

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

BILL NO. 87, CD1, FD1 (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 Material to be repealed is bracketed.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:

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Department of the Corporation Counsel  
County of Maui

wai:misc:023abill03:jpp

INTRODUCED BY:

*Tamara A.M. Paltin*

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TAMARA PALTIN

DIGEST

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This bill proposes to amend Section 16.25.108, Maui County Code, to allow the use of temporary structures for up to five years.

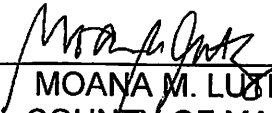
I, MOANA M. LUTEY, County Clerk of the County of Maui, State of Hawaii, DO HEREBY CERTIFY that the foregoing BILL NO. 87, CD1, FD1 (2024) was passed on First Reading by the Council of the County of Maui, State of Hawaii, on the 5th day of July, 2024, by the following vote:

AYES: Councilmembers Tom Cook, Gabriel Johnson, Tamara A. M. Paltin, Keani N. W. Rawlins-Fernandez, Nohelani U'u-Hodgins, Vice-Chair Yuki Lei K. Sugimura, and Chair Alice L. Lee.

NOES: None.

EXCUSED: Councilmembers Natalie A. Kama and Shane M. Sinenci.

DATED at Wailuku, Maui, Hawaii, this 8th of July, 2024.

  
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MOANA M. LUTEY, 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.