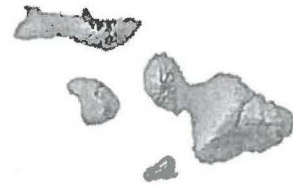
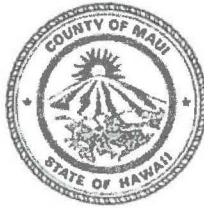


MICHAEL P. VICTORINO  
Mayor

KARLA H. PETERS  
Director

MARCI M. SATO  
Deputy Director



**DEPARTMENT OF PARKS AND RECREATION**

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

September 13, 2021

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

APPROVED FOR TRANSMITTAL

For Transmittal to:

Honorable Tasha Kama, Chair  
Human Concerns and Parks Committee  
Maui County Council  
200 South High Street  
Wailuku, Hawaii 96793

  
\_\_\_\_\_  
Mayor Date 9/24/21

Dear Chair Kama:

**SUBJECT: PROPOSED BILL FOR AN ORDINANCE AMENDING SECTION 13.04A.270, MAUI COUNTY CODE, RELATING TO REPEALING THE MINIMUM FINE FOR CERTAIN VIOLATIONS RELATING TO PARKS AND RECREATIONAL FACILITIES (HCP-30)**

I am transmitting a proposed bill entitled, "A BILL FOR AN ORDINANCE AMENDING SECTION 13.04A.270, MAUI COUNTY CODE, RELATING TO REPEALING THE MINIMUM FINE FOR CERTAIN VIOLATIONS RELATING TO PARKS AND RECREATIONAL FACILITIES."

The purpose of the proposed bill is to provide more flexibility in imposing penalties for being in a park between 10:00 p.m. and 6:00 a.m. or when closed to the public.

Thank you for your attention to this matter. Should you have any questions or require additional information, please feel free to contact Lisa Almeida, Park Permits Officer, at Ext. 7389.

Sincerely,

KARLA H. PETERS  
Director of Parks and Recreation

Attachment

KHP:la

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

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

A BILL FOR AN ORDINANCE AMENDING SECTION 13.04A.270,  
MAUI COUNTY CODE, RELATING TO REPEALING THE MINIMUM  
FINE FOR CERTAIN VIOLATIONS RELATING TO PARKS  
AND RECREATIONAL FACILITIES

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

SECTION 1. The purpose of this Ordinance is to provide more flexibility in imposing penalties for being in a park between 10:00 p.m. and 6:00 a.m. or when closed to the public. This flexibility is needed in cases involving persons experiencing homelessness, where a mandatory minimum fine of \$150.00 could be excessive, ineffective, and counterproductive.

SECTION 2. Section 13.04A.270, Maui County Code, is amended to read as follows:

**"13.04A.270 Penalties.** A. Anyone who violates any provision of this chapter, except [sections] subsections 13.04A.070(B)(1), and 13.04A.070(E), and sections 13.04A.260[,] or 13.04A.360 shall, upon conviction, be subject to a fine of not less than \$150.00 and [not] no more than \$500.00.

B. Anyone who violates subsection 13.04A.070(B)(1) shall, upon conviction, be subject to a fine of no more than \$500.00.

[B.]C. Anyone who violates [section] subsection 13.04A.070(E) shall, upon conviction, be subject to a fine of not less than \$50.00 and [not] no more than \$500.00.

[C.]D. Anyone who violates section 13.04A.260 shall, upon conviction, be guilty of a petty misdemeanor as defined in section 701-107, Hawaii Revised Statutes, and is subject to fine of up to \$1,000.00 [and] and/or imprisonment for a term not to exceed thirty days."

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 shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

/s/ Mimi Desjardins

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MIMI DESJARDINS

Department of the Corporation Counsel

County of Maui

2021-0943

2021-07-07 Amend section 13.04A.270