

RECEIVED

NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Council of the County of Kaua'i will hold a public hearing on Wednesday, August 14, 2019, 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. 2756

A BILL FOR AN ORDINANCE AMENDING SECTION 5A-1.1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX DEFINITIONS

This Bill proposes to amend Section 5A-1.1, Kaua'i County Code 1987, as amended, relating to Real Property Tax Definitions to create a partial definition of "owner" that includes a "family member" of the owner of a property, which would enable the family member under certain circumstances to be assigned the real property tax classification that applies to the family member's use of the property and apply for exemptions based on the family member's personal eligibility. This definition of owner is only intended to facilitate payment of real property taxes and is not meant to serve as proof of ownership for other purposes. Use of this definition of owner requires re-application every three (3) years.

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 Bill 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. 2756 was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on July 17, 2019, by the following vote:

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

Lihu'e, Hawai'i
July 18, 2019

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

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 OF 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 – July 25, 2019)

**A BILL FOR AN ORDINANCE AMENDING SECTION 5A-1.1,
KAUA'I COUNTY CODE 1987, AS AMENDED,
RELATING TO REAL PROPERTY TAX DEFINITIONS**

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII:

SECTION 1. Findings and Purpose. The Council finds that circumstances exist whereby some owners of real property within the County's jurisdiction are not the people living on, caring for, or otherwise exercising responsibility over their property. Furthermore, for some properties an owner has not been identified due to lack of formal succession proceedings or otherwise. However, currently only an owner (taking into account his or her use of the property and personal circumstances) is able to establish the property's real property tax classification and apply for exemptions. Therefore, the limited purpose of this ordinance is to create a partial definition of "owner" that includes a "family member" of the owner of a property, which would enable the family member under certain circumstances to be assigned the real property tax classification that applies to the family member's use of the property and apply for exemptions based on the family member's personal eligibility. This definition of owner is only intended to facilitate payment of real property taxes and is not meant to serve as proof of ownership for other purposes. Use of this definition of owner requires re-application every three (3) years.

SECTION 2. Section 5A-1.1, Kaua'i County Code 1987, as amended, is hereby amended by adding a definition for "Owner" as follows, to be appropriately inserted:

"Owner," for purposes of assigning a real property tax rate classification under Section 5A-6.4(a)(8) (Homestead) or (a)(10) (Commercialized Home Use), or considering an exemption under Section 5A-11.4 (Homes), 5A-11A.1 (Long-Term Affordable Rental), or 5A-11.29 (Kuleana Land),

(a) may include:

(1) A family member of any owner of the property who died intestate, or

(2) A family member of a person who may have a potential claim to the property where the Director determines that no property owner of record has been established,

(b) provided that, for purposes of this definition:

(1) "Family member" means a person who is related by blood, adoption, marriage, reciprocal beneficiary relationship, or as a step-relative, as another person's:

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2756, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on July 17, 2019, by the following vote:

FOR PASSAGE:	Brun, Chock, Cowden, Evslin, Kagawa, Kaneshiro	TOTAL - 6,
AGAINST PASSAGE:	None	TOTAL - 0,
EXCUSED & NOT VOTING:	Kuali'i	TOTAL - 1,
RECUSED & NOT VOTING:	None	TOTAL - 0.

Lihu'e, Hawai'i
July 18, 2019



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