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COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

July 11, 2024

Director of Council Services
David M. Raatz, Jr., Esq.

Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

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

RECEIVED
2024 JUL 12 AM 8:21
OFFICE OF THE
COUNTY CLERK

Dear Chair Lee:

SUBJECT: **AMENDMENT TO BILL 87, CD1, FD1**
(2024) (PAF 24-171)

May I request the attached proposed amendment to Bill 87, CD1, FD1 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 16.25, MAUI COUNTY CODE, RELATING TO TEMPORARY STRUCTURES AND USES," be placed on the next Council meeting agenda.

Sincerely,

TOM COOK
Councilmember

paf:jpp:24-171c

Enclosure

MAUI COUNTY COUNCIL
Amendment Summary Form

Legislation: Bill 87, CD1, FD1 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 16.25, MAUI COUNTY CODE, RELATING TO TEMPORARY STRUCTURES AND USES."

Proposer: Tom Cook, Councilmember.

Description: Adds a signature by Deputy Corporation Counsel Michael Hopper, approving the bill as to form and legality, on page 2.

Motions: Move to substitute Bill 87, CD1, FD1 (2024) with the attached proposed FD2 version.

Attachment: Proposed FD2 version of Bill 87, CD1, FD2 (2024).

paf:jpp:24-171d

ORDINANCE NO. _____

BILL NO. 87, CD1, FD2 (2024)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 16.25,
MAUI COUNTY CODE, RELATING TO TEMPORARY
STRUCTURES AND USES

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

SECTION 1. Section 16.25.108, Maui County Code, is amended to read
as follows:

“16.25.108 Temporary structures and uses.

108.1 General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than one hundred eighty days~~].~~, except that:

1. The building official is authorized to grant extensions for demonstrated cause~~].~~; or

2. Temporary structures, inclusive of those used as dwelling units permitted under a state or local emergency proclamation under section 127A-14, Hawai‘i Revised Statutes, must be permitted initially for forty-two months, after which the property owner may apply for an automatic permit extension for no more than eighteen additional months from the date of the initial permit expiration.

108.2 Conformance. Temporary structures and uses shall comply with the requirements of the Maui County Fire Code, as amended, and title 19. The applicant and property owner are responsible to ensure the temporary structure is erected and constructed in a safe manner and does not pose a life safety or fire safety hazard. In the event of severe weather, the temporary structure shall be removed.

108.3 Permit required. Temporary structures shall obtain a permit unless exempted by this code. The erection and removal dates shall be provided.

108.4 Construction documents. A permit application and construction documents shall be submitted for each installation of a temporary structure. The construction documents shall include a

site plan indicating the location of the temporary structure and other information required by reviewing agencies.

108.5 Termination of approval. The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.”

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 takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

/s/ Michael J. Hopper

Department of the Corporation Counsel
County of Maui

paf:jpp:24-171a

INTRODUCED BY:

Tamara A. M. Paltin

TAMARA PALTIN