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COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

May 25, 2018

Director of Council Services
Maria E. Zielinski

RECEIVED

2018 MAY 25 AM 11:03

OFFICE OF THE
COUNTY CLERK

Mr. Danny A. Mateo, County Clerk
Office of the County Clerk
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Mateo:

**SUBJECT: AMENDMENT TO REVISED PROPOSED BILL
RELATED TO THE ENFORCEMENT OF BED
AND BREAKFAST HOMES**

May I request the attached proposed amendment, to the revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE RELATING TO ENFORCEMENT PROCEDURES FOR BED AND BREAKFAST HOMES," be placed on the next Council meeting agenda.

Sincerely,

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

MIKE WHITE
Council Chair

paf:ajw:18-175a

Attachment

COUNTY COMMUNICATION NO. 18-199

MAUI COUNTY COUNCIL
Amendment Summary Form

Legislation: Bill to amend the Comprehensive Zoning Ordinance relating to enforcement procedures for Bed and Breakfast Homes.

Proposer: Mike White, Council Chair.

Description: To allow permit holders a grace period to continue to operate a Bed and Breakfast Home after a permit expires.

Motion: Move to amend proposed Section 19.64.060(F)(2), Maui County Code, by striking the period at the end of the sentence and inserting the phrase “unless the exception under section 19.64.065(E) of this chapter applies” followed by a period; and, in proposed Section 19.64.065(E), Maui County Code, inserting the following: “This two-year period of ineligibility shall not apply to an owner-proprietor who previously operated pursuant to a valid bed and breakfast home permit that recently expired, provided that the owner-proprietor applies for a new bed and breakfast home permit no later than thirty days after the expiration of the previous permit and immediately stops advertising for, or accepting, any new reservations for guests unless and until the owner-proprietor is granted a new bed and breakfast permit. During the time that such application is being processed by the department, the owner-proprietor may continue to honor existing reservations that were made prior to the expiration date of the previous, valid bed and breakfast home permit.”

Effect: In Ramseyer format, the changes are as follows:

Section 19.64.060(F)(2):

“2. If the permit is not renewed by the director, the department shall not accept a new application for a bed and breakfast home permit from the owner-proprietor for two years after the date of the previous permit’s expiration[.] unless the exception under section 19.64.065(E) of this chapter applies.”

Section 19.64.065(E):

“E. Operating a bed and breakfast home without a valid permit is prohibited. Evidence of operation may include: advertising, guest testimony, online reviews, rental agreements, receipts, or any other information deemed relevant by the department. Operating without a permit shall result in a property owner being ineligible to apply for a permit for two years. This two-year period of ineligibility shall not apply to an owner-proprietor who previously operated pursuant to a valid bed and breakfast home permit that recently expired, provided that the owner-proprietor applies for a new bed and breakfast home permit no later than thirty days after the expiration of the previous permit and immediately stops advertising for, or accepting, any new reservations for guests unless and until the owner-proprietor is granted a new bed and breakfast permit. During the time that such application is being processed by the department, the owner-proprietor may continue to honor existing reservations that were made prior to the expiration date of the previous, valid bed and breakfast home permit.”

paf:ajw:18-175b