

COUNCIL OF THE COUNTY OF MAUI

AGRICULTURE, DIVERSIFICATION, ENVIRONMENT, AND PUBLIC TRANSPORTATION COMMITTEE

June 23, 2023

**Committee
Report No.** _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Agriculture, Diversification, Environment, and Public Transportation Committee, having met on June 8, 2023, makes reference to Bill 104 (2022), entitled “A BILL FOR AN ORDINANCE AMENDING SECTION 14.04.060, MAUI COUNTY CODE, RELATING TO NOTICE TO PROPERTY OWNERS AND LESSEES WHEN AN ACCOUNT IS IN ARREARS.”

Bill 104’s purpose is to require the Department of Water Supply to provide written notification to the property owner and any lessees at least 60 days prior to the removal of a water meter.

Your Committee notes that an aggrieved individual may appeal the removal under Chapter 14.11, Maui County Code.

Your Committee further notes that the Council’s Agriculture and Public Trust Committee (2021-2023 Council term) met on August 30, 2022.

Your Committee amended Bill 104 to make it effective on approval.

Your Committee voted 6-0 to recommend passage of Bill 104, CD1 (2022) on first reading. Committee Chair Johnson, Vice-Chair Sinenci, and members Lee, Rawlins-Fernandez, Sugimura, and U‘u-Hodgins voted “aye.” Committee member Cook was excused.

COUNCIL OF THE COUNTY OF MAUI

**AGRICULTURE, DIVERSIFICATION,
ENVIRONMENT, AND PUBLIC
TRANSPORTATION COMMITTEE**

Page 2

**Committee
Report No.** _____

Your Committee is in receipt of Bill 104, CD1 (2022), approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee's recommended revision and nonsubstantive revisions.

Your Agriculture, Diversification, Environment, and Public Transportation Committee RECOMMENDS that Bill 104, CD1 (2022), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 14.04.060, MAUI COUNTY CODE, RELATING TO NOTICE TO PROPERTY OWNERS AND LESSEES WHEN AN ACCOUNT IS IN ARREARS," be PASSED ON FIRST READING and be ORDERED TO PRINT.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



GABE JOHNSON, Chair

ORDINANCE NO. _____

BILL NO. 104, CD1 (2022)

A BILL FOR AN ORDINANCE AMENDING SECTION 14.04.060, MAUI COUNTY CODE, RELATING TO NOTICE TO PROPERTY OWNERS AND LESSEES WHEN AN ACCOUNT IS IN ARREARS

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

SECTION 1. Section 14.04.060, Maui County Code, is amended to read as follows:

“14.04.060 Responsibility for equipment. A. At the consumer’s own risk and expense, the consumer [shall] must furnish, install, and keep in good, safe, and operating condition all equipment that may be required for receiving, controlling, applying, and utilizing water. The department [shall] is not [be] responsible for any loss or damage caused by the improper installation of [such] the equipment, or the negligence, want of proper care, or wrongful act of the consumer or any of the consumer’s tenants, agents, employees, contractors, licensees, or assignees in installing, maintaining, using, operating, or interfering with [any such] the equipment.

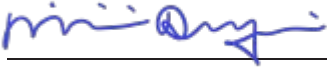
B. Water service may be discontinued to any consumer whose water system includes plumbing fixtures or water containers in any form, or of any use which, as determined by the department, may endanger the public water supply from a public health standpoint. Any [such] discontinuation of service [shall] will continue until [such] the objectionable fixtures or uses have been corrected, removed, or discontinued, and the department is assured that the objectionable fixtures or uses will not be reinstalled or resumed.

C. If a water meter is being removed for any reason identified by the department, written notification must be provided to the property owner and any lessees at least sixty days before the meter is removed. After sixty days, the water meter may be removed by the department subject to the opportunity to appeal the removal to the board under chapter 14.11.”

SECTION 2. 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 3. This Ordinance takes effect on approval.


APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in blue ink, appearing to read "M. J. King", is written above a solid horizontal line.

Department of the Corporation Counsel
County of Maui

adept:misc:003abill01:jgk

INTRODUCED BY:



SHANE M. SINENCI