

Amendments to Title 16, Chapter 202,
Rules Relating to Water Meter Reservations

1. Section 16-202-09, Rules Relating to Water Meter Reservations, is amended to read as follows:

§16-202-09 Land use entitlements required. An applicant shall not be eligible to apply for a water meter reservation until the applicant obtains all required land use entitlements for the project, including but not limited to, any change of zoning, community plan amendment, state land use district classification amendment, special management area use permit, and project district phase I County council approval[.]; provided, however that, this section shall not apply to residential development projects comprised of 100 percent residential workforce housing units, as defined in section 2.96.020, Maui County Code, evidenced by an executed, recorded, and valid residential workforce housing agreement between the developer and the County, and which are located within the service area of the department's central or west Maui water system. [Eff 01/29/18; am and comp 11/28/2019] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.07.090)

2. Section 16-202-12, Rules Relating to Water Meter Reservations, is amended to read as follows:

§16-202-12 Expiration of a water meter reservation. The duration of a water meter reservation shall not exceed [two] five years from the date of the department's approval of the water meter reservation, [plus two six-month extensions, each for good cause shown and approved by the director,] provided that water service source capacity is available. If within [two] five years, [or longer with extension(s,)] the applicant is ready for water service, the applicant shall apply for such water service with the department; provided, however, that a water meter shall not be installed until all required documents, including but not limited to, required easements, agreements, and cost-list affidavits have been completed and approved by the department. If within [two] five years, [or longer with extension(s,)] the required water system improvements related to the water meter reserved have not been installed and have not passed final inspection by the department, the water meter reservation shall expire and shall be deemed null and void. At the expiration of a water meter reservation, all fees and costs paid for the water meter reservation pursuant to section 16-202-10[, County of Maui Administrative Rules,] shall be forfeited to the department and shall not be refunded to the applicant. No credit of any kind shall be given toward any future application. In the event there has been a modification of an existing water meter

reservation, the water meters covered under the original water meter reservation shall expire within [two] five years[, or longer with extension(s),] from the date of the department's approval of the original water meter reservation and the water meters added under the modification of the water meter reservation shall expire within [two] five years[, or longer with extension(s),] from the date of the department's approval of the modified water meter reservation. [Eff 01/29/18; am and comp 11/28/2019] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.07.090)

3. Material, except source notes, to be repealed is bracketed. New material is underscored.

4. Additions to update source notes to reflect these amendments are not underscored.

5. These amendments to Chapter 202, "Rules Relating to Water Meter Reservations", shall take effect ten days after filing with the Office of the County Clerk.

2016-1070
2019-11-28 Chapter 202 (Effective Date)

Adopted this 18th day of September, 2019, at Wailuku, Maui, Hawaii.

By: 
JEFFREY T. PEARSON
Director
Department of Water Supply

Approved this 18th day of
September, 2019.


MICHAEL P. VICTORINO
Mayor, County of Maui

APPROVED AS TO FORM
AND LEGALITY:


JENNIFER M.P.E. OANA
Deputy Corporation Counsel
County of Maui

Received this 18th day of
November, 2019.


Clerk, County of Maui

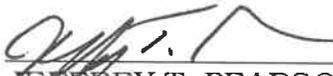
CERTIFICATION

I, JEFFREY T. PEARSON, Director of the Department of Water Supply, County of Maui, do hereby certify:

1. That the foregoing is a full, true, and correct copy of the amendments to the Rules Relating to Water Meter Reservations, drafted in Ramseyer format, pursuant to the requirements of Section 91-4.1, Hawaii Revised Statutes, which were adopted on the 18th day of September, 2019, following a public hearing that closed on July 9, 2019, and filed with the Office of the County Clerk.

2. That the notice of public hearing on the foregoing amendments to the rules was published in The Maui News on the 8th day of June, 2019.

COUNTY OF MAUI



JEFFREY T. PEARSON
Director
Department of Water Supply

L.S.

Doc. Date: 09/19/19 # Pages: 04
Notary Name: Dani Azucena Hawaii 2nd Circuit
Doc. Description: Amendments to Title 16, (Stamp or Seal)
Chapter 267, Rules Relating to Water Meter Reservations
Dani Azucena 09/19/19
Notary Signature Date