

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

BILL NO. 38 (2019)

A BILL FOR AN ORDINANCE AMENDING SECTION 13.04A.290, MAUI COUNTY CODE, TO PROHIBIT COMMERCIAL OCEAN RECREATIONAL ACTIVITY AT HANAKAO`O BEACH PARK

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

SECTION 1. The purpose of this ordinance is to amend section 13.04A.290, Maui County Code, to prohibit commercial ocean recreational activity at Hanakao`o Beach Park, Lahaina, Maui, Hawaii, also known as "Canoe Beach," because commercial ocean recreational activity has proven to be increasingly incompatible with the growing need to house recreational and cultural canoe activities at the beach park.

According to Subsection 13.04A.330(A), Maui County Code, existing commercial ocean recreational activity permits may be issued for up to one year before expiring automatically. The prohibition will allow existing permit holders to continue their operation at Hanakao`o Beach Park until those permits expire.

SECTION 2. Section 13.04A.290, Maui County Code, is amended to read as follows:

**“13.04A.290 Prohibitions.** Commercial ocean recreational activity requiring a permit under subsection 13.04A.300(A) is prohibited at Baldwin Beach Park, Cove Park, Hookipa Beach Park, Kamaole Beach Park I, Kamaole Beach Park II, Kamaole Beach Park III, the southern portion of Kalama Park (the section of Kalama Park from the sand beach at Cove Park to the [southern most] southernmost parking area adjacent to South Kihei Road),

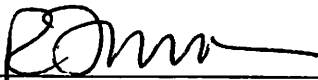
Launiupoko Beach Park, [and] Puamana Beach Park[.], and Hanakao`o Beach Park.”

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 Material to be repealed is bracketed.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. A holder of a valid commercial ocean recreational activity permit issued for Hanakao`o Beach Park pursuant to Article VII of Chapter 13.04A, Maui County Code, as of the effective date of this ordinance, may continue to operate until the permit expires, provided the permit holder is in compliance with permit requirements.

SECTION 5. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:



Department of the Corporation Counsel  
County of Maui

paf:cmn:19-182a  
LF 2017-0706  
EACP-27 2019-06-05 Ordinance

DIGEST

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COUNTY CODE, TO PROHIBIT COMMERCIAL OCEAN RECREATIONAL  
ACTIVITY AT HANAKAO`O BEACH PARK

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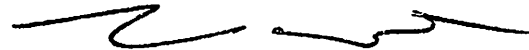
I, JOSIAH K. NISHITA, County Clerk of the County of Maui, State of Hawaii, DO  
HEREBY CERTIFY that the foregoing BILL NO. 38 (2019) was passed on First Reading  
by the Council of the County of Maui, State of Hawaii, on the 18th day of June, 2019, by  
the following vote:

AYES: Councilmembers Natalie A. Kama, Alice L. Lee, Michael J. Molina,  
Tamara A. M. Paltin, Shane M. Sinenci, Yuki Lei K. Sugimura,  
Vice-Chair Keani N. W. Rawlins-Fernandez, and Chair Kelly T. King.

NOES: None.

EXCUSED: Councilmember G. Riki Hokama.

DATED at Wailuku, Maui, Hawaii, this 18th of June, 2019.



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JOSIAH K. NISHITA, COUNTY CLERK  
COUNTY OF MAUI, STATE OF HAWAII

Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk,  
County of Maui, for use and examination by the public.