

# REQUEST FOR LEGAL SERVICES

**Date:** July 1, 2026  
**From:** Thomas Cook, Councilmember


TRANSMITTAL

**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Nāhulu Nunokawa, Esq.

**Subject:** Permitted uses for A-1 and A-2 property owners who were not notified of TVR amortization by Ordinance 5909's deadline (PAF 26-183)

**Background Data:** Ordinance 5909 amended Section 19.12.070, Maui County Code, to require the Director of Finance, with the Planning Director's help, to provide notice by March 1, 2026, to owners of real property subject to TVR-use amortization. If property owners did not receive the required notification, are they exempt from the phase-out of TVR uses under Ordinance 5909? What are the repercussions of a failure to notify under Code Subsection 19.12.070(D)? Please explain. Please submit your response to county.council@mauicounty.us and megan.moniz@mauicounty.us, referencing PAF 26-183.

**Work Requested:**  FOR APPROVAL AS TO FORM AND LEGALITY  
 OTHER: Legal opinion.

Requestor's signature  Thomas Cook	Contact Person <u>Megan Moniz</u> (Telephone Extension: <u>7145</u> )
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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): July 15, 2026  
REASON: To consider potential legislation for posting on the July 24, 2026, Council meeting.

## 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): \_\_\_\_\_  
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DEPARTMENT OF THE CORPORATION COUNSEL

Date \_\_\_\_\_

By \_\_\_\_\_

(Rev. 7/03)