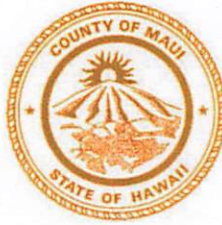


MICHAEL P. VICTORINO  
Mayor

KARLA H. PETERS  
Director

MARCI M. SATO  
Deputy Director



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OFFICE OF THE  
COUNTY CLERK

**DEPARTMENT OF PARKS AND RECREATION**

700 Hali'a Nako Street, Unit 2, Wailuku, Hawai'i 96793  
Main Line (808) 270-7230 / Facsimile (808) 270-7942

November 16, 2021

Honorable Michael P. Victorino  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P. Victorino 11/17/21  
Mayor Date

For Transmittal to:

Honorable Alice L. Lee, Chair  
and Members of the Maui County Council  
200 South High Street  
Wailuku, Hawaii 96793

Dear Chair Lee and Members:

**SUBJECT: PROPOSED BILL FOR AN ORDINANCE AMENDING SECTION 13.04A.080, MAUI COUNTY CODE, RELATING TO THE ALCOHOL PROHIBITION FOR CERTAIN PARKS AND RECREATIONAL FACILITIES, IN ALIGNMENT WITH THE AMENDMENT TO 19.52.090, MAUI COUNTY CODE, REGARDING THE UNLAWFUL CONSUMPTION OF INTOXICATING LIQUOR IN COUNTY HISTORIC DISTRICT NOS. 1 AND 2 (LAHAINA)**

I am transmitting a proposed bill entitled, "A BILL FOR AN ORDINANCE AMENDING SECTION 13.04A.080, MAUI COUNTY CODE, RELATING TO THE ALCOHOL PROHIBITION FOR CERTAIN PARKS AND RECREATIONAL FACILITIES."

The proposed amendment would prohibit consumption of "intoxicating liquor" in recreational areas under the jurisdiction of the Department of Parks and Recreation in historic districts nos. 1 and 2 (Lahaina). The purpose of the proposed bill is to align the Maui County Code, subsection 13.04A.080 *Alcohol prohibition for certain parks and recreational facilities*, with the amendments adopted for subsection 19.52.090 *Regulations for historic district nos. 1 and 2*.

As required, the Department transmitted the proposed bill to the Maui County Cultural Resources Commission for review and recommendations.

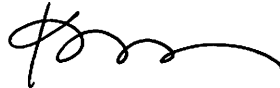
COUNTY COMMUNICATION NO. 21-549

Honorable Michael P. Victorino, Mayor  
For Transmittal to:  
Honorable Alice L. Lee, Chair  
November 16, 2021  
Page 2

I respectfully request that this matter be referred to the appropriate Council committee for review, discussion and appropriate action.

Thank you for your attention to this matter. Should you have any questions or require additional information, please feel free to contact me at Ext. 7385.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Peters', with a stylized flourish at the end.

KARLA H. PETERS  
Director of Parks and Recreation

Attachment

KHP:ls

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

BILL NO. \_\_\_\_\_ (2021)

A BILL FOR AN ORDINANCE AMENDING SECTION 13.04A.080, MAUI COUNTY  
CODE, RELATING TO THE ALCOHOL PROHIBITION FOR CERTAIN PARKS  
AND RECREATIONAL FACILITIES

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

SECTION 1. Section 13.04A.080, Maui County Code, is amended to read  
as follows:

**“13.04A.080 Alcohol prohibition for certain parks and recreational facilities. A.** Except as otherwise authorized by permit, license, lease, or concession issued in accordance with this code, it is unlawful for any person to consume any intoxicating liquor while within the boundaries of the following parks:

1. Kalama Park, located at 1900 South Kihei Road, Kihei, Maui, Hawaii, and Cove Park, located at 2120 Iliili Road, Kihei, Maui, Hawaii. The land comprising Kalama Park and Cove Park is identified in State Executive Order No. 854, as amended by State Executive Order No. 1184, as the land set aside for public park purposes, to be under the control and management of the County.

2. South Maui Community Park, located at 1501 Liloa Drive, Kihei, Maui, Hawaii.

3. Keopuolani Park, located in Central Maui, along Kanaloa Avenue, provided t h a t this prohibition [shall] will not apply to the Maui Arts & Cultural Center.

[4. Kamehameha Iki Park, located in Lahaina, Maui, Hawaii. The land comprising of Kamehameha Iki Park is identified in State Executive Order No. 2771.

5. Malu Ulu O Lele Park, located in Lahaina, Maui, Hawaii. The land comprising of Malu Ulu O Lele Park is identified in State Executive Order No. 52, 3430 and 2889.]

[6.]4. Honokowai Beach Park, located on Lower Honoapiilani Road, Lahaina, Maui, Hawaii, and identified in State Executive Order No. 2029 as the public land set aside to be under the control and management of the County, and further identified as tax map key number (2) 4-4-001:046,

and further comprising tax map key number (2) 4-4-001:047.

[7.]5. Charley Young Park, located at 2200 South Kihei Road, Kihei, Maui, Hawaii, and identified in State Executive Order No. 3344 as the land set aside for public right-of-way and beach purposes to be under the control and management of the County.

[8.]6. Kamaole Beach Park I, located at 2400 South Kihei Road, Kihei, Maui, Hawaii, and identified in State Executive Order No. 822 as the public land set aside for Kamaole Beach Park and to be under the control and management of the County.

[9.]7. Kamaole Beach Park II, located at 2550 South Kihei Road, Kihei, Maui, Hawaii, and identified in State Executive Order No. 822 as the public land set aside for Kamaole Beach Park and to be under the control and management of the County.

[10.]8. Waiale Park, located on Waiale Road and Waimaluhia Lane, Wailuku, Maui, Hawaii.

B. The consumption of intoxicating liquor in recreational areas under the jurisdiction of the department of parks and recreation is unlawful in the historic districts nos. 1 and 2 (Lahaina).

C. Notwithstanding section 13.04A.270, anyone who violates subsection B shall, upon conviction, be guilty of a petty misdemeanor as defined in section 701-107, Hawaii Revised Statutes, and is subject to a fine of no more than \$500 and imprisonment for a term not to exceed thirty days."

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:

/s/ Mimi Desjardins

MIMI DESJARDINS

Department of the Corporation Counsel

County of Maui

LF 2021-0255

2021-11-09 Ord Amd Ch. 13.04A