

Maui County Press Release on the B&B Bill Signing

January 7, 2009

FOR IMMEDIATE RELEASE

Mayor Tavares Signs Into Law Amendment of County Code Pertaining to Bed & Breakfast Operations

WAILUKU, Maui, Hi - Mayor Charmaine Tavares signed into law today a legislative bill pertaining to bed and breakfast businesses. The bill was approved by the County Council on December 19. The new law, which takes effect immediately, specifies the amount of bed and breakfast businesses allowed in districts except for the islands of Molokai and Lanai where every application will be reviewed for approval by the island's planning commission. The new law allows a bed and breakfast business to operate in residential, business, hotel, rural and agricultural zones.

In signing the bill into law today Mayor Tavares called it "a great result of collaboration between the Administration, the Council, and the community." She continued, saying that "this new law reflects the wishes of our community through the correct process of legislation. Council Members, department staff, and members of the public worked hard to find a way to help businesses, comply with community plans, and remain mindful of concerns of neighborhoods that would be impacted by a bed and breakfast operation. I appreciate the cooperative spirit everyone demonstrated during this process - the results reflect all of their diligence."

The bill defines a "bed and breakfast home" as a use in which overnight accommodations are provided to guests for compensation for periods of less than 180 days, in no more than two detached single-family dwelling units, one of which is occupied by the owner-proprietor. Also required is that the owner-proprietor be a resident of the County and a full-time resident on the same lot as the bed and breakfast home. Permits to operate a bed and breakfast business will be issued in the name of the owner-proprietor and not a corporation, partnership, limited liability company or similar entity. In response to neighborhood concerns, the new law requires that guest parking be off-street and that quiet hours from 9:00 p.m. to 8:00 a.m. be maintained.

The Department of Planning has developed a checklist to help applicants compile information and documents needed to complete an application. The checklist and application form can be found on the county website at www.mauicounty.gov under the department.

In response to the anticipation of legislation regarding transient vacation rentals (a rental of a housing unit for less than 180 days that does not require an owner-proprietor to reside on property), Mayor Tavares remarked, "As with any law that the public wants changed, the Council will deliberate its merits and seek input from the community. Certainly regulation is needed and I trust that the process will bring about a law that reflects what the community wants."

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