

REQUEST FOR LEGAL SERVICES

Date: October 26, 2016
From: Elle Cochran, Chair
Infrastructure and Environmental Management Committee

TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Richelle Thomson, Esq.

Subject: PARKING RESTRICTIONS ON KEALAKAI PLACE (PAIA) (IEM-54)

Background Data: The attached proposed bill has been revised to clarify the parking prohibition on the opposite (east) side of Kealakai Place from 9:00 p.m. to 6:00 a.m. A clean copy and a mark-up are attached for your ease of reference. Please include the revised hard copy in your response.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER:

10

Requestor's signature <u>David M. Raaf</u> Elle Cochran	Contact Person <u>Shelly Espeleta</u> (Telephone Extension: 7134)
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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): 4:30 p.m., October 26, 2016

REASON: For posting on the November 4, 2016 Council agenda

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)

iem:ltr:054acc04:ske

Attachments

ORDINANCE NO. _____

BILL NO. _____ (2016)

A BILL FOR AN ORDINANCE AMENDING SECTION 10.48.040,
MAUI COUNTY CODE, RELATING TO PARKING PROHIBITIONS ON
KEALAKAI PLACE, PAIA, MAUI, HAWAII

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

SECTION 1. Section 10.48.040, Maui County Code, is amended to read
as follows:

“10.48.040 Parking prohibited on certain streets and highways. No operator of any motor vehicle shall park the same or permit such vehicle to be parked on the following portions of the public streets and highways of the County:

A. Wailuku district.

1. On the south side of Wells Street, between the corner of Wells Street and High Street and the concrete sidewalk running from Wells Street to the front entrance of the court house.

2. On the north side of Vineyard Street, from a point eighty-six and one-half feet west of North Church Street to North High Street.

3. On the north side of Vineyard Street, between Central Avenue and Market Street.

4. On the east side of South Market Street, between Wells Street and Pakahi Street.

5. On both sides of West Main Street, from thirty feet west of and sixty feet east of the culvert located one hundred fifty yards east of the intersection of West Main Street and Iliina Street.

6. On the east side of North Market Street, from Kapoai Place to the driveway leading to Liko Place.

7. On both sides of Kinipopo Street.

8. On the north side of Wells Street, from the intersection of High Street and Wells Street to Kinipopo Street.

9. On the west side of Central Avenue, from East Main Street and Kaahumanu Avenue to a point opposite Maluhia Drive.

10. On the east side of North High Street, from West Main Street to Vineyard Street.

11. On both sides of the paved portion of Kinipopo Street.
12. On the south side of Aupuni Street, from South High Street to Awapuhi Place.
13. On the north side of Lower Main Street, from the intersection of Mill Street to Kaniela Street.
14. On the west side of Kinipopo Street, from the intersection of Wells Street to the intersection of Oihana Street.
15. On the south side of West Main Street, from the intersection of Ilina Street to five hundred feet west of the intersection of High Street.
16. On the south side of Mokuhau Road, from the end of the road at the turnaround area for a distance of three-tenths of a mile east of the point.
17. On the west side of North Church Street, from Waikahe Place to the intersection of Vineyard Street.
18. On the west side of Hinano Street, from the intersection of Olu Drive to the intersection of Vineyard Street.
19. On the west side of North Market Street, starting from a point one hundred feet north of Kahawai Street for a distance of one hundred seventy feet north from that point.
20. On the west side of Central Avenue, from the intersection of Mill Street to East Main Street.
21. On the south side of Mill Street, between pole numbers 6 and 7 of Maui Electric Company.
22. On the south side of Pakahi Street, from South Church Street to South Market Street.
23. On the south side of Palua Street, from South Church Street to South Market Street.
24. On the south side of Kaohu Street, from High Street for a distance of ninety-six feet.
25. On the east side of Kalawi Place, beginning one hundred twenty-eight feet south from the intersection of Kaohu Street for a distance of eighty feet around a sharp curve.
26. On the makai side of Koeli Street, beginning thirty feet from the intersection with Malako Street for a distance of three hundred seventy-three feet; provided, that such prohibited parking shall be applicable only on school days, between the hours of 7:00 a.m. and 8:00 a.m., and between 1:30 p.m. and 2:30 p.m.
27. On the north side of Kaohu Street, from its intersection with Kalawi Place and South Market Street to the Kalana O Maui parking lot.
28. On the south side of Kaohu Street, from Kalawi

Place to Kiele Street on school days only, between the hours of 7:00 a.m. and 8:00 a.m., and between the hours of 2:00 p.m. and 3:00 p.m., except on Wednesdays when such hours shall be between 7:00 a.m. and 8:00 a.m., and between 1:00 p.m. and 2:00 p.m.

29. On the west side of Kalua Road, from Kaohu Street to a point eighty-five feet south of the intersection.

30. On the west side of Mission Street, for a distance of ninety-one feet south from the intersection of Mission Street and Mill Street.

31. On both sides of Lono Avenue, from its intersection with Kaahumanu Avenue to its intersection with Kamehameha Avenue.

32. On the west side of Puunene Avenue, beginning at the junction of Puunene Avenue and Mokulele Highway and extending to a point approximately one hundred forty feet south of the intersection.

33. On the west side of Awapuhi Place.

34. On both sides of Ainahou Place.

35. On the south side of Wells Street, within twenty feet on either side of the driveway to Wells Park tennis court parking lot.

36. On the south side of Wells Street, within seventy feet from the west edge of South Market Street.

37. On both sides of South Market Street, between Wells Street and Pakahi Street.

38. On the north side of Main Street, beginning at Puahau Place and extending west for a distance of eighty feet.

39. On the north side of Main Street, beginning at Puahau Place and extending east for a distance of eighty feet.

40. On both sides of Kaikoo Street, beginning at its intersection with Waiehu Beach Road and extending for a distance of one hundred ten feet.

41. On both sides of North Street, between Central Avenue and Hinano Street.

42. On the east side of Lunalilo Street, beginning at its intersection with Kaahumanu Avenue to a distance of one hundred feet north of the northern property line of the parcel [of land] identified for real property tax purposes as tax map key number (2) 3-8-007:057.

43. On both sides of Onaona Street.

44. On both sides of Wailani Street, between East Vineyard Street and Nani Street.

45. On the south side of Kahawai Street, between Market Street and Makua Street, as prohibited by signs.

B. Lahaina district.

1. On the east side of Front Street, between Dickenson Street and Prison Street.
2. On the south side of Lahainaluna Road, between the old Collins Park and the old Pioneer Mill Company's Clubhouse.
3. On both sides of the entire roadway within the Lahaina Civic Center Complex from its intersection with Honoapiilani Highway.
4. On the west side of Luakini Street, between Lahainaluna Road and Prison Street.
5. On the south side of Prison Street, from Luakini Street to Honoapiilani Highway.
6. On the east side of Front Street, between Kapunakea Street and Kahoma Stream or Unahiole Circle.
7. On the Kaanapali side of Papelekane Street, from Wharf Street to Front Street.
8. On both sides of Prison Street, from Front Street to Luakini Street.
9. On both sides of Dickenson Street, from Front Street to Luakini Street.
10. On both sides of Front Street, from the old Wong Store to the old Lahaina Broiler.
11. At the Kaanapali end of Wharf Street at its intersection with Papelekane Street.
12. On the Kaanapali side of Lahainaluna Road, from Luakini Street to Honoapiilani Highway.
13. On the mauka side of Front Street, between Wahie Lane and Papalaua Street.
14. On both sides of Wahie Lane.
15. On the makai side of Front Street, for a distance of one hundred twenty-one feet south of the north property line of Whaler's Market Place, between the hours of 9:00 a.m. and 9:00 p.m.
16. On the makai side of Front Street, for a distance of one hundred seventeen feet north of the south property line of Whaler's Market Place, between the hours of 9:00 a.m. and 9:00 p.m. each day; provided, that any bus certified by the public utilities commission of the State shall be permitted to stop, stand, or park in the loading and unloading zone for the purpose of loading and unloading passengers, and then only for a period not to exceed fifteen minutes.
17. On the west side of Wainee Street, from the intersection of its centerline of Dickenson Street to a point two hundred sixty feet north of the intersection, between the hours of 7:00 a.m. and 2:30 p.m., Monday through Friday, except public holidays.

18. On both sides of Luakini Street, between Hale Street and Dickenson Street.

19. On the south side of Lahainaluna Road, between Wainee Street and Honoapiilani Highway.

20. Along the west side of Front Street, from a point one hundred feet north of the four-foot []-wide pedestrian access easement located upon the parcel [of land] identified for real property tax purposes as tax map key number (2) 4-6-002:002, to a point one hundred feet south of the easement.

21. On the Kaanapali side of Aholo Street.

22. On the Kaanapali side of Wili Ko Place.

23. On both sides of Hinau Street, between Honoapiilani Highway and Limahana Place.

24. On the Kaanapali side of Dickenson Street, from Honoapiilani Highway to Wainee Street.

25. On the mauka side of Wainee Street, from Lahainaluna Road to Dickenson Street.

26. On the makai side of Wainee Street, from Waianae Place to Prison Street.

27. On the makai side of Lower Honoapiilani Road, from its intersection with Kaanapali Shores Place [to] in Honokowai to its intersection with Kapalua Place.

28. On both sides of Kapunakea Street, between Front Street and Honoapiilani Highway.

29. On the Kaanapali side of Panaewa Place.

30. On the Kaanapali side of Panaewa Street.

31. On the south side of Puukolii Road, beginning at Kalapu Drive through the end of Puukolii Road.

32. On both sides of Kumukahi Street, between Kuialua Street and Niheu Street, applicable only on school days, between the hours of 7:00 a.m. and 8:00 a.m., and between 1:00 p.m. and 2:30 p.m.

33. On both sides of Akahale Street, between Honoapiilani Highway and Mahinahina Street.

34. On both sides of Front Street from Honoapiilani Highway, north toward Shaw Street, as prohibited by signs.

35. On the south side of Nahono Place, from Lower Honoapiilani Road, as prohibited by signs.

C. Makawao district.

1. On the north side of Makawao Avenue, from the intersection of Makawao Avenue and Baldwin Avenue to a point one hundred fifty feet west of the intersection.

2. On the west side of Baldwin Avenue[,] in Paia, from the entrance to the old Paia Mill warehouse for a distance of two hundred feet in the direction of Makawao.

3. On the mauka side of Hana Highway in Pauwela,

between Haiku School Road and West Kuiaha Road.

4. On the south side of Makawao Avenue, from the intersection of Makawao Avenue and Baldwin Avenue, to a point seventy feet west of the intersection applicable only on school days from 7:00 a.m. to 8:30 a.m., and from 2:00 p.m. to 3:30 p.m.

5. On the north side of Haliimaile Road, for a distance of approximately thirty feet from the Haleakala Junction.

6. On both sides of Kilakila Place in Pukalani, within three hundred feet of its intersection with Haleakala Highway.

7. On both sides of Kokomo Road, between Haiku Road and Lowrie Ditch.

8. On both sides of Ulumau Place.

9. On the west side of Kealakai Place in Paia at all times, and on the east side of Kealakai Place from 9:00 p.m. to 6:00 a.m.

D. Lanai district.

1. On the west side of Lanai Avenue, between Sixth Street and Seventh Street.

2. On both sides of Seventh Street, between Koele Street and Lanai Avenue.

3. On both sides of Sixth Street, between Lanai Avenue and Fraser Avenue; provided, that such prohibition shall be only during school days [~~during~~] between the hours of 7:00 a.m. and 3:30 p.m.

E. Hana district. On Keawa Place fronting Helene Hall, for a distance of one hundred forty-six feet.

F. Molokai district.

1. On both sides of Ailoa Street in Kaunakakai, for a distance of fifty feet on both sides of the crosswalk fronting Kaunakakai Elementary School cafeteria; provided, that such prohibition shall be [~~only during~~] on school days [~~during~~] only, between the hours of 7:00 a.m. [~~to~~] and 3:30 p.m.

2. On both sides of Alohi Street, from its intersection with Kamoi Street for a distance of two hundred feet to the east.

G. Kihei district. On both sides of Lipoa Street, between Piilani Highway and South Kihei Road.”

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.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

iem:misc:054abill02:ske

ORDINANCE NO. _____

BILL NO. _____ (2016)

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6. On the east side of North Market Street, from Kapoai Place to the driveway leading to Liko Place.

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16. On the makai side of Front Street, for a distance of one hundred seventeen feet north of the south property line of Whaler's Market Place, between the hours of 9:00 a.m. and 9:00 p.m. each day; provided, that any bus certified by the public utilities commission of the State shall be permitted to stop, stand, or park in the loading and unloading zone for the purpose of loading and unloading passengers, and then only for a period not to exceed fifteen minutes.
17. On the west side of Wainee Street, from the intersection of its centerline of Dickenson Street to a point two hundred sixty feet north of the intersection, between the hours of 7:00 a.m. and 2:30 p.m., Monday through Friday, except public holidays.

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2. On the west side of Baldwin Avenue[,] in Paia, from the entrance to the old Paia Mill warehouse for a distance of two hundred feet in the direction of Makawao.

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2. On both sides of Seventh Street, between Koele Street and Lanai Avenue.

3. On both sides of Sixth Street, between Lanai Avenue and Fraser Avenue; provided, that such prohibition shall be only during school days [during] between the hours of 7:00 a.m. and 3:30 p.m.

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F. Molokai district.

1. On both sides of Ailoa Street in Kaunakakai, for a distance of fifty feet on both sides of the crosswalk fronting Kaunakakai Elementary School cafeteria; provided, that such prohibition shall be [only during] on school days [during] only, between the hours of 7:00 a.m. [to] and 3:30 p.m.

2. On both sides of Alohi Street, from its intersection with Kamoi Street for a distance of two hundred feet to the east.

G. Kihei district. On both sides of Lipoa Street, between Piilani Highway and South Kihei Road.”

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SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

iem:misc:054abill02 (markup):ske