

ORDINANCE NO. \_\_\_\_

BILL NO. 4 (2023)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.12, MAUI COUNTY CODE, RELATING TO CONVERTING APARTMENT BUILDINGS FROM TRANSIENT VACATION RENTAL USE TO LONG-TERM RESIDENTIAL USE

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

SECTION 1. The purpose of this Ordinance is to allow property owners of buildings located in the Apartment District to permanently convert property from transient vacation rental use to long-term residential use by filing a declaration with the State of Hawai'i Bureau of Conveyances and providing notice to the County.

SECTION 2. Chapter 19.12, Maui County Code, is amended by adding a new section to be appropriately designated and to read as follows:

**"19.12.025 Conversion of real property from transient vacation rental use to long-term residential use.** The owners of property where transient vacation rental use is allowed under subsection 19.12.020(G) may opt to permanently discontinue such use upon filing a declaration with the State of Hawai'i bureau of conveyances in a form prescribed by the department in accordance with this section. A. The declaration must be executed by 100 percent of the property owners and must apply to the entire parcel.

B. The declaration must state the owners will use the property for long-term residential use only.

C. The property owners must cause the declaration to be filed with the State of Hawai'i bureau of conveyances.

D. Recordation of the declaration constitutes a forfeiture on the part of the owners, and all successors and assigns, of any right to transient vacation rental use of the property.

E. A copy of the recorded declaration must be filed with the director by September 1 of any calendar year. Upon receipt, the director must review the declaration and determine whether it is complete within forty-five days.

F. The director must not accept an application for a short-term rental home permit, bed and breakfast home permit, or conditional permit for transient vacation rental use.


G. The director must notify the department of finance, real property assessment division of the recordation of a declaration permanently converting property from transient vacation rental use to long-term residential use that is determined to be complete.

H. The director may enforce the failure to abide by the declaration as a violation of this title.”

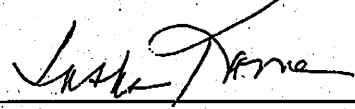
SECTION 3. New material is underscored. In printing this bill, the County Clerk need not include the underscoring.

SECTION 4. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

  
STEPHANIE M. CHEN  
Deputy Corporation Counsel  
County of Maui  
LF2022-1602  
2022-12-20 Ord Amd Ch 19.12

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Jack Kerne". The signature is written in a cursive style with a large, stylized "K".

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Upon the request of the Mayor.