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**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

September 7, 2021

Honorable Michael P. Victorino  
Mayor, County of Maui  
Wailuku, Hawai'i 96793

Dear Mayor Victorino:

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

May I please request your comments on the revised proposed bill, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 16.16B.R401.2, MAUI COUNTY CODE, RELATING TO ENERGY CODE COMPLIANCE FOR LARGE RESIDENTIAL BUILDINGS," approved as to form and legality by the Department of the Corporation Counsel.

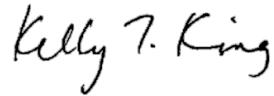
The purpose of the revised proposed bill is to require new one- or two-family residential buildings with 5,000 square feet or more of conditioned floor area to be verified zero net energy homes.

May I further request you transmit your comments by **Monday, September 13, 2021**. To ensure efficient processing, please transmit your response to [care.committee@mauicounty.us](mailto:care.committee@mauicounty.us), and include the relevant Committee item number in the subject line of your response.

Mayor Michael P. Victorino  
September 7, 2021  
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Should you have any questions, please contact me or the Committee staff (Nicole Siegel at ext. 8008, or Rayna Yap at ext. 8007).

Sincerely,

A handwritten signature in black ink that reads "Kelly T. King". The signature is written in a cursive, flowing style.

KELLY TAKAYA KING, Chair  
Climate Action, Resilience, and  
Environment Committee

care:ltr:042aom02: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. On August 6, 2021, the United Nations' Intergovernmental Panel on Climate Change reported on the physical science basis of climate change and outlined how humans are altering the planet. Quoted as "a code red for humanity," the report showed that emissions of greenhouse gases from human activities are responsible for roughly 1.1 degrees Celsius of warming since 1850-1900, and found that global temperature averaged over the next 20 years, is expected to reach or exceed 1.5 degrees Celsius of warming.

By Ordinance 4969 (2019), the Council incorporated the "2015 *International Energy Conservation Code*®," ("Energy Code") subject to local amendments in Chapter 16.16B, Maui County Code. The Council finds that this update to the Energy Code has been effective in producing structures that are more energy efficient.

The Council further finds and declares that large, new homes, must be zero net energy to:

- Reduce the environmental impacts associated with residential energy use as it relates to contributions to climate change.

- Reduce home energy costs.
- Take a positive step to further improve the energy efficiency of the residential housing stock across Maui County.

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

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

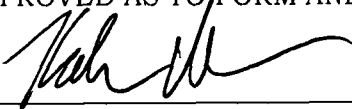
Subsection R401.2 of the International Energy Conservation Code is amended to read as follows: **R401.2 Compliance.** [Projects shall] New one- or two-family residential buildings with five thousand square feet or more of conditioned floor area must achieve a verified maximum energy rating index (ERI) score of zero. All projects must also 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 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 takes effect on January 1, 2022.

APPROVED AS TO FORM AND LEGALITY:



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KEOLA R. WHITTAKER  
Deputy Corporation Counsel  
Department of the Corporation Counsel  
County of Maui

LF 2021-0007  
CARE-42 2021-09-03 Ord Amd Sec 16.16.B.R401.2.docx