

COUNCIL OF THE COUNTY OF MAUI

INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE

July 8, 2014

**Committee
Report No.** _____

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

Chair and Members:

Your Infrastructure and Environmental Management Committee, having met on June 16, 2014, makes reference to County Communication 13-300, from the Director of Public Works, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 10.56A.010, MAUI COUNTY CODE, RELATING TO LOADING ZONES".

The purpose of the proposed bill is to establish a loading zone on Front Street, Lahaina, Maui, Hawaii, fronting King Kamehameha III Elementary School, as an "active" loading zone and to prohibit unattended vehicles in the loading zone.

By correspondence dated May 9, 2014, the Director of Public Works transmitted a revised proposed bill and recommendations from the Maui County Traffic Safety Council. The revised proposed bill eliminates the five-minute duration allowed for loading and unloading and stipulates that loading and unloading must be immediate within the active loading zone.

The Maui County Traffic Safety Council supported the proposed bill and recommended not including a maximum time limit for the loading and unloading process.

The Deputy Director of Public Works informed your Committee of concerns expressed by the community that traffic congestion along Front Street creates an unsafe situation for students needing to cross the roadway. The Department evaluated the area and found that traffic congestion was partially attributable to the prolonged parking of vehicles in the loading zone fronting the school.

The Deputy Director noted the Department installed new signs in April 2014 establishing the loading zone as "active" to address the issue of prolonged parking. Since the signs were installed, traffic conditions along the roadway have improved.

A representative from the Department of Police informed your Committee the Maui County Code allows vehicles to park in the loading zone for up to five minutes

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while loading or unloading passengers. The revised proposed bill would allow the County to pursue enforcement action against unattended vehicles and motorists who are not engaged in active loading and unloading.

Your Committee received testimony in support of the revised proposed bill from the school's principal and Parent Teacher Association president.

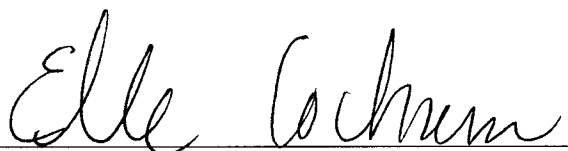
Your Committee voted 6-0 to recommend passage of the revised, proposed bill on first reading and filing of the communication. Committee Chair Cochran, Vice-Chair Crivello, and members Carroll, Couch, Guzman, and Hokama voted "aye". Committee member White was excused.

Your Committee is in receipt of a further revised proposed bill, approved as to form and legality by the Department of the Corporation Counsel, incorporating nonsubstantive revisions.

Your Infrastructure and Environmental Management Committee RECOMMENDS the following:

1. That Bill _____ (2014), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 10.56A.010, MAUI COUNTY CODE, RELATING TO LOADING ZONES", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 13-300 be FILED.

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



ELLE COCHRAN, Chair

ORDINANCE NO. _____

BILL NO. _____ (2014)

A BILL FOR AN ORDINANCE AMENDING SECTION 10.56A.010,
MAUI COUNTY CODE, RELATING TO LOADING ZONES

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

SECTION 1. Section 10.56A.010, Maui County Code, is amended to read as follows:

"10.56A.010 Loading zones established. Loading zones shall be established by the council at such places as the need may arise, and no person shall stop, stand, or park a vehicle for any purpose or period of time other than the expeditious loading or unloading of passengers or freight in any place marked as a loading zone, and then only for a period not to exceed fifteen minutes[;] or as otherwise specified; provided, however, that the council may authorize the director of public works to establish official school bus stops on streets under the county's jurisdiction.

A. Wailuku District. Loading zones are established at the following locations:

1. A loading zone is established on the north side of Vineyard Street, Wailuku, fifty feet in length, fronting 2062 Vineyard Street, between the hours of [eight] 8:00 a.m. and [five] 5:00 p.m., Monday through Saturday, for the loading and unloading of passengers or freight; and then only for a period not to exceed fifteen minutes; and no person shall stop, stand, or park a vehicle for any purpose or period of time other than the expeditious loading and unloading of passengers or freight. This location shall be a tow-away zone during the hours designated for the loading and unloading of passengers and freight, and shall be public parking at all other times;

2. For school buses on the west side of High Street, beginning at a point forty-seven feet north of Malako Street, running north of Malako Street a distance of one hundred ninety-nine feet, fronting Wailuku Elementary School; provided, that this provision shall be applicable only on each school day between the hours of [seven] 7:00 a.m. and [eight] 8:00 a.m. and between the hours of [one-thirty] 1:30 p.m. and [two-thirty] 2:30 p.m., except on Wednesdays when such hours shall be between [seven] 7:00 a.m. and [eight] 8:00 a.m. and between [one] 1:00 p.m. and [two] 2:00 p.m.;

3. For school buses on North Market Street near Piihana Road across from T.K. Super Market in Happy Valley, Wailuku; provided, that this provision shall be applicable only on each school day between the hours of [seven] 7:00 a.m. and [eight] 8:00 a.m. and between the hours of [two] 2:00 p.m. and [three] 3:00 p.m., except on Wednesdays when such hours shall be between [seven] 7:00 a.m. and [eight] 8:00 a.m. and between [one-thirty] 1:30 p.m. and [two-thirty] 2:30 p.m.;

4. For school buses on the road fronting Baldwin High School Auditorium, only on each school day, between the hours of [seven] 7:00 a.m. and [eight] 8:00 a.m. and between the hours of [two] 2:00 p.m. and [three] 3:00 p.m., except on Wednesdays when such hours shall be between [seven] 7:00 a.m. and [eight] 8:00 a.m. and between [one] 1:00 p.m. and [two] 2:00 p.m.;

5. Two loading zones, for school buses on the west side of Kenolio Road adjacent to the entrances to Kihei School, only on each school day, between the hours of [one-thirty] 1:30 p.m. and [two-thirty] 2:30 p.m., except on Wednesdays when such hours shall be between [one] 1:00 p.m. and [two] 2:00 p.m.;

6. On the east side of Market Street, Wailuku, twenty feet in length, commencing at a point thirty feet from the northern intersection of Main Street and Market Street, replacing the first two diagonal parking stalls on the street, between the hours of [seven] 7:00 a.m. and [five] 5:00 p.m., Monday through Saturday, for the loading and unloading of passengers or freight; and during the hours on such days, no person shall stop, stand, or park a vehicle for any purpose or period of time other than the expeditious loading and unloading of passengers or freight, and then only for a period not to exceed fifteen minutes. This location shall be a tow-away zone during the hours designated for the loading and unloading of passengers or freight, and shall be public parking at all other times;

7. Fifteen feet in length in the Wailuku Off-Street Parking Lot in the area immediately behind the premises identified as 35 Market Street, Wailuku;

8. On the east side of North Market Street, Wailuku, at 130 North Market Street, twenty-one feet in length, commencing at a point one hundred six feet north of the Vineyard Street curblin;

9. On both sides of Aku Place, Wailuku, from Kaahumanu Avenue to Analani Street;

10. On the west side of Market Street, Wailuku, replacing the parking stall fronting 167 Market Street between the hours of [eight] 8:00 a.m. and [five] 5:00 p.m., Monday through Saturday, for the loading and unloading of passengers or freight; and during the hours on such days, no person shall stop, stand, or park a vehicle for any purpose or period of time other than the expeditious loading and unloading of passengers or freight and then only for a period of time not to exceed fifteen minutes. This location shall be a tow-away zone during the hours designated for the

loading and unloading of passengers or freight, and shall be public parking at all other times;

11. On Lono Avenue fronting Kahului [school,] Elementary School, beginning at a point fifty-five feet from the south edge of Hina Avenue, running south, ending at a point thirty-five feet before the north edge of Laau Street. The loading zone shall be applicable only on each school day between the hours of [seven] 7:00 a.m. and [eight] 8:00 a.m. and between the hours of [one-thirty] 1:30 p.m. and [two-thirty] 2:30 p.m., except on Wednesdays when such hours shall be between [seven] 7:00 a.m. and [eight] 8:00 a.m. and between [one] 1:00 p.m. and [two] 2:00 p.m.;

12. On the east side of North Market Street, Wailuku, at 130 North Market Street, twenty feet in length, commencing at a point one hundred six feet north of the Vineyard Street curblines; and

13. On Kaiiau Place, in Kihei, within its entire end section extending approximately sixty feet beyond Ili'ili Road.

B. Makawao District. Loading zones are established at the following locations:

1. On that portion of Baldwin Avenue, in upper Paia, fronting the Doris Todd Memorial Christian Day School;

2. Forty feet in length, for school buses on the south (mauka) side of Makawao Avenue fronting St. Joseph Church, only on school days, between the hours of [seven] 7:00 a.m. and [eight] 8:00 a.m. and between the hours of [one-thirty] 1:30 p.m. and [two-thirty] 2:30 p.m.;

3. Forty feet in length, for school buses on the west side of Baldwin Avenue south (mauka) of the entrance to the Komoda Store parking lot, only on each school day, between the hours of [two] 2:00 p.m. and [three-thirty] 3:30 p.m., except on Wednesdays when such hours shall be between [one-thirty] 1:30 p.m. and [two-thirty] 2:30 p.m.;

4. Two parking stalls, for school buses on the west side of Baldwin Avenue at its intersection with Hana Highway, only on each school day, between the hours of [seven] 7:00 a.m. and [eight] 8:00 a.m. and between the hours of [two-thirty] 2:30 p.m. and [three-thirty] 3:30 p.m., except on Wednesdays when such hours shall be between [seven] 7:00 a.m. and [eight] 8:00 a.m. and between [one-thirty] 1:30 p.m. and [two-thirty] 2:30 p.m.;

5. Two parking stalls, for school buses on the east side of Baldwin Avenue, only on each school day, between the hours of [seven] 7:00 a.m. and [eight] 8:00 a.m. and between the hours of [two-thirty] 2:30 p.m. and [three-thirty] 3:30 p.m., except on Wednesdays when such hours shall be between [seven] 7:00 a.m. and [eight] 8:00 a.m. and between [one-thirty] 1:30 p.m. and [two-thirty] 2:30 p.m.; and

6. The first parking stall on the north side of Baldwin Avenue fifty feet west of Makawao Avenue, between the hours of [seven] 7:00 a.m. and [seven] 7:00 p.m. daily. The loading zone established in this subsection shall be a tow-away zone during the hours designated for the

loading and unloading of passengers and freight, and shall be public parking at all other times.

C. Lahaina District. Loading zones are established at the following locations:

1. Eight parking stalls, for school buses on the south side of Canal Street adjacent to King Kamehameha III Elementary School, only on school days, between the hours of [seven] 7:00 a.m. to [three] 3:00 p.m.;

2. Two parking stalls, for school buses on the east side of Front Street, north of Dickenson Street, only on school days, between the hours of [seven] 7:00 a.m. and [eight] 8:00 a.m.;

3. Two parking stalls, for school buses on the east side of Front Street, south of Lahainaluna Road, only on school days, between the hours of [seven] 7:00 a.m. and [eight] 8:00 a.m.;

4. Two parking stalls, for school buses on the north side of Lahainaluna Road, west of its intersection with Luakini Street, only on each school day, between the hours of [two-thirty] 2:30 p.m. and [three-thirty] 3:30 p.m., except on Wednesdays when such hours shall be between [one-thirty] 1:30 p.m. and [two-thirty] 2:30 p.m.;

5. Forty feet in length for school buses on the north side of Dickenson Street fronting the main entrance to Sacred Hearts School, only on school days, between the hours of [seven] 7:00 a.m. and [eight] 8:00 a.m. and between the hours of [one-thirty] 1:30 p.m. and [two-thirty] 2:30 p.m.;

6. On the following portions of Front Street:

a. On the east side of Front Street, twelve feet south of Wahie Lane, seventy-two feet in length[.];

b. On the west side of Front Street, thirty feet north of Lahainaluna Road, seventy-two feet in length[.];

c. On the east side of Front Street, thirty-two feet south of Kukui Lane, forty feet in length[.];

d. On the east side of Front Street, one hundred ten feet north of Dickenson Street, forty-eight feet in length[.]; and

e. On the west side of Front Street, at the intersection of Shaw Street fronting the 505 Front Street complex, ninety-six feet in length.

The foregoing shall be loading zones between the hours of [five] 5:00 a.m. and [five] 5:00 p.m., Monday through Saturday. The use of loading zones by any vehicle shall not exceed fifteen minutes. At all other times, these areas shall be public parking;

7. On the makai side of Wharf Street between Hotel Street and the flagpoles fronting the district court building, between the hours of [seven] 7:00 a.m. and [seven] 7:00 p.m. daily; provided that only buses certified to carry passengers by the public utilities commission of the [state] State shall be permitted to stop, stand, or park in the loading and

unloading zone and then solely for the purpose of loading and unloading passengers, and further, only for a period not to exceed fifteen minutes.

The loading zone established in this subsection shall be a tow-away zone during the hours designated for the loading and unloading of passengers, and shall be public parking for all other times;

8. On the north side of Hotel Street, Lahaina, replacing the first three parking stalls commencing at the intersection of Hotel and Front Streets. The loading zone is established between the hours of [seven] 7:00 a.m. and [nine] 9:00 p.m., Monday through Saturday, and is to solely serve regularly scheduled shuttle bus services, certified and licensed by the public utilities commission of the [state] State for the loading and unloading of passengers and freight. During the hours of [seven] 7:00 a.m. through [nine] 9:00 p.m., Monday through Saturday, no person shall stop, stand, or park a vehicle for any purpose other than the expeditious loading and unloading of passengers or freight. Bus services authorized to utilize the loading zone established in this subsection shall do so for periods not to exceed fifteen minutes. The loading zone established in this subsection shall be a tow-away zone during the hours designated for the loading and unloading of passengers and freight, and shall be public parking at all other times;

9. Except as provided in this subsection, between the hours of [seven] 7:00 a.m. and [five] 5:00 p.m., Monday through Saturday, for the loading and unloading of freight; and during the hours on such days, no person shall stop, stand, or park a vehicle for any purpose other than for the expeditious loading and unloading of freight. Vehicles authorized to utilize the loading zones established in this subsection shall do so for periods not to exceed fifteen minutes. The loading zones established in this subsection shall be tow-away zones during the hours designated for the loading and unloading of freight, and shall be public parking at all other times:

a. On the north side of Hotel Street, replacing the first two parking stalls commencing at the intersection of Wharf Street and Hotel Street[.]; and

b. On the south side of Papalaua Street, forty-two feet in length, commencing at a point seventy feet from the intersection of Papalaua and Front Streets[.];

10. On the south side of Papalaua Street, Lahaina, forty-eight feet in length, commencing at a point one hundred sixty-five feet from the intersection of Papalaua and Front Streets. The loading zone is established between the hours of [seven] 7:00 a.m. and [nine] 9:00 p.m., Sunday through Saturday, and is solely to serve regularly scheduled shuttle bus services, certified and licensed by the public utilities commission of the [state] State for the loading and unloading of passengers. During the hours of [seven] 7:00 a.m. and [nine] 9:00 p.m., Sunday through Saturday, no person shall stop, stand, or park a vehicle for any purpose other than the expeditious loading and unloading of passengers. Vehicles authorized

to utilize the loading zones established in this subsection shall do so for a period not to exceed fifteen minutes. The loading zones established in this subsection shall be tow-away zones during the hours designated for the loading and unloading of passengers, and shall be public parking for all other times;

11. Approximately twenty-five feet in length is established on the east side of Luakini Street in Lahaina, the midpoint of the zone to be located at a point approximately two hundred ten feet north of the intersection of the center-lines of Luakini and Dickenson Streets. The loading zone is established between the hours of [eight] 8:00 a.m. and [five] 5:00 p.m., Monday through Saturday, for the loading and unloading of freight and passengers; and during the hours on such days, no person shall stop, stand, or park a vehicle for any purpose other than the expeditious loading and unloading of freight and passengers, and then only for a period not to exceed fifteen minutes. The loading zone established in this subsection shall be a tow-away zone between the hours of [eight] 8:00 a.m. and [five] 5:00 p.m., Monday through Saturday; and

12. On the makai side of Front Street adjacent to King Kamehameha III Elementary School, twelve parking stalls in length, on each school day between the hours of [seven] 7:00 a.m. and [eight] 8:00 a.m. and between the hours of [one] 1:00 p.m. and [three] 3:00 p.m., for the active loading and unloading of passengers [for a period not to exceed five minutes]. The fifteen-minute time period specified in this section shall not apply – loading and unloading must be immediate. No vehicle may be left unattended for any period of time. This loading zone shall be a tow-away zone during the hours designated for the loading and unloading of passengers.

D. Hana District. Loading zones are established at the following locations:

1. Eighty feet in length for school buses on Ua'kea [road] Road fronting Hana Elementary and High School, only on school days, between the hours of [seven] 7:00 a.m. and [eight] 8:00 a.m.

E. Molokai District. Loading zones are established at the following locations:

1. Forty feet in length for school buses on the west side of Ala Malama Street fronting Ka Moi Theater, Kaunakakai, only on each school day, between the hours of [seven] 7:00 a.m. and [eight] 8:00 a.m. and between the hours of [two-thirty] 2:30 p.m. and [three-thirty] 3:30 p.m., except on Wednesdays when such hours shall be between [seven] 7:00 a.m. and [eight] 8:00 a.m. and between [one] 1:00 p.m. and [two] 2:00 p.m.;

2. Forty feet in length for school buses on the east side of Ala Malama Street fronting Harrison Cooke Park, Kaunakakai, only on each school day, between the hours of [seven] 7:00 a.m. and [eight] 8:00 a.m. and between the hours of [two-thirty] 2:30 p.m. and [three-thirty] 3:30 p.m., except on Wednesdays when such hours shall be between [seven]

7:00 a.m. and [eight] 8:00 a.m. and between [one-thirty] 1:30 p.m. and [two-thirty] 2:30 p.m.; and

3. Forty feet in length for school buses on the east side of [Kam] Kamehameha V Highway fronting Kaunakakai School, only on each school day, between the hours of [seven] 7:00 a.m. and [eight] 8:00 a.m. and between the hours of [one-thirty] 1:30 p.m. and [two-thirty] 2:30 p.m., except on Wednesdays when such hours shall be between [seven] 7:00 a.m. and [eight] 8:00 a.m. and between [one] 1:00 p.m. and [two] 2:00 p.m.

F. Lanai District. Loading zones are established at the following locations:

1. On the north side of Seventh Street, forty-one feet in length, beginning at a point seventy-five feet from the south side of Fraser Avenue."

SECTION 2. 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 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



MICHAEL J. HOPPER

Deputy Corporation Counsel

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