

August 3, 2026, meeting

WAI-21

WATER AND INFRASTRUCTURE COMMITTEE
Amendment Summary Form

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Legislation: Bill 1 (2026), entitled "A BILL FOR AN ORDINANCE AMENDING THE WATER AVAILABILITY POLICY ON SUBDIVISION CONSTRUCTION PLANS."

Proposer: Tom Cook, Chair 
Water and Infrastructure Committee.

Description: The proposed CD1 version:

1. Amends Section 1 to state that the written verification requirement for a long-term water supply must not delay the Department of Water Supply's review of, and comments on, subdivision construction plans.
2. Amends Subsection 14.12.040(A), Maui County Code, by restoring the language regarding written verification requirements.
3. Adds a new Subsection C to Code Section 14.12.040, stating that the required written verification must not delay the Director's review of and comments on subdivision construction plans, and that such review may proceed concurrently with other departmental reviews and comments.
4. Makes nonsubstantive and technical revisions for clarity, consistency, and style.

Motion: Move to replace Bill 1 (2026), with the attached proposed CD1 version.

Attachment: Proposed CD1 version of Bill 1 (2026).

wai:ltr:021aasf02:kjh

ORDINANCE NO. _____

BILL NO. 1, CD1 (2026)

A BILL FOR AN ORDINANCE AMENDING THE WATER AVAILABILITY POLICY
ON SUBDIVISION CONSTRUCTION PLANS

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

SECTION 1. The Council finds that the written verification of a long-term, reliable supply of water required by the County's Water Availability Policy remains critical to sound development in the County. While the requirement must be met before final approval of subdivision construction plans, the requirement should not create a barrier to timely review and process those plans. Accordingly, this Ordinance's purpose is to codify the policy decision that the written verification must not be allowed to delay the Director of Water Supply's review of and comments on subdivision construction plans. The verification requirement itself remains the same.

SECTION 2. Section 14.12.040, Maui County Code, is amended to read as follows:

"14.12.040 Written verification of long-term, reliable supply of water. A. No applicable subdivision [shall] may be approved[,] unless, prior to approval of subdivision construction plans [pursuant to] under section 18.20.180 [of this code], the director has provided written verification of [either]: [(1)]

1. a County water meter or water meter reservation;
or [(2)]

2. the receipt of an approved engineering report for a long-term, reliable supply of water for the subdivision.

B. Written verification of a long-term, reliable supply of water [shall] does not constitute an assurance, covenant, or

warranty by the County of water source from a private, non-County system.

C. The written verification of a long-term, reliable supply of water required by this section must not delay the director's review of and comments on subdivision construction plans, which may proceed concurrently with other departmental reviews and comments."

SECTION 3. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 4. This Ordinance takes effect on approval.

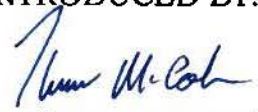
APPROVED AS TO FORM AND LEGALITY:



Department of the Corporation Counsel
County of Maui

wai:misc:021abill02

INTRODUCED BY:

A handwritten signature in blue ink, appearing to read "Tom Cook", is written over a horizontal line.

TOM COOK