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NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

Notice is hereby given that the Council of the County of Kaua'i will hold a public hearing on Wednesday, December 16, 2020, at 1:30 p.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Lihu'e, on the following:

Bill No. 2814

A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAXES (*Residential Investor Assessed Value Reduction*)

The purpose of this Bill is to amend Chapter 5A, Kaua'i County Code 1987, as amended, by amending the definition of and related tax rate classification description for "Residential Investor" property, to take effect for the 2022 tax year. This Bill proposes to reduce the assessed value for Residential Investor property from two million dollars (\$2,000,000.00) or more to one million three hundred thousand dollars (\$1,300,000.00).

All interested persons who wish to present their comments may do so at the public hearing. Written testimony prior to the hearing would be appreciated. Written testimony can be submitted to the Office of the County Clerk, Council Services Division by mail, facsimile, or via E-mail to counciltestimony@kauai.gov. Copies of the Bills are available at the Office of the County Clerk, Council Services Division.

(The Council Committee or Council may amend this Bill at their subsequent meetings. Meeting notices are posted at least six (6) days in advance at the County Clerk's Office and the public may also testify at any of these meetings.)

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the foregoing Bill No. 2814 was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on November 25, 2020, by the following vote:

AYES:	Chock, Cowden, Evslyn, Kagawa, Kualii, Kaneshiro	TOTAL - 6,
NOES:	None	TOTAL - 0,
EXCUSED & NOT VOTING:	Brun	TOTAL - 1*,
RECUSED & NOT VOTING:	None	TOTAL - 0.

Lihu'e, Hawai'i
November 25, 2020

/s/ Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i

*Beginning with the March 11, 2020 Council Meeting and until further notice, Councilmember Arthur Brun will not be present due to U.S. v. Arthur Brun et al., Cr. No. 20-00024-DKW (United States District Court), and therefore will be noted as excused (i.e., not present).

NOTE: IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF THE COUNTY CLERK, COUNCIL SERVICES DIVISION AT (808) 241-4188 OR COKCOUNCIL@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST.

UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

(One publication – The Garden Island – December 1, 2020)

ORDINANCE NO. _____

BILL NO. 2814

A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAXES

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

SECTION 1. Purpose. The purpose of this Ordinance is to amend Chapter 5A, Section 5A-1.1 and Section 5A-6.4(d), Kauai County Code 1987, as amended, relating to Real Property Taxes, to reduce the minimum assessed value for the Residential Investor tax class from \$2,000,000.00 to \$1,300,000.00, with the intent to more accurately assess and collect real property taxes, and to promote the best use of real property so that the effect or consequence of these amendments will be to either: 1) increase real property tax revenue for the County, 2) entice owners who have vacant property where the value is between \$1,300,000.00 and \$2,000,000.00 to long-term rent that property in order to qualify for the Residential tax rate, and/or 3) disincentivize outside prospective investment with the intent of leaving the property vacant.

SECTION 2. Chapter 5A, Section 5A-1.1, Kauai County Code 1987, as amended, is hereby amended by amending the definition of "Residential Investor" as follows:

"Residential Investor" shall mean a tax rate classification applied to properties that do not qualify for the home exemption, are improved with a dwelling unit(s), not vacant land, are not being rented on a long-term basis, and have an assessed value of [two million dollars (\$2,000,000)] one million three hundred thousand dollars (\$1,300,000) or more."

SECTION 3. Chapter 5A, Section 5A-6.4(d), Kauai County Code 1987, as amended, is hereby amended to read as follows:

"For the purposes of this Article, the tax rate classification for Residential Investor shall be applied to properties that do not qualify for the home exemption, are improved with a dwelling unit(s), and not vacant land, and have an assessed value of [two million dollars (\$2,000,000)] one million three hundred thousand dollars (\$1,300,000) or more."

SECTION 4. Material to be deleted is bracketed. New material is underscored. When revising, compiling, or printing this Ordinance for inclusion in the Kauai County Code 1987, as amended, the brackets, bracketed material, and underscoring need not be included.

SECTION 5. The Ordinance shall take effect for the 2022 tax year.

Introduced by:



LUKE A. EVSLIN
(By Request)

DATE OF INTRODUCTION:

November 25, 2020

Lihu'e, Kauai, Hawaii

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CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2814, which on first reading was ordered to print by the Council of the County of Kaua'i at its meeting held on November 25, 2020, by the following vote:

FOR PASSAGE:	Chock, Cowden, Evslin, Kagawa, Kualii, Kaneshiro	TOTAL – 6,
AGAINST PASSAGE:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Brun	TOTAL – 1*,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Lihu'e, Hawai'i
November 25, 2020



Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i

*Beginning with the March 11, 2020 Council Meeting and until further notice, Councilmember Arthur Brun will not be present due to U.S. v. Arthur Brun et al., Cr. No. 20-00024-DKW (United States District Court), and therefore will be noted as excused (i.e., not present).