

JEFFREY T. KUWADA  
County Clerk



LANCE TAGUCHI  
Deputy County Clerk

**OFFICE OF THE COUNTY CLERK**

COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov/county/clerk](http://www.mauicounty.gov/county/clerk)

April 19, 2013

**RECEIVED**  
2013 APR 22 AM 8:28  
**OFFICE OF THE  
COUNTY COUNCIL**

Honorable Elle Cochran, Chair  
Infrastructure and Environmental  
Management Committee  
Council of the County of Maui  
Wailuku, Hawaii 96793

Dear Chair Cochran:

Respectfully transmitted is a copy of COUNTY COMMUNICATION  
NO. 13-135, from Councilmember Mike White, that was referred to your  
Committee by the Council of the County of Maui at its meeting of April 19, 2013.

Respectfully,

A handwritten signature in black ink, appearing to read "Jeffrey T. Kuwada", is written over a horizontal line.

JEFFREY T. KUWADA  
County Clerk

/jym

Enclosure

cc: Director of Council Services

Council Chair  
Gladys C. Baisa

Vice-Chair  
Robert Carroll

Council Members  
Elle Cochran  
Donald G. Couch, Jr.  
Stacy Crivello  
Don S. Guzman  
G. Riki Hokama  
Michael P. Victorino  
Mike White



Director of Council Services  
David M. Raatz, Jr., Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov/council](http://www.mauicounty.gov/council)

April 11, 2013

RECEIVED  
APR 11 PM 1:43  
OFFICE OF THE  
COUNTY CLERK

The Honorable Gladys C. Baisa, Chair  
and Members of the Council  
County of Maui  
Wailuku, Hawaii 96793

Dear Chair Baisa and Members:

**SUBJECT: AMENDING SECTION 16.26B.101, MAUI COUNTY CODE,  
TO ELIMINATE CERTAIN EXEMPTIONS IN THE  
BUILDING CODE OF THE COUNTY OF MAUI (PAF 13-119)**

Please find attached a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 16.26B.101, MAUI COUNTY CODE, TO ELIMINATE EXEMPTIONS IN THE BUILDING CODE OF THE COUNTY OF MAUI RELATING TO LANDS WITHIN THE CONSERVATION DISTRICT OR LANDS DESIGNATED AS HAWAIIAN HOME LANDS".

May I request that the attached proposed bill be referred to the appropriate standing committee for discussion and action.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike White", is written over a horizontal line.

MIKE WHITE  
Council Member

paf:scj:13-119c

Attachment

COUNTY COMMUNICATION NO. 13-135

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

BILL NO. \_\_\_\_\_ (2013)

A BILL FOR AN ORDINANCE AMENDING SECTION 16.26B.101, MAUI COUNTY CODE, TO ELIMINATE EXEMPTIONS IN THE BUILDING CODE OF THE COUNTY OF MAUI RELATING TO LANDS WITHIN THE CONSERVATION DISTRICT OR LANDS DESIGNATED AS HAWAIIAN HOME LANDS

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

SECTION 1. Section 16.26B.101 of the Maui County Code is hereby amended by amending subsection 16.26B.101.2 to read as follows:

**"101.2 Scope.** This code shall apply to the construction, alteration, movement, enlargement, replacement, repair, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures within the County[, except those lands within the County that are designated by the State Land Use Commission to be within the conservation district boundaries or designated as Hawaiian Home Lands].

**Exceptions:**

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall be permitted to comply with Chapter 16.08A, Maui County Code, as amended.

2. Existing State-owned buildings undergoing repair, alterations or additions and change in occupancy shall be permitted to comply with the International Existing Building Code, provided the extent of work does not exceed 50% of the appraised value of the building.

3. Work in a county or state public way and public utility towers and poles.

101.2.1 **Appendices.** Provisions in the appendices shall not apply unless specifically adopted."

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:

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MICHAEL J. HOPPER

Deputy Corporation Counsel

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