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

November 17, 2020

Director of Council Services  
Traci N. T. Fujita, Esq.

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OFFICE OF THE  
COUNTY CLERK

The Honorable Alice L. Lee  
Council Chair  
County of Maui  
Wailuku, Hawaii 96793

Dear Chair Lee:

SUBJECT: **REDUCING FINES** (PAF 20-057)

May I request the attached proposed bill, entitled "A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 3.17, MAUI COUNTY CODE, RELATING TO THE REDUCTION OF ADMINISTRATIVE FINES," be placed on the next Council meeting agenda.

Sincerely,

Handwritten signature of Tamara A. M. Paltin in black ink.

TAMARA PALTIN  
Councilmember

paf:jbf:20-057i

Enclosure

COUNTY COMMUNICATION NO. 20-595

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

BILL NO. \_\_\_\_\_ (2020)

A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 3.17, MAUI COUNTY  
CODE, RELATING TO THE REDUCTION OF ADMINISTRATIVE FINES

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

SECTION 1. The Council finds executive-branch agencies sometimes reduce accrued administrative fines on their own violation. The Council also finds that it is sometimes asked by the Department of the Corporation Counsel to approve the settlement of disputes including the reduction of accrued administrative fines. In addition, the Council finds the Maui County Code does not provide express authority for the reduction of accrued administrative fines. The purpose of this Ordinance is to codify policies and procedures for the reduction of administrative fines.

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

**"Chapter 3.17**

**REDUCING FINES**

Sections:

3.17.010	Reducing fines.
3.17.020	Reports.
3.17.030	Conflicting rules.
3.17.040	Definitions
3.17.050	Excluded fines.

## Chapter 3.17

### REDUCING FINES

**3.17.010 Reducing fines.** An agency may reduce a fine, which exists or may later arise, imposed in accordance with this code or administrative rules adopted in accordance with this code, except that reducing a fine by more than \$7,500 requires council authorization by resolution.

**3.17.020 Reports.** Any agency that reduces a fine must file with the council a quarterly report of all fine reductions for the current quarter and all succeeding quarters.

**3.17.030 Conflicting rules.** Any administrative rule that conflicts with this chapter is void.

**3.17.040 Definitions.** As used in this chapter, "reduce" means accepting payment that is less than the full amount of an imposed fine, or accumulated imposed fines arising from the same notice of violation or set of circumstances, but does not include partial payments if the full amount remains due.

**3.17.050 Excluded fines.** This chapter does not apply to fines issued for misdemeanors."

SECTION 2. This ordinance takes effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

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