

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

BILL NO. 106 (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.**

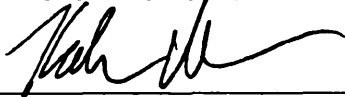
Subsection R401.2 of the International Energy Conservation Code is amended to read as follows: **R401.2 Compliance.** [Projects shall] New one- or two-family residential buildings with five thousand square feet or more of conditioned floor area must achieve a verified maximum energy rating index (ERI) 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 Material to be repealed is bracketed.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

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

DIGEST

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RESIDENTIAL BUILDINGS

This bill proposes to amend Section 16.16B.R401.2, Maui County Code, requiring 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.

I, KATHY L. KAOHU, County Clerk of the County of Maui, State of Hawaii, DO  
HEREBY CERTIFY that the foregoing BILL NO. 106 (2021) was passed on First Reading  
by the Council of the County of Maui, State of Hawaii, on the 1st day of October, 2021,  
by the following vote:

AYES: Councilmembers Gabriel Johnson, Kelly T. King, Michael J. Molina,  
Tamara A.M. Paltin, Shane M. Sinenci, Yuki Lei K. Sugimura,  
Vice-Chair Keani N.W. Rawlins-Fernandez, and Chair Alice L. Lee.

NOES: None.

EXCUSED: Councilmember Natalie A. Kama.

DATED at Wailuku, Maui, Hawaii, this 4th of October, 2021.



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KATHY L. KAOHU, COUNTY CLERK  
COUNTY OF MAUI, STATE OF HAWAII

Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk,  
County of Maui, for use and examination by the public.