

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

November 16, 2001

**Committee  
Report No.**

01-232

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 31, 2001, makes reference to County Communication No. 01-291, from the Director of Public Works and Waste Management, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 10.76, MAUI COUNTY CODE, PERTAINING TO PARKING LOTS AND PIERS".

The purpose of the proposed bill is to establish consistent fines for violations of provisions relating to County parking lots and piers.

At its meeting, your Committee met with the Deputy Director of Public Works and Waste Management, and the First Deputy Corporation Counsel.

The Deputy Director of Public Works and Waste Management provided a brief overview of the matter. He indicated that the proposed bill is a housekeeping measure that provides uniformity in the application of fines for violations of provisions pertaining to County parking lots and piers.

In response to your Committee's inquiry, the First Deputy Corporation Counsel advised your Committee that the proposed bill suggests a fine ranging from not less than \$50 and not more than \$100 for each violation. The fine was arbitrarily selected for discussion purposes and may be revised, if so desired.

Your Committee discussed the possibility of establishing a set fine, rather than a range for the fine. However, your Committee acknowledged that if a fine is contested, the costs of time, legal fees, and related expenses could be remunerated by imposing a fine at the higher end of the range.

Your Committee expressed general support for the proposed bill; however, your Committee recommended that the range of the fine be revised

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from "a fine of not less than \$50 and not more than \$100 for each violation" to "a fine of not less than \$50 and not more than \$250 for each violation".

Your Committee requested that the Corporation Counsel revise the proposed bill to incorporate your Committee's suggested revisions.

Your Committee voted to recommend that the revised proposed bill pass first reading, and that the communication be filed.

Your Committee is in receipt of a revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 10.76, MAUI COUNTY CODE, PERTAINING TO PARKING LOTS AND PIERS". The proposed bill increases the high-end of the range for the fine from \$100 to \$250.

Your Public Works and Transportation Committee **RECOMMENDS** the following:

1. That Bill No. \_\_\_\_\_ (2001), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 10.76, MAUI COUNTY CODE, PERTAINING TO PARKING LOTS AND PIERS", PASS FIRST READING and BE ORDERED TO PRINT; and
2. That County Communication No. 01-291 be FILED.

Adoption of this report is respectfully requested.

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