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COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

July 23, 2018

Ms. Michele Chouteau McLean, Director
Department of Planning
County of Maui
Wailuku, Hawaii 96793

Dear Ms. McLean:

**SUBJECT: AMENDING TITLE 3, MAUI COUNTY CODE, TO
ESTABLISH THE SPECIAL MANAGEMENT AREA
REVOLVING FUND (PC-13)**

Please review the attached draft bill entitled "A BILL FOR AN ORDINANCE TO ESTABLISH THE SPECIAL MANAGEMENT AREA REVOLVING FUND" and provide any proposed revisions and comments in writing by **August 17, 2018**.

To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Should you have any questions, please contact me or the Committee staff (Traci Fujita at ext. 7687, or Rayna Yap at ext. 8007).

Sincerely,

Handwritten signature of Kelly T. King in cursive.

KELLY KING, Chair
Planning Committee

pc:ltr:013apl01:tntf

Attachment

cc: Mayor Alan M. Arakawa

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:



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