

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

BILL NO. \_\_\_\_\_ ([2003] 2004)

A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE,  
RELATING TO FOWL IN RESIDENTIAL, R-O ZERO LOT LINE RESIDENTIAL,  
TWO-FAMILY (DUPLEX), AND APARTMENT DISTRICTS

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

SECTION 1. Title 19, Maui County Code, is amended by adding a new chapter to  
be appropriately designated and to read as follows:

“Chapter 19.38

FOWL

Sections:

19.38.010 Fowl prohibited.

19.38.020 Definitions.

19.38.030 Injunction.

19.38.040 Enforcement.

19.38.050 Rules.

19.38.010 Fowl prohibited. A. Notwithstanding any other law to the  
contrary, the raising, breeding, keeping, and sheltering of fowl is prohibited.

B. The provisions of this chapter shall apply to any lots in the  
following County zoning districts:

1. Residential district;
2. R-0 zero lot line residential district;
3. Two-family (duplex) district; and
4. Apartment district.

19.38.020 Definitions. For purposes of this chapter, the following  
definition shall apply:

“Fowl” means live [chickens, turkeys] roosters, geese, [ducks,] and  
peacocks.

“Impound” means to seize and take physical custody of a fowl and  
place it in the care of the humane society or public pound.

19.38.030 Injunction. Any person violating any provision of this chapter may be temporarily or permanently enjoined by a court of appropriate jurisdiction in a suit brought by any person or agency.

19.38.040 Enforcement. The animal control officers as defined in chapter 6.04 of this code are designated to enforce this chapter. In addition to the enforcement authorized by chapter 19.530, the animal control officers shall have the right to impound any fowl that is being raised, bred, kept, or sheltered in violation of this chapter.

19.38.050 Rules. The mayor or the mayor's authorized representative is authorized to adopt rules to implement this chapter."

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM  
AND LEGALITY

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Department of the Corporation Counsel

paf:dmr:03-061n