**A BILL FOR AN ORDINANCE TO AMEND
THE KAUA'I COUNTY CODE 1987, AS AMENDED,
BY REPEALING ARTICLE 23 TO CHAPTER 22, RELATING TO
PESTICIDES AND GENETICALLY MODIFIED ORGANISMS**

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

SECTION 1. Findings and purpose. The Kaua'i County Council finds that by Judgment issued in Syngenta Seeds, Inc., et al. v. County of Kaua'i, Civ. No. 14-00014 BMK (D. Haw. filed Aug. 25, 2014), the Court declared Ordinance No. 960, codified as Chapter 22, Article 23 of the Kaua'i County Code 1987, as amended, "preempted by state law and therefore invalid . . ." The Court enjoined "the County from implementing or enforcing the Ordinance." Accordingly, the purpose of this Bill is to repeal the invalid law.

SECTION 2. Chapter 22, Article 23 of the Kaua'i County Code 1987, as amended, is hereby repealed in its entirety.

SECTION 3. In place of the repealed Chapter 22, Article 23 of the Kaua'i County Code 1987, as amended, Article 23 shall be designated as reserved.

SECTION 4. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

SECTION 5. This Ordinance shall take effect upon its approval.

Introduced by:


MEL RAPOZO


ROSS KAGAWA

DATE OF INTRODUCTION:

Līhu'e, Kaua'i, Hawai'i

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Proposed Draft Bill (No. 2562)