

Resolution

No. 22-181

REFERRING TO THE PLANNING COMMISSIONS A PROPOSED BILL RELATING TO MOBILE VACATION DWELLINGS

WHEREAS the Council is considering a bill prohibiting mobile vacation dwellings; and

WHEREAS Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended, require that the appropriate planning commission review proposed land use ordinances and provide findings and recommendations to the Council; now therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it refers the bill entitled "A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 19.99, MAUI COUNTY CODE, RELATING TO MOBILE VACATION DWELLINGS," a copy of which is attached as Exhibit "1," to the Lanai Planning Commission, Maui Planning Commission, and Molokai Planning Commission for appropriate action, in accordance with Sections 8.8.4 and 8.8.6 of the Revised Charter of the County of Maui (1983), as amended;
2. That it respectfully requests that the Lanai, Maui, and Molokai Planning Commissions transmit their findings and recommendations to the Council as expeditiously as possible; and
3. That certified copies of this Resolution be transmitted to the Mayor, the Planning Director, and the Lanai, Maui, and Molokai Planning Commissions.

INTRODUCED BY:

Tamara M. Paltin

TAMARA PALTIN

ORDINANCE NO. _____

BILL NO. _____ (2022)

A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 19.99, MAUI COUNTY
CODE, RELATING TO MOBILE VACATION DWELLINGS

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

SECTION 1. Title 19, Maui County Code, is amended by adding a new
chapter to be appropriately designated and to read as follows:

“Chapter 19.99

MOBILE VACATION DWELLINGS

Sections:

19.99.010 Purpose.

19.99.020 Prohibition.

19.99.010 Purpose. The purpose of this chapter is to prohibit mobile vacation dwellings to manage the impact of overtourism and protect the environment and County beach parks.

19.99.020 Prohibition. A. The operation of a mobile vacation dwelling, whether by an individual, business, broker, travel agency, or tour packager is prohibited in all districts and is the operation of an unpermitted transient accommodation.

B. For purposes of this chapter, “mobile vacation dwelling” means a vehicle or any portion of it, including camper vans, trailers, and recreational vehicles, designed, or intended for human habitation by one or more persons by providing sleeping accommodations in, on, or attached to the vehicle, that is rented as a form of transient accommodation.

C. Advertising that offers a mobile vacation dwelling constitutes prima facie evidence of the operation of a mobile vacation dwelling. Other evidence of business activity in violation of the prohibition may include guest testimony, online reviews, rental agreements, receipts, or any other information found relevant by the department.”

SECTION 2. This Ordinance takes effect on December 31, 2022.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

paf:rem:21-291b

INTRODUCED BY:

Tamara M. Paltin

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