

REQUEST FOR LEGAL SERVICES

Date: October 24, 2025
From: Shane M. Sinenci, Chair
Water Authority, Social Services, and Parks Committee

TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Yukari Murakami, Esq.

Subject: **BILL 119 (2025), PENALTIES FOR PROHIBITED NOISE VIOLATIONS** (WASSP-9)

Background Data: At the October 20, 2025, Water Authority, Social Services, and Parks Committee meeting, the Committee and the Honolulu Police Department's representative referenced Chapter 11-46, Hawai'i Administrative Rules, and Sections 291-24 and 291-24.5, Hawai'i Revised Statutes, which governs noise in residential, commercial, and industrial spaces and mufflers, respectively. May I please request you explain whether these State laws preempt Sections 9.36.030, 9.36.040, and 10.20.440, Maui County Code. Please submit your response to wassp.committee@mauicounty.us with a reference to WASSP-9.

Work Requested: ☐ FOR APPROVAL AS TO FORM AND LEGALITY

☒ OTHER: Legal opinion.

Requestor's signature  Shane M. Sinenci, Chair	Contact Person <u>Clarissa MacDonald</u> (Telephone Extension: <u>7135</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): _____
REASON: _____

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 Committee

From: WASSP Committee
Sent: Monday, October 27, 2025 9:49 AM
To: 'CorpCounselRFLS@co.maui.hi.us'
Cc: WASSP Committee
Subject: OCS - WASSP - BILL 119 (2025), Penalties for Prohibited Noise Violations
Attachments: 009acc01.pdf

Please see attached RFLS.

Mahalo,
WASSP Committee staff