

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

BILL NO. 98 (2024)

A BILL FOR AN ORDINANCE AMENDING CHAPTERS  
16.18B, 16.20C, AND 16.25, MAUI COUNTY CODE, ON  
MANUFACTURED AND MODULAR HOMES

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

SECTION 1. This Ordinance's purpose is to facilitate the permitting and inspection of manufactured and modular homes.

SECTION 2. Section 16.18B.030, Maui County Code, is amended by adding new definitions to be appropriately inserted and to read as follows:

“Manufactured home” means a dwelling unit that is completely constructed in a factory on a chassis and transported fully assembled.”

“Modular home” means a dwelling unit partially constructed in a factory to at least 75 percent completion and moved in multiple pieces to, and installed on a foundation at, a permanent building site.”

SECTION 3. Section 16.18B.104, Maui County Code, is amended by amending subsection 16.18B.104-4 to read as follows:

**“104-4. Permit required; exceptions.** (a) No person [shall] may perform [any] electrical work or cause or allow the same to be performed unless a permit has been obtained from the director. The following work and installations [shall] do not require a permit:

(1) Electrical work and installations for which the provisions of this [Code] code are expressly declared [to be not applicable;] inapplicable.

(2) Electrical work for any County department, [provided that] unless the director of [said] that department requests an

exemption in writing, on a form prescribed by the director of public works for [such] that purpose[:].

(3) Installation of any portable motor or other portable appliance or equipment, energized by means of a cord or cable having an attachment plug, [provided such] unless the cord or cable complies with this [Code:] code.

(4) Repair of any fixed motor or appliance, or replacement of any fixed motor with another fixed motor having the same horsepower rating, situated at the same location, and reconnected to the same circuit[:].

(5) Replacement of an existing [luminaire(s)] luminaires or wiring [device(s)] devices including receptacle outlets and switches at [its] their original [location(s),] locations, where no alteration is made to the existing branch circuit wiring[:].

(6) Maintenance and repair work by an electrician licensed [pursuant to] under chapter 448E, Hawaii Revised Statutes, [as amended,] for installations at supervised industrial or commercial facilities where down time or equipment failure could result in injury to persons or damage to property and where [such] maintenance and repair work does not involve adding new circuits or increasing the ampacity of existing circuits [:].

(7) Emergency electrical work by a person to whom a permit may be issued, subject to section 16.18B.104-4(b) [of this Code:]

(8) Residential low-voltage class 2 or class 3 remote-control, signaling, and power-limited circuits, installed within or about a single-family dwelling, including [, but not limited to,] security alarm and monitoring systems, sprinkler irrigation system control wiring, landscape lighting systems, solar water heater control wiring, home computer system wiring, audio and video systems, telephone systems, garage door operator control wiring, and automated home control systems, excluding any electrical work on the supply side of the class 2 or class 3 power source[:].

(9) Residential low wattage fixtures used for holiday decorations only, [provided] except the fixtures are removed within ninety days after installation[:].

(10) Electrical installations for special events, including temporary electrical services, generators, feeders, and circuits for equipment, lighting and receptacle outlets at concession stands, tents, fair rides, and game booths, stages, film screens, and press booths, [provided] except that the electrical installation is performed by a licensed electrical contractor, and the electrical installation is immediately removed upon conclusion of the special event[: and].

(11) Temporary construction power utility services and equipment used for work authorized by a valid building or grading

permit or exempt from [such a permit,] those permits, including temporary construction office trailers used only for construction personnel. Any office trailer used as a sales office or place of business where the general public is allowed [shall be] is subject to this [Code; and] code.

(12) Electrical work and installations for a manufactured home certified by the United States Department of Housing and Urban Development that it is built to Manufactured Home Construction and Safety Standards, or for a modular home certified by its manufacturer that the home is built to National Electrical Code standards, except that a permit is required to connect electrical service from a structure to the electricity distribution grid.”

SECTION 4. Section 16.20C.101, Maui County Code, is amended by amending subsection 16.20C.101.2 to read as follows:

**“101.2 Scope.** The provisions of this code apply to the erection, installation, alteration, repair, relocation, replacement, addition to, use, or maintenance of plumbing systems within this jurisdiction. This code [must] does not apply to the following plumbing work:

(1) In factory-built housing manufactured and certified in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, [and] related federal regulations[.], certified by the United States Department of Housing and Urban Development that the manufactured home is built to Manufactured Home Construction and Safety Standards, or modular homes certified by the manufacturer that the home is built to Uniform Plumbing Code standards unless specifically required. All factory-built homes installed within the County must bear the label of certification by the manufacturer verifying that the factory-built home complies with all applicable federal construction and safety standards. Any changes or additions to the factory-built dwelling plumbing installation, including the installation of a new fixtures and water and wastewater connections [must] require a permit and [be] are subject to this code.

(2) In buildings or premises for any federal, state, or county governmental agency, if the agency requests an exemption in writing.

(3) In a right-of-way owned or maintained by any federal, state, or county governmental agency, or work involving existing or proposed municipal storm drainage, sanitary drainage, or water systems.

(4) On property that is designated as Hawaiian home lands.

(5) For plumbing delivering non-potable water not intended for human consumption or use, except that plumbing regulated by chapters 15 and 16 of this code [must] is not [be considered] exempt under this provision and must comply fully with all provisions of this code.

(6) For irrigation, fire control, and other similar systems approved by the Authority Having Jurisdiction utilizing potable water, except that an appropriate backflow prevention device is installed between the potable water system and the exempted system. The installation of the backflow prevention device [must] is not [be considered] exempt under this provision and must comply fully with all provisions of this code.

(7) Plumbing systems for temporary construction toolsheds, jobsite offices, or similar on the same property where construction is occurring under a valid building or grading permit, except that connections to water and sewer services [must require] require a permit.

(8) Plumbing work, excluding gas piping and gas appliances, for special events, [as long as] if the plumbing work is performed by a licensed plumbing contractor, and the plumbing installation is immediately removed upon conclusion of the special event.

(9) Installation, repair, or replacement of portable plumbing appliances or equipment.”

SECTION 5. Section 16.20C.101, Maui County Code, is amended by amending subsection 16.20C.104 to read as follows:

**“104.2 Exempt Work.** A permit [must] is not [be] required for the following:

(1) The stopping of leaks in drains, soil, waste, or vent pipe, except, however, that if a trap, [drain pipe,] drainpipe, soil, waste, or vent pipe [become] becomes defective and it [becomes] is necessary to remove and replace the same with new material, the same [must be] is considered [as] new work and a permit must be procured and inspection made as provided in this code.

(2) The clearing of stoppages, including the removal and reinstallation of water closets, or the repairing of leaks in pipes, valves, or fixtures, if the repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

(3) Replacement of existing plumbing fixtures at original locations, including replacement and minor realignment of exposed plumbing lines associated with replacement work, where no plumbing within structure walls, floors, foundations, or similar work [are] is impacted.

(4) Emergency plumbing work by a person to whom a permit may be issued, except that an application for a permit for the work must be submitted no later than five business [day] days following the commencement of the work.

(5) Plumbing work and installations for the factory-installed plumbing system in a manufactured home certified by the United States Department of Housing and Urban Development that the home is built to the Manufactured Home Construction and Safety Standards, or for the factory-installed plumbing system in a modular home that is certified by its manufacturer that the home is built to the Uniform Plumbing Code standards, except that a permit is required to connect to domestic water service from the water metering to the structure and to connect the structure's wastewater lines to the sewer lateral or to an individual wastewater system.

Exemption from the permit requirements of this code [must not be deemed to grant] is not authorization for work to be done in violation of the provisions of the code or other laws or ordinances of this jurisdiction.”

SECTION 6. Section 16.25.107, Maui County Code, is amended by amending subsection 107.1 to read as follows:

**“107.1 General.** With each application for a building permit, construction documents [shall] must be submitted to the building official. Construction documents [shall] must be prepared by a registered design professional:

1. As required by [Hawaii Revised Statutes,] chapter 464, Hawaii Revised Statutes, and related Hawaii Administrative Rules.

2. For new one- and two-family dwellings.

3. For a change of occupancy classification.

4. For work started or completed prior to obtaining a building permit.

5. For additions, alterations, and repairs 400 square feet or greater.

6. Where a special condition exists, including [but not limited to,] absence of adequate construction plans; non-

prescriptive structural design; fire resistive and means of egress compliance; and alternative materials and methods of construction.

**Exception:**

The building official is authorized to waive the requirement for stamping by a registered design professional if it is found that the nature of the work applied for [is such] that stamping of construction documents is not required by law. The building official must waive the requirement for stamping by a registered design professional for any manufactured home certified by the United States Department of Housing and Urban Development that the home is built to the Manufactured Home Construction and Safety Standards or any modular home certified by its manufacturer that the home is built to the International Code Council's International Residential Code requirements."

SECTION 7. Section 16.25.107, Maui County Code, is amended by amending subsection 107.2 to read as follows:

**"107.2 Construction documents.** Construction documents [shall] must be in accordance with sections 107.2.1 through 107.2.7.

**Exception:**

The building official is authorized to waive the submission of certain construction documents or other items if determined to not be necessary to obtain code compliance due to the nature of the work applied for. The building official must waive the submission of construction documents for any manufactured home certified by the United States Department of Housing and Urban Development that the home is built to the Manufactured Home Construction and Safety Standards and for any modular home certified by its manufacturer that the home is built to the International Code Council's International Residential Code standards, except that the following must be provided: the site plan showing setbacks to property lines, the floor plan showing sufficient dimensions to calculate floor area, the elevation plan showing front and side elevations and sufficient dimensions to calculate building height, and the foundation plan showing the method of anchoring."

SECTION 8. Section 16.25.110, Maui County Code, is amended by amending subsection 110.4 to read as follows:

**“110.4 Inspection agencies.** The building official is authorized to accept reports of approved inspection agencies, provided that [such] agencies satisfy the requirements as to qualifications and reliability to the satisfaction of the building official. The building official must accept certification from the United States Department of Housing and Urban Development that a manufactured home is built to the Manufactured Home Construction and Safety Standards and from any modular home manufacturer that certifies that a modular home is built to the International Code Council’s International Residential Code, and must not require any building inspections of these structures when they are first constructed or installed except when modular components are connected or anchored.”

SECTION 9. 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 10. This Ordinance takes effect on approval and repeals five years after its effective date unless extended by the Council by ordinance.

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INTRODUCED BY:



TOM COOK