

COUNCIL OF THE COUNTY OF MAUI

**ECONOMIC DEVELOPMENT, AGRICULTURE,  
AND RECREATION COMMITTEE**

January 20, 2012

**Committee  
Report No. \_\_\_\_\_**

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

Chair and Members:

Your Economic Development, Agriculture, and Recreation Committee, having met on December 1, 2011, and January 5, 2012, makes reference to County Communication 11-293, from Councilmember Donald G. Couch, Jr., transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 13.04, MAUI COUNTY CODE, TO PROHIBIT THE CONSUMPTION OF ALCOHOL AT KALAMA PARK AND COVE PARK".

The purpose of the proposed bill is to prohibit the consumption of any intoxicating liquor within the boundaries of Kalama Park at 1900 South Kihei Road, Kihei, Maui, Hawaii; and Cove Park at 2120 Iiili Road, Kihei, Maui, Hawaii, unless authorized by permit, license, lease, or concession.

Your Committee notes that alcohol is currently prohibited in some County parks in response to complaints from park users and to create a healthy environment for youth programs and activities.

The Director of Parks and Recreation opposed the prohibition in both parks, citing the overreaching impact such a ban would have on responsible users of the parks. However, the Deputy Director of Parks and Recreation stated that if the proposed bill is passed, the Department would be able to assist with its implementation by installing signs.

The Chief of Police advocated the prohibition of alcohol in Cove Park as recommended in a memorandum from a police officer in the Department of Police. The memorandum also opposed the prohibition of alcohol at Kalama Park at this time to allow further monitoring of the park. However, representatives of the Department of Police stated that such a ban would be a valuable tool they could use. They stated that this ban would allow them to proactively address public safety concerns rather than react to complaints. According to the Chief of Police, if alcohol is allowed at Kalama Park by permit, license, lease, or concession, then such permits should not be issued to youth league park users.

COUNCIL OF THE COUNTY OF MAUI

**ECONOMIC DEVELOPMENT, AGRICULTURE,  
AND RECREATION COMMITTEE**

January 20, 2012  
Page 2

**Committee**  
**Report No.** \_\_\_\_\_

Your Committee notes that it received an overwhelming amount of public testimony in support of the alcohol prohibition. The testimony particularly supported the banning of alcohol in Kalama Park due to the large number of youth programs currently operating in the park.

Your Committee revised the proposed bill to reflect the current year.

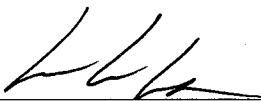
Your Committee voted 7-0 to recommend passage of the revised proposed bill on first reading, and filing of the communication. Committee Chair White, Vice-Chair Cochran, and members Baisa, Carroll, Couch, Hokama, and Pontanilla voted "aye".

Your Committee is in receipt of a revised proposed bill, approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee's recommended revision.

Your Economic Development, Agriculture, and Recreation Committee RECOMMENDS the following:

1. That Bill \_\_\_\_\_ (2012), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 13.04, MAUI COUNTY CODE, TO PROHIBIT THE CONSUMPTION OF ALCOHOL AT KALAMA PARK AND COVE PARK", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 11-293 be FILED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.

  
\_\_\_\_\_  
MIKE WHITE, Chair

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

BILL NO. \_\_\_\_\_ (2012)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 13.04,  
MAUI COUNTY CODE, TO PROHIBIT THE CONSUMPTION  
OF ALCOHOL AT KALAMA PARK AND COVE PARK

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


SECTION 1. Chapter 13.04, Maui County Code, is amended by adding a new section to be appropriately designated and to read as follows:

**"13.04.041 Alcohol prohibition for Kalama Park and Cove Park in Kihei. Except as otherwise authorized by permit, license, lease, or concession, issued in accordance with the Maui County Code, it is unlawful for any person to consume any intoxicating liquor, as defined in section 281-1, Hawaii Revised Statutes, while within the boundaries of Kalama Park, located at 1900 South Kihei Road, Kihei, Maui, Hawaii, or while within the boundaries of Cove Park, located at 2120 Iliili Road, Kihei, Maui, Hawaii. The land comprising Kalama Park and Cove Park is identified in state executive order no. 854, as amended by state executive order no. 1184, as the land set aside for public park purposes, to be under the control and management of the County of Maui."**

SECTION 2. New material is underscored. In printing this bill, the County Clerk need not include the underscoring.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM  
AND LEGALITY:

  
\_\_\_\_\_  
JEFFREY UEOKA  
Deputy Corporation Counsel  
County of Maui

S:\ALL\JTU\ORDS\Prohibition of Drinking in Parks\13.04.041new.wpd