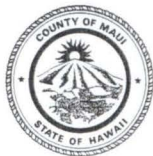


JOSIAH K. NISHITA  
County Clerk



RECEIVED

MARGARET C. CLARK  
Deputy County Clerk

2019 AUG 23 PM 4:33

**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)

August 23, 2019

Honorable Riki Hokama, Chair  
Healthy Families and Communities Committee  
Council of the County of Maui  
Wailuku, Hawaii 96793

Dear Chair Hokama:

Respectfully transmitted is a copy of COUNTY COMMUNICATION NO. 19-344, from the Director of Parks and Recreation, that was referred to your Committee by the Council of the County of Maui at its meeting of August 23, 2019.

Respectfully,

A handwritten signature in black ink, appearing to read "Josiah K. Nishita", is written over a horizontal line.

JOSIAH K. NISHITA  
County Clerk

/lks

Enclosure

cc: Director of Council Services

MICHAEL P. VICTORINO  
Mayor

KARLA H. PETERS  
Director

JOHN L. BUCK III  
Deputy Director



RECEIVED

2019 JUL 24 PM 1:19

OFFICE OF THE MAYOR

**DEPARTMENT OF PARKS AND RECREATION**

700 Hali'a Nakoa Street, Unit 2, Wailuku, Hawaii 96793  
Main Line (808) 270-7230 / Facsimile (808) 270-7942

July 23, 2019

Honorable Michael P. Victorino  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Kelly T. King, Chair  
and Members of the Maui County Council  
200 South High Street  
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

*Michael P. Victorino*  
Mayor

7/24/19  
Date

2019 JUL 24 PM 3:56

RECEIVED

OFFICE OF THE  
COUNTY CLERK

Dear Chair King and Members:

**SUBJECT: PROPOSED BILL FOR AN ORDINANCE AMENDING SECTION 13.04A.290, MAUI COUNTY CODE, TO PROHIBIT COMMERCIAL OCEAN RECREATIONAL ACTIVITY AT WAHIKULI WAYSIDE PARK**

I am transmitting a proposed bill entitled, "A BILL FOR AN ORDINANCE AMENDING SECTION 13.04A.290, MAUI COUNTY CODE, TO PROHIBIT COMMERCIAL OCEAN RECREATIONAL ACTIVITY AT WAHIKULI WAYSIDE PARK."

The purpose of the proposed bill is to prohibit commercial ocean recreational activity at Wahikuli Wayside Park because commercial ocean recreational activity has proven to be increasingly incompatible with the growing need to house recreational and cultural activities at the beach park.

I respectfully request that this matter be referred to the appropriate Council committee for review, discussion and appropriate action.

Thank you for your attention to this matter. Should you have any questions or require additional information, please feel free to contact me or Deputy Director, John Buck, at Ext. 7386.

Sincerely,

A handwritten signature in black ink, appearing to read "Karla H. Peters".

KARLA H. PETERS  
Director of Parks and Recreation

Attachment

c: John L. Buck, Deputy Director  
Lisa Almeida, Park Permits Officer

KHP:ls

COUNTY COMMUNICATION NO. 19-344

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

BILL NO. \_\_\_\_\_ (2019)

A BILL FOR AN ORDINANCE AMENDING SECTION 13.04A.290, MAUI  
COUNTY CODE, TO PROHIBIT COMMERCIAL OCEAN RECREATIONAL  
ACTIVITY AT WAHIKULI WAYSIDE PARK

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

SECTION 1. The purpose of this ordinance is to amend section 13.04A.290, Maui County Code, to prohibit commercial ocean recreational activity at Wahikuli Wayside Park, Lahaina, Maui, Hawaii, because commercial ocean recreational activity has proven to be increasingly incompatible with the growing need to house recreational and cultural activities at the beach park.

According to Subsection 13.04A.330(A), Maui County Code, existing commercial ocean recreational activity permits may be issued for up to one year before expiring automatically. The prohibition will allow existing permit holders to continue their operation at Wahikuli Wayside Park until those permits expire.

SECTION 2. Section 13.04A.290, Maui County Code, is amended to read as follows:


**“13.04A.290 Prohibitions.** Commercial ocean recreational activity requiring a permit under subsection 13.04A.300(A) is prohibited at Baldwin Beach Park, Cove Park, Hookipa Beach Park, Kamaole Beach Park I, Kamaole Beach Park II, Kamaole Beach Park III, the southern portion of Kalama Park (the section of Kalama Park from the sand beach at Cove Park to the southernmost parking area adjacent to South Kihei Road), Launiupoko Beach Park, Puamana Beach Park, **[and]** Hanakao`o Beach Park~~[.]~~, and Wahikuli Wayside Beach Park.

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. A holder of a valid commercial ocean recreational activity permit issued for Wahikuli Wayside Park pursuant to Article VII of Chapter 13.04A, Maui County Code, as of the effective date of this ordinance, may continue to operate until the permit expires, provided the permit holder is in compliance with permit requirements.

SECTION 5. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read "M. R. Rye", is written over a horizontal line.

Department of the Corporation Counsel  
County of Maui

LF 2019-1220