

ORDINANCE NO. 5835

BILL NO. 83 (2025)

A BILL FOR AN ORDINANCE AMENDING CHAPTERS 2.28 AND 2.40, MAUI
COUNTY CODE, ON THE SOUTH MAUI AND PĀ'IA-HA'IKU ADVISORY
COMMITTEES TO THE MAUI PLANNING COMMISSION

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

SECTION 1. The Council finds that it is directed by Section 3-9 of the Revised Charter of the County of Maui (1983), as amended, to promote efficiency in County government. For instance, Section 3-9 advocates for the following actions: "Abolishing services, activities, and functions not necessary to the efficient conduct of government."

In addition, the Council finds that it is charged under the General Plan to "increase efficiency in land use planning" and to "update County regulations and procedures to increase the productivity and efficiency of County government."

The South Maui and the Pā'ia-Ha'iku Advisory Committees to the Maui Planning Commission have not met since September 6, 2022, and July 19, 2022, respectively. In addition, Charter Section 8-8.4, as of July 1, 2023, now ensures that voices from residents in all Maui Island Council residency areas will be heard because its "nine members must include at least one and no more than two members who reside in each council residency area on the island of Maui."

Also, residents from all parts of Maui County can now participate in Maui

Planning Commission and other County public meetings by video conference or telephone.

Thus, the justifications for the South Maui and the Pā‘ia-Ha‘iku Advisory Committees to the Maui Planning Commission have lessened since their creation in 2021.

This Ordinance’s purpose is to disband the South Maui and Pā‘ia-Ha‘iku Advisory Committees to the Maui Planning Commission.

SECTION 2. Section 2.28.050, Maui County Code, is amended to read as follows:

“Section 2.28.050 Advisory committees to the Maui planning commission. A. The following [are] is established:

[1.] The Hāna advisory committee to the Maui planning commission.

[2. The South Maui advisory committee to the Maui planning commission.

3. The Paia-Haiku advisory committee to the Maui planning commission.]

B. To be eligible for appointment as a member or alternate of an advisory committee, a person must be a resident of the relevant community plan area for a period of at least [twelve] 12 consecutive months immediately preceding the person’s appointment.

C. The advisory committees must consist of seven members and up to two alternates; five members and up to two alternates of each advisory committee will be appointed by the council by resolution and two members appointed by the mayor.

D. If an advisory committee member or alternate ceases to be a resident of the relevant community plan area, the committee member or alternate immediately forfeits the office, and the office becomes vacant.

E. A mid-term vacancy exists when one of the following occurs:

1. The member or alternate has moved out of the community plan area.

2. The member or alternate has provided the mayor, council, or advisory committee chair a resignation letter.

3. The member or alternate is deceased.

4. The member is removed for failure to attend [fifty] 50 percent or more of meetings[,] or is absent from at least [twenty-five] 25 percent of meetings within [thirty] 30 days of the member's last excused or unexcused absence[, in accordance with] under section 2.41.090.

F. Mid-term vacancies in council-appointed seats will be filled by the council, and mid-term vacancies in mayor-appointed seats will be filled by the mayor; except that if an advisory committee has an alternate, the alternate will fill the remainder of the departing member's term; and if an advisory committee has two alternates, the advisory committee's chair will designate an alternate to fill the remainder of the departing member's term.

[G. The following subsections of section 13-2 of the revised charter of the County of Maui (1983), as amended, apply to each advisory committee: subsections 2, 4, and 6-15.

H.] G. The terms of committee members are five years, except initial terms must be staggered, with four members receiving five-year terms and three members receiving three-year terms, as selected by lot. A member receiving an initial three-year term may seek reappointment to a five-year term. The terms of alternates are three years.

[I.] H. Each advisory committee is authorized to:

1. Provide recommendations to the Maui planning commission on matters within its community plan area.
2. Upon request by the Maui planning commission, hold public hearings, on behalf of the commission, on matters that pertain to its community plan area.
3. Carry out such duties as provided by law or as may be delegated to it by the Maui planning commission.
4. Adopt administrative rules.

[J.] I. When requested to review a matter by the Maui planning commission, an advisory committee must provide recommendations to the planning commission within [ninety] 90 days from the first meeting held to review the matter. If additional time is required because of extenuating circumstances, the advisory committee must notify the Maui planning commission. Each recommendation must be read aloud during the Maui planning commission's review of the matter.

[K.] J. Each advisory committee must meet as needed, with meetings scheduled when appropriate to maximize community participation.

[L.] K. Each advisory committee must elect a chair and a vice-chair from its members. The vice-chair will act as the presiding officer in the event of the chair's absence or disability. Until the chair is elected, the planning director will preside at the meeting, except that the planning director will not have a vote.

[M. The council must review the operations of each advisory committee within thirty-six months of its first meeting, but no sooner than twelve months after that first meeting.]”

SECTION 3. Section 2.40.131, Maui County Code, is repealed:

“**[2.40.131 South Maui advisory committee.** There is established a South Maui advisory committee as provided by law.]”

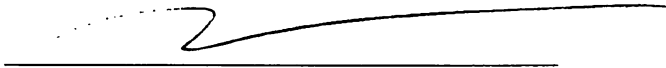
SECTION 4. Section 2.40.132, Maui County Code, is repealed:

“**[2.40.132 Paia-Haiku advisory committee.** There is established a Paia-Haiku advisory committee as provided by law.]”

SECTION 5. 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 6. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned above a solid horizontal line.

Department of the Corporation Counsel
County of Maui

paf:mkm:25-145a

INTRODUCED BY:

Tamara A.M. Paltin

TAMARA PALTIN

WE HEREBY CERTIFY that the foregoing BILL NO. 83 (2025)

1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 8th day of July, 2025, by the following vote:

Alice L. LEE Chair	Yuki Lei K. SUGIMURA Vice-Chair	Tom COOK	Gabriel JOHNSON	Natalie A. KAMA	Tamara A. M. PALTIN	Keani N. W. RAWLINS-FERNANDEZ	Shane M. SINENCI	Nohelani U'U-HODGINS
Aye 'Ae	Aye 'Ae	Aye 'Ae	Aye 'Ae	Aye 'Ae	Aye 'Ae	Aye 'Ae	Aye 'Ae	Aye 'Ae

2. Was transmitted to the Mayor of the County of Maui, State of Hawaii, on the 8th day of July, 2025.

DATED AT WAILUKU, MAUI, HAWAII, this 8th day of July, 2025.

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OFFICE OF THE COUNTY CLERK

ALICE L. LEE, CHAIR
Council of the County of Maui

MOANA M. LUTEY, COUNTY CLERK
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS 8th DAY OF July, 2025.

RICHARD T. BISSEN, JR. MAYOR
County of Maui

I HEREBY CERTIFY that upon approval of the foregoing BILL by the Mayor of the County of Maui, the said BILL was designated as ORDINANCE NO. 5835 of the County of Maui, State of Hawaii.

MOANA M. LUTEY, COUNTY CLERK
County of Maui

Passed First Reading on June 30, 2025
Effective date of Ordinance July 9, 2025

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OFFICE OF THE COUNTY CLERK

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 5835, the original of which is on file in the Office of the County Clerk, County of Maui, State of Hawaii.

Dated at Wailuku, Hawaii, on

County Clerk, County of Maui