

COUNCIL OF THE COUNTY OF MAUI
**PUBLIC WORKS AND
TRANSPORTATION COMMITTEE**

October 19, 2001

**Committee
Report No.**

01-202

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Public Works and Transportation Committee, having met on October 3, 2001, makes reference to the following:

1. A Miscellaneous Communication dated May 21, 2001, from the County Clerk, referring the matter relating to fees and policies for cesspool pumping, along with a copy of the April 6, 2001 letter from the Director of Public Works and Waste Management (Budget and Finance Committee Report. No 01-78, as amended).

2. County Communication No. 01-180, from Councilmember Alan Arakawa, transmitting Ordinance No. 2968 (2001) entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.29 OF THE MAUI COUNTY CODE, PERTAINING TO PUMPING OF CESSPOOLS AND SEPTIC TANKS, AND CHAPTER 14.32 OF THE MAUI COUNTY CODE, PERTAINING TO PROHIBITED ACTS AND PENALTIES" for further review. The purpose of the ordinance is to delay the schedule of allowable cesspool and septic tank pumping services provided by the County by one year and to allow a charge for pumping services as set forth in the annual budget.

By correspondence dated September 24, 2001, Dominick Marino of Valley Isle Pumping, Inc, expressed concerns relating to a recent purchase of heavy equipment in preparation for the County's prior intention to decrease the number of allowable cesspool and septic tank pumpings.

By correspondence dated October 2, 2001, the Council Chair transmitted a letter from Rita Silva, expressing concerns relating to the high cost of pumping services provided by the private cesspool pumpers.

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At its meeting, your Committee met with the Director of Public Works and Waste Management; the First Deputy Corporation Counsel; the Wastewater Branch Chief, Environmental Management Division, State Department of Health; and Rodney Allgood of Suck 'Em Up Pumping.

The Director of Public Works and Waste Management provided a historical overview of the matter. He indicated that as a result of discussions during the last budget session, the County Council enacted Ordinance No. 2968 "Ordinance". The purpose of the Ordinance is to delay the schedule to decrease the number of allowable cesspool or septic tank pumping services provided by the County. The Director noted that since the enactment of the Ordinance, he has not received complaints from any of the 15 account holders who require repeated pumping of their cesspool or septic tank systems.

Mr. Allgood testified that he was able to contact all but 2 of the 15 account holders with problem systems. He asserted that he serviced all systems for the homeowners he contacted, with the exception of 4. The 4 homeowners chose to postpone rehabilitation of their systems based on the current law.

He emphasized that he has been able to rehabilitate all systems he has serviced and, therefore, he does not perceive a concern for homeowners with problem systems.

Mr. Allgood recommended that in an effort to reduce homeowners' costs for pumping, the County should consider focusing its efforts on processing wastes only. Pumping of cesspools and septic tanks should be left to the private industry. A decrease in expenses for the County will result in a decreased cost to homeowners.

Based on testimony that there seems to be no problem with the rehabilitation of cesspool and septic tank systems, your Committee recommended amending Section 14.29.010 of the Maui County Code as follows:

1. For the period allowing not more than one pump per month, change the end date from June 30, 2002 to December 31, 2001;

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2. For the period allowing not more than one pump per quarter, change the beginning date from July 1, 2002 to January 1, 2002 and the end date from June 30, 2003 to December 31, 2002; and
3. For the period allowing not more than two pumps per year, change the beginning date from July 1, 2003 to January 1, 2003.

By correspondence dated October 8, 2001, to the Department of the Corporation Counsel, your Committee requested that a proposed bill be drafted containing the revisions recommended by your Committee.

Your Committee is in receipt of a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.29 OF THE MAUI COUNTY CODE, PERTAINING TO PUMPING OF CESSPOOLS AND SEPTIC TANKS". The purpose of the proposed bill is to advance the schedule for the number of allowable pumping services provided by the County.

Your Public Works and Transportation Committee RECOMMENDS the following:

1. That Bill No. _____ (2001), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.29 OF THE MAUI COUNTY CODE, PERTAINING TO PUMPING OF CESSPOOLS AND SEPTIC TANKS" PASS FIRST READING and BE ORDERED TO PRINT;
2. That Miscellaneous Communication be FILED; and
3. That County Communication No. 01-180 be FILED.

Adoption of this report is respectfully requested.

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