

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

BILL NO. \_\_\_\_\_ (2013)

A BILL FOR AN ORDINANCE AMENDING SECTION 16.26B.101, MAUI COUNTY CODE, TO ELIMINATE EXEMPTIONS IN THE BUILDING CODE OF THE COUNTY OF MAUI RELATING TO LANDS WITHIN THE CONSERVATION DISTRICT OR LANDS DESIGNATED AS HAWAIIAN HOME LANDS

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

SECTION 1. Section 16.26B.101 of the Maui County Code is hereby amended by amending subsection 16.26B.101.2 to read as follows:

"101.2 **Scope.** This code shall apply to the construction, alteration, movement, enlargement, replacement, repair, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures within the County[, except those lands within the County that are designated by the State Land Use Commission to be within the conservation district boundaries or designated as Hawaiian Home Lands].

**Exceptions:**

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall be permitted to comply with Chapter 16.08A, Maui County Code, as amended.

2. Existing State-owned buildings undergoing repair, alterations or additions and change in occupancy shall be permitted to comply with the International Existing Building Code, provided the extent of work does not exceed 50% of the appraised value of the building.

3. Work in a county or state public way and public utility towers and poles.

101.2.1 **Appendices.** Provisions in the appendices shall not apply unless specifically adopted."

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 Material to be repealed is bracketed.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

S:\ALL\MJH\ORDS\AMEND 16.26B.101.2 Uniform Bldg Code.doc