

REQUEST FOR LEGAL SERVICES

Date: August 20, 2024
From: Shane M. Sinenci, Chair
Water Authority, Social Services, and Parks Committee


TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Selina Pannell, Esq.

Subject: BILL 117 (2024), RELATING TO A SPECIAL EVENT PERMIT EXEMPTION FOR MAUI COUNTY LEGACY FESTIVALS (WASSP-14)

Background Data: Please see attached proposed CD1 version of Bill 117 (2024). Please submit your response to wassp.committee@mauicounty.us with a reference to WASSP-14.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER:

Requestor's signature  Shane M. Sinenci, Chair	Contact Person <u>Clarissa MacDonald or Carla Nakata</u> (Telephone Extension: <u>7135 or 5519, respectively</u>)
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ROUTINE (WITHIN 15 WORKING DAYS) RUSH (WITHIN 5 WORKING DAYS)
 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): August 30, 2024
REASON: For posting on the September 9, 2024, Committee meeting agenda

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): _____

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By _____

(Rev. 7/03)

wassp:ltr:014acc01:clm

Attachment

ORDINANCE NO. _____

BILL NO. **117, CD1** (2024)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 13.04A, MAUI COUNTY CODE, RELATING TO A SPECIAL EVENT PERMIT EXEMPTION FOR MAUI COUNTY LEGACY FESTIVALS

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

SECTION 1. This Ordinance’s purpose is to exempt long-running festivals in Maui County from requiring Council authorization for a Special Event Permit to use a park or recreational facility for more than five consecutive days.

SECTION 2. Section 13.04A.100, Maui County Code, is amended by amending subsection D to read as follows:

“D. Duration. Other than Maui County legacy festivals and leagues, permits [shall] ~~must~~ not exceed five consecutive days, unless authorized by the Council[.] ~~by resolution.~~ For purposes of this subsection, “Maui County legacy festival” means a festival that has been held in the County for at least 15 consecutive calendar years and that takes place around the same time of the year at the same or a nearby park or recreation facility. To maintain legacy status, the festival must be held every calendar year after attaining legacy status, except that a festival may maintain legacy status if the consecutive-year streak is broken because of an event beyond the festival organizers’ reasonable control, including an epidemic, pandemic, disaster, catastrophe, or restrictions imposed by governmental authorities.”

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

wassp:misc:014abill01:clm

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Shane M. Sinenci". The signature is written in a cursive style with a prominent initial 'S'.

SHANE M. SINENCI

WASSP Committee

From: WASSP Committee
Sent: Tuesday, August 20, 2024 11:38 AM
To: CorpCounselRFLS@co.maui.hi.us
Cc: WASSP Committee
Subject: OCS - WASSP - BILL 117 (2024), RELATING TO A SPECIAL EVENT PERMIT EXEMPTION FOR MAUI COUNTY LEGACY FESTIVALS (WASSP-14)
Attachments: 014acc01.pdf

Please see attached.

Mahalo,
WASSP Committee Staff