

## ACT 26

An Act to Amend Part I, Chapter 148, Revised Laws of Hawaii 1955, as Amended, Relating to Public Off-Street Parking Facilities Within the County of Maui.

*Be it Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Part I, Chapter 148 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding thereto a new section to be numbered and to read as follows:

**"Sec. 148-7. Public off-street parking facilities; method of construction; procedure; operation.** The board of supervisors of the county of Maui may acquire, improve, construct, maintain, repair and operate public off-street parking facilities within any portion in the urban district of the county of Maui, as designated and described in part VI of this chapter. The term 'public off-street parking facilities' means and includes land necessary or convenient for public off-street parking, rights of way, streets or alleys necessary or convenient for ingress to or egress from such public off-street parking facilities, buildings, equipment or any other property necessary or convenient for off-street parking purposes. Unless it clearly appears from the context of a provision in part VI of this chapter, relating to improvement by assessment, that the same is inapplicable, the provisions of said part VI of this chapter applicable to the improvement and construction of a storm drainage system shall apply to the acquisition, improvement and construction of public off-street parking facilities and the board for the purpose of acquiring, improving or constructing such public off-street parking facilities may, in accordance with the procedure established by the provisions of said part VI of this chapter applicable to the construction of a storm drainage system, create within the said urban district or any portion thereof one or more public off-street parking districts, acquire, improve or construct public off-street parking facilities levy assessments against the land within such public off-street parking district either on a frontage basis or according to the area of such land or on both area and frontage basis to pay the entire cost and expenses of the acquisition, improvement or construction of such facilities, collect and enforce all assessments levied, and issue, sell and pay bonds which may be necessary to provide the funds to pay the cost of such facilities; provided that land owned by or in the possession of the United States or any of its agencies, or the state or any of its political subdivisions or agencies which cannot lawfully be made subject to the assessments provided for herein, or any other land which in the judgment of the board will not be benefited by the acquisition, improvement or construction of such facilities, shall not be included within such district; and provided that no land to be acquired hereunder for public off-street parking facilities shall be assessed; and provided, further, that it shall be lawful for the board to, and it may, contribute out of any available funds, including the highway fund of the said county, up to one-half of the total cost of the acquisition, improvement and construction of such facilities.

All of the provisions of part VI of this chapter relating to assessments and bonds shall be applicable to any assessment made or bonds issued under the provisions of this section."

SECTION 2. This Act shall take effect upon its approval.  
(Approved November 19, 1959.) **S.B. 107.**

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