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Director of Council Services  
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**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

July 20, 2017

RECEIVED  
2017 JUL 20 AM 10:34  
OFFICE OF THE  
COUNTY CLERK

The Honorable Mike White  
Council Chair  
County of Maui  
Wailuku, Hawaii 96793

Dear Chair White:

SUBJECT: **SPECIAL MANAGEMENT AREA REVOLVING FUND**  
(PAF 17-162)

May I request the attached proposed bill, entitled "A BILL FOR AN ORDINANCE TO ESTABLISH THE SPECIAL MANAGEMENT AREA REVOLVING FUND," be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in cursive script that reads "Elle Cochran".

ELLE COCHRAN  
Councilmember

paf:mmy:17-162c

Attachment

COUNTY COMMUNICATION NO. 17-294

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2017)

A BILL FOR AN ORDINANCE TO ESTABLISH THE SPECIAL MANAGEMENT  
AREA REVOLVING FUND

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Purpose. The purpose of this ordinance is to establish a fund for the deposit of all civil fines collected pursuant to Chapter 205A, Hawaii Revised Statutes. The funds deposited shall be used for: (1) enforcement personnel; (2) acquisition of land or easements to increase beach access in relation to the violation; and (3) master planning and implementation relating to coastal realignment.

SECTION 2. Title 3, Maui County Code, is amended by adding a new chapter to be appropriately designated and to read as follows:

**“Chapter 3.39**

**SPECIAL MANAGEMENT AREA REVOLVING FUND**

Sections:

- 3.39.010 Fund established.
- 3.39.020 Purpose.
- 3.38.030 Administration; report to council.

**3.39.010 Fund established.** There is established and created a fund to be known as the “special management area revolving fund.” Any civil fine collected pursuant to Chapter 205A, Hawaii Revised Statutes, shall be deposited in the fund.

**3.39.020 Purpose.** A. The special management area revolving fund shall provide funds for enforcement, land and

easement acquisition for beach access in relation to the violation, and master planning and implementation relating to coastal realignment.

B. In adopting each fiscal year's budget and capital program, the council may make appropriations to the fund. Any balance remaining in this fund at the end of the fiscal year shall not lapse, but shall remain in the fund accumulating from year to year.

C. The revenues in this fund shall not be used for any purpose except those listed in subsection A.

**3.39.030 Administration; reports to the council.** A. The director of finance shall establish a separate account to record all revenues credited to, and expenditures made from, the revolving fund.

B. Appropriations from the fund shall be by ordinance passed upon a vote of the council.

C. On or before March 1 of each year, the director shall transmit to the council a detailed report of the fund during the preceding year.

D. On or before March 1 of each year, the director of planning shall transmit to the council a detailed report of the violations and amount of fines imposed."

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:



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JEFFREY UEOKA  
Department of the Corporation Counsel  
County of Maui  
2017-0920  
2017-07-19 Proposed Bill