

# REQUEST FOR LEGAL SERVICES

**D a t e:** July 22, 2021

**F r o m:** Kelly Takaya King, Chair

Climate Action, Resilience, and Environment Committee

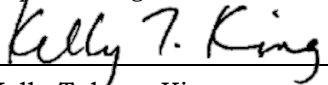
TRANSMITTAL

**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Keola Whittaker, Esq.

**Subject:** **REQUIRING LARGE, NEW HOMES TO BE ZERO NET ENERGY HOMES** (CARE-42)

**Background Data:** Please see the attached bill. Please submit the response to [care.committee@mauicounty.us](mailto:care.committee@mauicounty.us) with a reference to CARE-42.

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

Requestor's signature  Kelly Takaya King	Contact Person Nicole Siegel or James Forrest (Telephone Extension: 8008 or 7137, 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): July 27, 2021  
REASON: For posting on the August 4, 2021, CARE Committee meeting agenda

## 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):

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DEPARTMENT OF THE CORPORATION COUNSEL

Date \_\_\_\_\_

By \_\_\_\_\_  
(Rev. 7/03)

care:ltr:042acc01:nas

Attachment

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

BILL NO. \_\_\_\_\_ (2021)

A BILL FOR AN ORDINANCE AMENDING SECTION 16.16B.R401.2, MAUI  
COUNTY CODE, RELATING TO ENERGY CODE COMPLIANCE FOR LARGE  
RESIDENTIAL BUILDINGS

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

SECTION 1. Section 16.16B.R401.2, Maui County Code, is amended to  
read as follows:

**“16.16B.R401.2 - Subsection R401.2 amended.**

Subsection R401.2 of the International Energy Conservation  
Code is amended to read as follows: **R401.2 Compliance.** [Projects  
shall] New residential buildings over five thousand square feet must  
achieve a maximum energy rating index (ERI) score of zero, and  
projects must comply with one of the following:

1. Sections R401.3 through R404.
2. Section R405 and the provisions of Sections R401  
through R404 labeled “Mandatory.”
3. An energy rating index (ERI) approach in Section  
R406.
4. The tropical zone requirements in Subsection  
R401.2.1.”

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 takes effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

care:misc:042abill01:nas