

# REQUEST FOR LEGAL SERVICES

**Date:** January 27, 2020  
**From:** Tamara Paltin, Chair *JP*  
Planning and Sustainable Land Use Committee

TRANSMITTAL

**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Michael J. Hopper, Esq.

**Subject:** EXISTING STREETS (PSLU-49)

**Background Data:** Please review the attached proposed bill, and, if appropriate, approve it as to form and legality. Please send hard copy with your response.

**Work Requested:** ☒ FOR APPROVAL AS TO FORM AND LEGALITY  
☐ OTHER:

Requestor's signature  Tamara Paltin	Contact Person  <u>Ana Lillis or James Krueger</u> (Telephone Extension: 7660 and 7761, respectively)
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☐ ROUTINE (WITHIN 15 WORKING DAYS) ☐ RUSH (WITHIN 5 WORKING DAYS)  
☐ PRIORITY (WITHIN 10 WORKING DAYS) ☐ URGENT (WITHIN 3 WORKING DAYS)

☒ SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): January 29, 2020  
REASON: In time for posting on the Council meeting agenda on January 31, 2020.

## FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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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 \_\_\_\_\_

By \_\_\_\_\_

(Rev. 7/03)

plsu:ltr:049acc01:alkl

Attachment

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

BILL NO. \_\_\_\_\_ (2020)

A BILL FOR AN ORDINANCE AMENDING SECTION 18.20.040, MAUI COUNTY  
CODE, RELATING TO EXISTING STREETS

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

SECTION 1. Section 18.20.040, Maui County Code, is amended by  
amending subsection A to read as follows:

“A. No improvements [shall] may be required; upon existing streets for a consolidation of lots; for a subdivision creating only road widening lots; for a consolidation of three developable lots or less [which] that is resubdivided without creating additional developable lots; [for a subdivision into two developable lots] or for a subdivided parcel used for a church. Churches [shall] must dedicate land necessary for road widening purposes to comply with the requirements of this chapter. [Parcels that have undergone a subdivision into two developable lots under this subsection shall not qualify for this exemption with respect to any subsequent resubdivision of any of the parcel which creates additional developable lots.]”

SECTION 2. Material to be repealed is bracketed. In printing this bill, the County Clerk need not include the brackets or the bracketed material.

SECTION 3. This ordinance does not apply to subdivisions that receive preliminary approval within ninety days after the effective date of the ordinance.

SECTION 4. This ordinance takes effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

plsu:misc:049abill01a