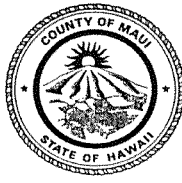


ALAN M. ARAKAWA  
Mayor



DAVID TAYLOR, P.E.  
Director

GLADYS C. BAISA  
Deputy Director

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OFFICE OF THE MAYOR

**DEPARTMENT OF WATER SUPPLY**

COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793-2155  
www.mauiwater.org

June 9, 2017

Honorable Alan M. Arakawa  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Mike White, Chair  
and Members of the Maui County Council  
200 South High Street  
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

*Cal Arakawa* 6/9/17  
Mayor Date

Dear Chair White and Members:

**SUBJECT: PROPOSED BILL "A BILL FOR AN ORDINANCE AMENDING SECTION 14.06A, MAUI COUNTY CODE, RELATING TO WATER SHORTAGE DECLARATIONS"**

Attached please find the proposed bill entitled, "A BILL FOR AN ORDINANCE AMENDING SECTION 14.06A, MAUI COUNTY CODE, RELATING TO WATER SHORTAGE DECLARATIONS". The purpose of this proposed bill is to make amendments to Section 14.06A.070 regarding certain protocols for water shortage declarations and to Section 14.06A.80 regarding the duration that Agricultural consumers have before they are subject to the provisions required of other consumers in the event of a water shortage declaration. Our recent experiences with implementation of this ordinance have shown a necessity for some minor modifications.

The Department respectfully request that this matter be referred to the appropriate Council committee for expeditious review, discussion and execution.

Thank you for your attention to this matter. Should further clarification be necessary, please contact me at Ext. 7816.

Sincerely,

*David Taylor*  
DAVID TAYLOR, P.E.  
Director of Water Supply

Attachments

xc: Gladys C. Baisa, Deputy Director

DT:atn

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COUNTY COMMUNICATION NO. 17-243

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

BILL NO. \_\_\_\_\_ (2017)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.06A, MAUI COUNTY  
CODE, RELATING TO WATER SHORTAGE DECLARATIONS

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

SECTION 1. Section 14.06A.070, Maui County Code, is amended to read  
as follows:

**“14.06A.070 Notice and publication of declaration of water shortage.** A. A notice of declaration of water shortage shall be published in a newspaper of general circulation, and to the extent possible, other available public media, in the County, once each [week] month for as long as the water shortage exists. Except during a stage [3] three water shortage, the first notice of a water shortage shall be published at least seven calendar days prior to the beginning date of any water shortage.

B. Each water shortage notice shall state [the duration of restrictions,] the application of water shortage rates[,] and any other measures established by the director to control water usage.

C. A notice shall be published in a newspaper of general circulation, and to the extent possible, other available public media, in the County, when a water shortage declaration stage changes or when [the] a water shortage declaration ends.

[D. To the extent possible, the department shall also notify consumers in the affected water system area of the water shortage declaration by regular United States mail; provided, that non-receipt of such mailed notice by any affected water consumer shall not affect nor invalidate the declaration of water shortage.]”

SECTION 2. Section 14.06A.080, Maui County Code, is amended to read  
as follows:

**“14.06A.080 Agricultural consumers.** A. In the event of a water shortage declaration, agricultural water consumers shall be requested to reduce water consumption to the extent practicable, but shall not be required to implement any restrictions or mandates imposed by section 14.06A.060 for the first [ninety] thirty days after publication in a newspaper of general circulation in the County.

B. After the [ninety] thirty days provided in subsection A, agricultural consumers shall be subject to the same provisions as other consumers.”

SECTION 3. 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 4. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM  
AND LEGALITY:

A handwritten signature in black ink, appearing to read 'J. Oana', written over a horizontal line.

JENNIFER M.P.E. OANA  
Deputy Corporation Counsel  
County of Maui  
2017-0537