


February 4, 2019

MEMO TO: WAI-24 File

F R O M: Alice L. Lee, Chair   
Water and Infrastructure Committee

SUBJECT: **TRANSMITTAL OF LEGISLATIVE PROPOSAL RELATING TO  
AMENDING SECTION 14.07.090, MAUI COUNTY CODE,  
RELATING TO DURATION OF WATER METER RESERVATION**  
(WAI-24)

The attached legislative proposal pertain to Item WAI-24 on the Committee's agenda.

wai:ltr:024afile01

Attachment

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

BILL NO. \_\_\_\_\_ (2019)

A BILL FOR AN ORDINANCE AMENDING  
SECTION 14.07.090, MAUI COUNTY CODE,  
RELATING TO DURATION OF WATER METER RESERVATION

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

SECTION 1. Section 14.07.090, Maui County Code, is amended to read  
as follows:

**“14.07.090 Payment of water system development fee.**

A. Applicant ready for water service. The director shall approve applications only upon payment of the water system development fee or application of credit for water service or additional water service, provided water source capacity is available at that time. Total payment for water service shall be the water system development fee in effect at the time the meter is installed.


B. Applicant not ready for water service. Upon payment of a deposit equal to the water system development fee set forth in the annual budget by an applicant who, to the director's satisfaction, is unable to accept water service immediately, the department may reserve an allocation of water service source capacity available at that time. Total payment for water service will be the water system development fee in effect at the time the meter is installed. The duration of any such reservation shall not exceed [two] five years [plus two six-month extensions, each for good cause shown and approved by the director], provided water service source capacity is available. The department and the applicant shall agree in writing on the amount of any reserved allocation.

If within [two] five years, [or longer with extension(s),] the applicant is not able to accept installation of water service, the application and the reservation of the allocation shall expire, the deposit paid by the applicant shall be forfeited, and said deposit shall be applied to the water system development fee fund with no credit of any kind toward any future application.”

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 Material to be repealed is bracketed.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 shall take effect upon its approval; provided however, that existing valid water meter reservations shall also have a total duration of five years from the date of the department's approval of the water meter reservation.

APPROVED AS TO FORM  
AND LEGALITY:



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JENNIFER M.P.E. OANA  
Deputy Corporation Counsel  
County of Maui  
2018-1173  
2019-02-01 Ordinance