

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

DRAFT

BILL NO. \_\_\_\_\_ (2015)

A BILL FOR AN ORDINANCE AMENDING SECTION 14.13.060, MAUI COUNTY CODE, ENTITLED "WATER METER ISSUANCE PROVISIONS FOR THE UPCOUNTRY WATER SYSTEM", RELATING TO FIRE PROTECTION

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

SECTION 1. Section 14.13.060, Maui County Code, is amended to read as follows:

**"14.13.060 Installation of water meters and issuance of water meter reservations.** A. If additional source for the upcountry water system becomes available, the director shall process applications for water meters in the order of the priority list up to the average day capacity of any additional source with allowance for the department's operational standards. The department shall not issue a water meter to any applicant who is not on the priority list until all applicants who are on said priority list have either accepted water service or have been removed from the priority list pursuant to this chapter.

B. Prior to the installation of a water meter, an applicant shall complete water system improvements to the premises and/or to the department's water system, provided that the improvements are necessary to meet the water system requirements set forth in this article, or to meet the fire protection requirements pursuant to the County's fire code.

C. If an applicant from the priority list is unable to accept water service immediately, the department may issue a reservation for water service up to the requested allocation available at the time the request is made, in accordance with terms and conditions set forth in section 14.07.090 of this code.

D. Applicants on the priority list who have been offered water meters from the department and who are able to connect to the department's existing water system which is adequate to supply

domestic potable and irrigation water demand shall not be required to make further infrastructure improvements for fire protection if:

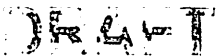
1. The water meter application is for a single meter or single meter upgrade per lot for three lots or less; and

2. The owner of such lot or lots enters into an agreement with the department, whereby such lot owner agrees to accept such water service as the department is able to render from its existing facilities and shall execute a written release in favor of the department for all claims on account of any inadequacy in the department's system or inadequacy of water supply to the premises for fire protection. Such agreement shall be recorded with the bureau of conveyances or the land court of the State, shall run with the land, and unless released or cancelled by the department, shall bind the owner of the lot or lots and bind and constitute notice to all subsequent grantees, successors, assignees, mortgagees, lienors, and other persons claiming any interest in the lot or lots."

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:



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JENNIFER M.P.E. OANA  
Department of the Corporation Counsel  
County of Maui