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By Corporation Counsel at 3:23 pm, Jul 22, 2025

REQUEST FOR LEGAL SERVICES

D a t e: **July 22, 2025**

F r o m: **Tom Cook, Chair**
Water and Infrastructure Committee

TRANSMITTAL
Memo to: **DEPARTMENT OF THE CORPORATION COUNSEL**
Attention: Kristie M. Wrigglesworth, Esq. or Caleb Rowe, Esq.

Subject: RESOLUTION 25-130, ADOPTION OF OFFICIAL PAID PARKING ZONE MAPS; AND BILL 79 (2025), ESTABLISHMENT OF PAID PARKING ZONES IN WAILUKU TOWN AND SOUTH MAUI BEACH PARKS (WAI-10)

Background Data: Please see proposed CD1 version of Bill 79 (2025), incorporating exhibits from Resolution 25-130. Please submit your response to wai.committee@mauicounty.us with a reference to WAI-10.

Work Requested: [X] FOR APPROVAL AS TO FORM AND LEGALITY
[ ] OTHER:

Requestor's signature	Contact Person
Tom Cook, Chair	Keone J. Hurdle or Carla M. Nakata (Telephone Extension: 7659 or 5519, respectively)

[ ] ROUTINE (WITHIN 15 WORKING DAYS) [ ] RUSH (WITHIN 5 WORKING DAYS)
[ ] PRIORITY (WITHIN 10 WORKING DAYS) [ ] URGENT (WITHIN 3 WORKING DAYS)

[X] SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): July 25, 2025, noon
REASON: For posting on the August 4, 2025, WAI Committee meeting agenda.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: KMW	ASSIGNMENT NO. 2025-0173	BY: jap

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):

DEPARTMENT OF THE CORPORATION COUNSEL

Date 7/24/2025 *By*

(Rev. 7/03)

wai:ltr:010acc01:kjh
Attachment

ORDINANCE NO. _____

BILL NO. **79, CD1** (2025)

A BILL FOR AN ORDINANCE AMENDING TITLE 10, ARTICLE II, MAUI COUNTY CODE, ON SPECIAL PARKING REGULATIONS TO ESTABLISH PAID PARKING ZONES IN SOUTH MAUI AND UPDATE PAID AND PERMIT PARKING ZONE MAPS IN WAILUKU

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

SECTION 1. This Ordinance's purposes are to:

(1) Establish a paid parking zone in South Maui and adopt a map depicting that zone; and

(2) Repeal the maps depicting the paid parking zone and permit parking zone for Wailuku and adopt updated maps in their stead.

The updated paid parking zone map for Wailuku retains the Wailuku Garage facility but removes the County of Maui parking lot and ʻĪao Theater parking lot. The updated permit parking zone map for Wailuku retains the Wailuku Garage facility but removes the ʻĪao Theater Parking Lot.

This Ordinance also amends various provisions in Title 10, Article II, Maui County Code, on special parking regulations for clarity and consistency.

SECTION 2. Section 10.76.060, Maui County Code, is amended by amending subsection B to read as follows:

"B. When parking in the Wailuku garage facility and premises, it is unlawful for any person to:

1. Park a vehicle between the hours of 11:00 p.m. and 5:00 a.m., **[**except in the case that a**]** unless the vehicle has a valid parking permit, as permitted under chapter 10.78,

and **[**following parking permit**]** follows permit parking zone policies.

2. Park outside of marked parking stalls.
3. Park a motorcycle outside of designated motorcycle parking stalls.
4. Park in an electric vehicle stall when not actively charging.
5. Park in violation of any posted regulations."

SECTION 3. Section 10.77.010, Maui County Code, is amended to read as follows:

"**10.77.010 Establishment of paid parking zones.** A. Paid parking zones in on-street and off-street locations, including County-owned or operated surface lots and garages, and other areas under the County's jurisdiction, may be established by the council by ordinance. Paid parking zones must be identified on an official digital paid parking zone map, such as within a geographic information system, stored on file with the County and approved by the council. No person may stop, stand, or park a vehicle for any purpose or period of time in a paid parking zone without payment of the parking fee during the days and times indicated on the parking payment device or posted signage for that zone**[.]**, except that:

1. If the paid parking zone is also a permit parking zone, vehicles with a parking permit for that permit parking zone need not pay the paid parking zone parking fee.
2. Parking in paid parking zones at beaches and parks is free for residents who scan a valid driver's license with a State zip code at the parking location.
3. Before 10 a.m. on weekends and County holidays, residents only may park at the locations identified as "resident recreation hours" on paid parking zone maps. Parking under this paragraph is free for residents who scan a valid driver's license with a State zip code at the parking location.

B. Upon establishment of a paid parking zone, the director of transportation is authorized to install and maintain parking payment devices and identify paid parking spaces to indicate where authorized parking is permitted.

C. For each paid parking zone, the director of transportation must install signage to indicate the time limitations for paid parking and utilization of parking payment devices.

D. Paid parking zones are established in the following areas, **[**with a digital**]** as shown on the paid parking zone **[**map

incorporated by reference**]** maps adopted by the council and **[**located online at**]** available on the department of transportation's website:

1. Wailuku**[**, including areas identified on the official paid parking zone map, as adopted by the council.**]** Town, map "W-1."

2. South Maui beaches and parks, map "SM-1."

SECTION 4. Section 10.77.020, Maui County Code, is amended to read as follows:

"**10.77.020 Determination of rates.** It is the intent of paid parking to achieve a target occupancy rate of 85 percent. Occupancy rate refers to the percentage of spaces occupied by vehicles during the hours of operation of the paid parking zone. The paid parking rates and hours of operation will be established in the rates and fees schedule by the council and may be adjusted by the director of transportation in accordance with this chapter.

[Hourly**]** Subject to the exceptions in subsection 10.77.010(A), hourly paid parking rates for paid parking zones may be no less than 50 cents and no more than $10 per hour**[**. The**]**, and the flat rate for paid parking may be no less than $1 and no more than $50 per parking session. A flat rate refers to a charge that is applied for a parking session regardless of length of time. The director of transportation must set the rate of parking payment devices and flat rate parking, consistent with achieving the 85 percent target occupancy rate, based upon parking occupancy data. The director of transportation may adjust parking payment device rates in increments of twenty-five cents at a time. Parking payment device rate adjustments must not occur more than once a month and must not increase more than $2 per calendar year within the established range of rates. The director of transportation may adjust the hours of operation and parking time limits of a paid parking zone."

SECTION 5. Section 10.77.030, Maui County Code, is amended to read as follows:

"**10.77.030 Payment; time limits.** A. No person may park or permit a vehicle to be parked in any paid parking space, during the regulated time applicable to the paid parking zone in which the parking payment device is located, as designated by signs or the parking payment devices, without initiating a paid parking session on a parking payment device, by purchasing parking time using a County-approved method of payment.

B. No person may park or permit a vehicle to be parked in any paid parking space for a period of time longer than **[**the period of time**]** designated by the parking payment device or signs, for which parking is lawfully permitted in the paid parking zone during the designated days and times. Vehicles parked longer than the posted time limit are subject to fines, impoundment, or both.

1. A vehicle may park in a space only for a period not to exceed the posted time limit. A vehicle will be determined to **[**not**]** have been parked longer than the posted time limit if it has not been moved at least out of the block face, parking lot, or parking garage after the expiration of the maximum time limit. A vehicle may not return to the initial block face, parking lot, or parking garage until the following day.

2. This section's provisions do not relieve any person from the duty to observe other laws, including more restrictive provisions of this chapter prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times.

C. This section does not apply to any of the exceptions under subsection 10.77.010(A)."

SECTION 6. Section 10.77.040, Maui County Code, is amended to read as follows:

"**10.77.040 Hours of operations; exceptions.** The director of transportation may suspend enforcement of section 10.77.030 to accommodate permitted special events, parades, emergency closures, or other similar activities."

SECTION 7. Section 10.77.070, Maui County Code, is amended by amending subsection A to read as follows:

"A. The director of transportation must cause the regular collections of money deposited in the parking payment devices. Such employee or contractor must service the parking payment devices, count the money from the devices, determine the value of the money collected, and deposit the money as directed by the department of finance."

SECTION 8. Section 10.78.010, Maui County Code, is amended as follows:

1. By amending subsection A to read as follows:

"A. The director of transportation or the director's designee may issue parking permits for areas designated as permit parking zones, with a term not to exceed one year, subject to the requirements established in administrative rules adopted under this chapter."

2. By amending subsection E to read as follows:

"E. Permit parking zones are established in the following areas, **[**with a digital**]** as shown on the permit parking zone map **[**incorporated by reference**]** adopted by the council and **[**located online at**]** available on the department of transportation's website:

1. Wailuku**[**, including areas identified on the official permit parking zone map, as adopted by the council.**]** Town, map W-2."

SECTION 9. Section 10.78.020, Maui County Code, is amended to read as follows:

"**10.78.020 Permit required.** A. No person may park or permit a vehicle to be parked in any permit parking space during the regulated time applicable to the permit parking zone, as designated by signs and by the official **[**paid**]** permit parking zone map, without a valid parking permit issued by the County**[**.**]**, except that if the permit parking zone is also a paid parking zone, vehicles paying the paid parking zone parking fee need not have a valid parking permit. Vehicles otherwise parked without a valid permit are subject to fines, towing, or impounding.

[1.**]** B. This section's provisions do not relieve any person from the duty to observe other laws, including more restrictive provisions of this chapter prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times."

SECTION 10. Exhibit "A" of Ordinance 5568 (2023) is repealed. The Wailuku Town paid parking zone map attached as Exhibit "W-1," as referenced in Subsection 10.77.010(D)(1), Maui County Code, is adopted.

SECTION 11. Exhibit "B" of Ordinance 5568 (2023) is repealed. The Wailuku Town permit parking zone map attached as Exhibit "W-2," as

referenced in Subsection 10.78.010(E)(1), Maui County Code, is adopted.

SECTION 12. The South Maui beach parks paid parking zone map attached as Exhibit "SM-1," as referenced in Subsection 10.77.010(D)(2), Maui County Code, is adopted.

SECTION 13. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, bracketed material, or the underscoring.

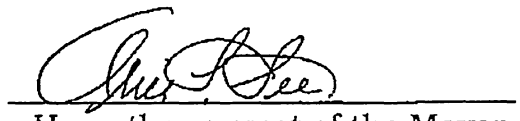
SECTION 14. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

KRISTIE M. WRIGGLESWORTH
Deputy Corporation Counsel
Department of the Corporation Counsel
County of Maui

wai:misc:010abill01:kjh

INTRODUCED BY:



Upon the request of the Mayor.

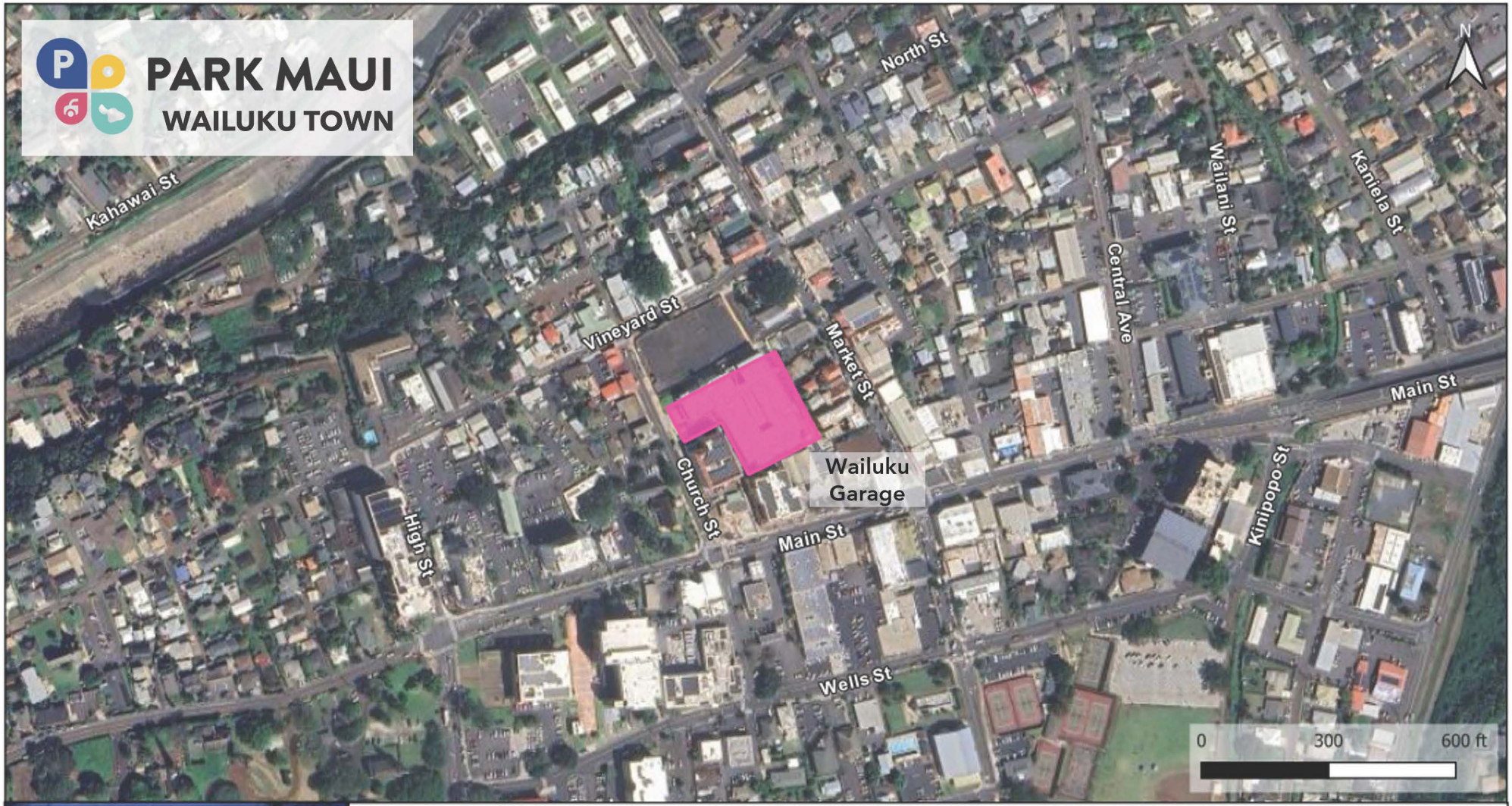


Exhibit W-1

PARK MAUI WAILUKU TOWN

Paid Parking Zone

Off-Street Paid Parking Zone

Section 10.77.010(D)(1), Maui County Code

07/19/2025

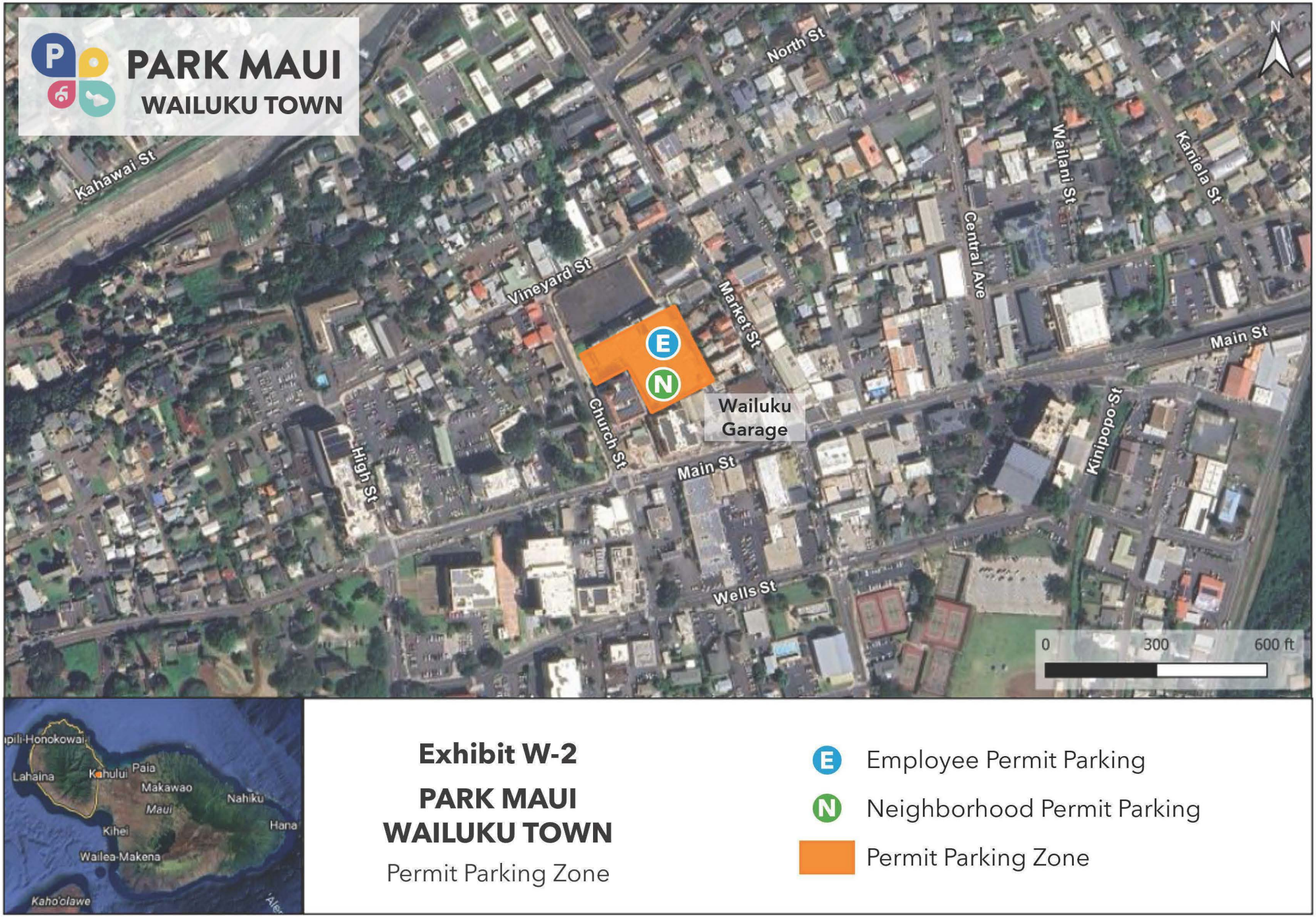


Exhibit W-2

PARK MAUI WAILUKU TOWN

Permit Parking Zone

- E — Employee Permit Parking
- N — Neighborhood Permit Parking
- Permit Parking Zone

Section 10.78.010(E)(1), Maui County Code

07/19/2025

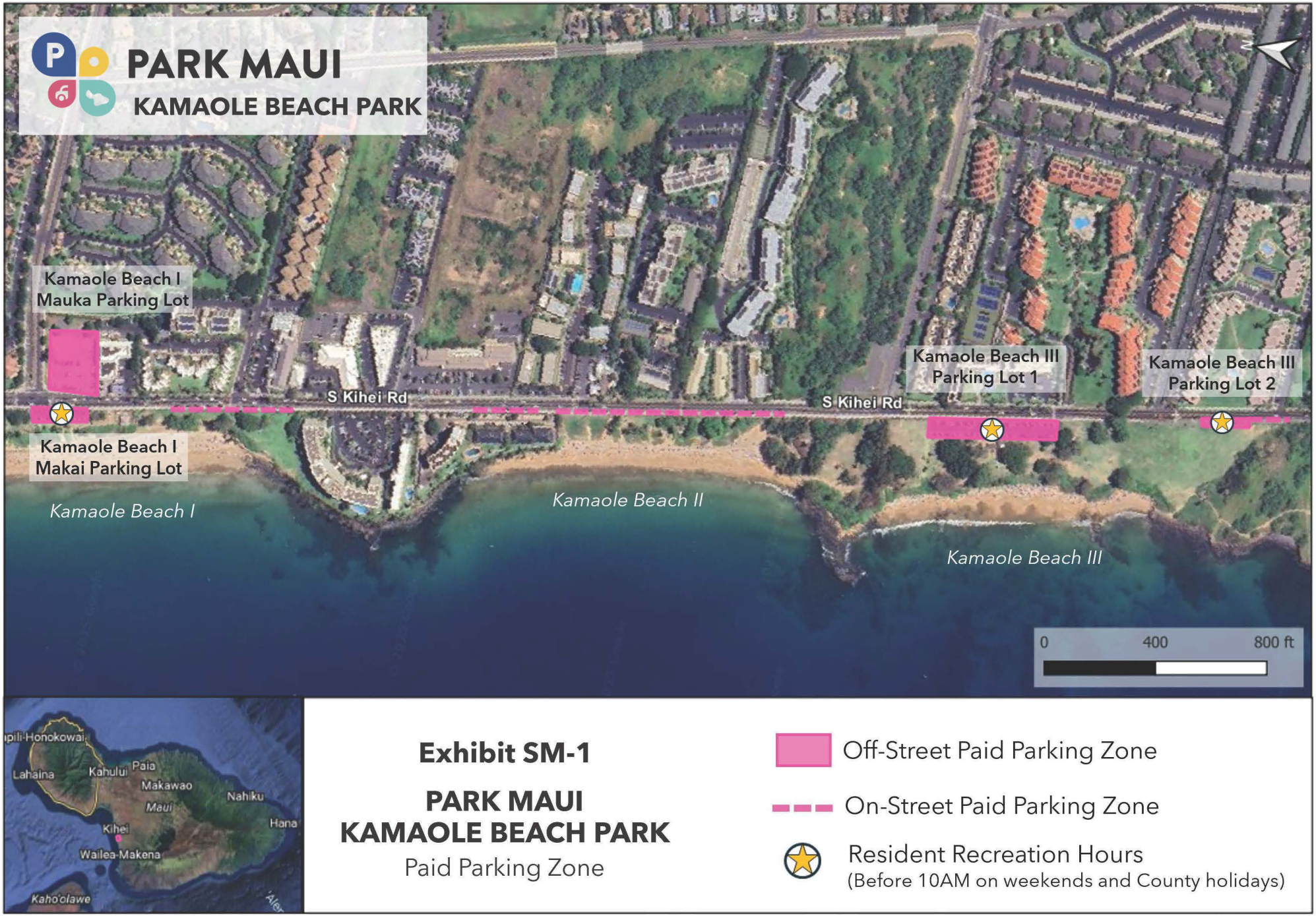


Exhibit SM-1

PARK MAUI
KAMAOLE BEACH PARK

Paid Parking Zone

Off-Street Paid Parking Zone

On-Street Paid Parking Zone

Resident Recreation Hours
(Before 10AM on weekends and County holidays)

Section 10.77.010(D)(2), Maui County Code

07/19/2025

WAI Committee

From: Kristie M. Wrigglesworth <Kristie.Wrigglesworth@co.maui.hi.us>
Sent: Thursday, July 24, 2025 8:51 AM
To: WAI Committee
Cc: Alice L. Hale; Carla M. Nakata; Neil Nakamoto; Marc I. Takamori; Keone J. Hurdle
Subject: WAI-10 | WAI Water and Infrastructure Committee 2025-27* 2025 -0173
Attachments: WAI-10 2025-07-22 RESO 25-130 and CD1 Bill 79.pdf

You don't often get email from kristie.wrigglesworth@co.maui.hi.us. Learn why this is important

Good morning,

Please see attached approved and signed Reso 25-130 and CD1 Bill 79 for posting on the August 4, 2025 WAI Committee meeting agenda.

Thank you,
Kristie

Kristie Wrigglesworth
Deputy Corporation Counsel
Department of the Corporation Counsel
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