

OFFICE OF THE MAYOR

DEREK S.K. KAWAKAMI, MAYOR

REIKO MATSUYAMA, MANAGING DIRECTOR



SECOND SUPPLEMENTAL EMERGENCY PROCLAMATION RELATING TO HURRICANE LOWELL

By the authority vested in me as Mayor by the Constitution and laws of the State of Hawai'i and Charter and laws of the County of Kaua'i, in order to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people, I, Derek S. K. Kawakami, Mayor of the County of Kaua'i, hereby further supplement the Emergency Proclamation of September 5, 2026, and incorporate any subsequent Supplemental Emergency Proclamations.

On September 7-8, 2026, Hurricane Lowell passed just west of Ni'i'hau and Kaua'i overnight, bringing damaging winds, heavy rain, flooding, and high surf to the islands. Hurricane Lowell damaged electrical infrastructure leaving approximately 90 percent of KIUC customers without power, downed trees and utility poles obstructing main highways and roadways, and destroyed both residential and commercial structures and properties, including extensive damage to coastal properties. There are 2 known fatalities caused by Hurricane Lowell.

On September 9, 2026, the Kapule Building located at the Lihue Civic Center caught fire. The Kapule Building housed the County's DMV, Real Property Tax Assessment Division, Planning Department, Wastewater Management Division, and IT Division. The Kapule Building also housed the HVAC system for all buildings located at the Lihue Civic Center and all County data servers. The Kapule Building was destroyed in the fire and is not safe for occupancy. The County data servers were also destroyed or significantly damaged as a result of the fire, leaving all County offices without an operable network needed to conduct County business. The timeframe for restoring the County data servers remain uncertain. Therefore, I find the damage and disruption to County operations caused by the Kapule Building fire has impeded and is detrimental to the County's expeditious and efficient execution of emergency functions needed to respond to and recover from Hurricane Lowell.

Pursuant to Section 127A-13(b)(2), Hawai'i Revised Statutes, I hereby suspend the following specific provisions of law, as allowed by federal law, to the extent that the law impedes or tends to impede or be detrimental to both expeditious and efficient execution of, or to conflict with, emergency functions, including laws which by this chapter specifically are made applicable to emergency personnel:

1. Chapter 4, Kaua'i County Code (KCC), General Provisions Relating to County Organization and Administration, Article 2, Public Records; Section 4-2.2, Reproduction Fees, KCC, to the extent necessary all fees and charges are waived for the reproduction of public records and searches of real property tax records, updating of real property tax bills, title history, assessment information, taxes due, and other similar record searches for real property owners or lessees whose residence or rental unit was impacted by Hurricane Lowell and require documentation for insurance or federal assistance purposes.
2. Chapter 8, Section 8-3.1, KCC, to the extent necessary to suspend any deadlines for County action on permit applications that the Planning Department determined to be complete and accepted prior to September 9, 2026.
3. Chapter 8, Section 8-27.7(a)(6)(F), KCC, regarding the submission of a certified state shoreline survey for any repairs exceeding \$125,000 as part of an application for a shoreline setback determination only to the extent that submission of a certified state shoreline survey must

occur within twelve (12) months from the date of application submission. County reserves the right to issue an order to dismantle and remove any repairs and impose any penalties for failure to submit a certified state shoreline survey.

4. Chapter 12, KCC, Building Code; only to the extent necessary to waive permit and permit-fee requirements for work undertaken solely to repair, restore, or mitigate damage resulting from Hurricane Lowell to previously permitted constructions, provided all work performed shall be in compliance with the applicable building code. All other permitting requirements and fees shall remain in effect.
5. Chapter 13, KCC, Electrical Code; only to the extent necessary to waive permit and permit-fee requirements for work undertaken solely to repair, restore, or mitigate damage resulting from Hurricane Lowell to previously permitted constructions, provided all work performed shall be in compliance with applicable requirements. All other permitting requirements and fees shall remain in effect.
6. Chapter 14, KCC, Plumbing Code; only to the extent necessary to waive permit and permit-fee requirements for work undertaken solely to repair, restore, or mitigate damage resulting from Hurricane Lowell to previously permitted constructions, provided all work performed shall be in compliance with applicable requirements. All other permitting requirements and fees shall remain in effect.
7. Chapter 15, KCC, General Provisions Relating to Building and Construction Regulations, Article 2, Driveway Approaches, only to the extent necessary to waive permit and permit-fee requirements for work undertaken solely to repair, restore, or mitigate damage resulting from Hurricane Lowell to previously permitted driveway approaches, provided all work performed shall be in compliance with applicable requirements. All other permitting requirements and fees shall remain in effect.
8. Chapter 15, KCC, General Provisions Relating to Building and Construction Regulations, Article 4, Outdoor Signs, only to the extent necessary to waive permit and permit-fee requirements for work undertaken solely to repair, restore, or mitigate damage resulting from Hurricane Lowell to previously permitted signs, provided all work performed shall be in compliance with applicable requirements. All other permitting requirements and fees shall remain in effect.
9. Chapter 15A, KCC, Fire Code; only to the extent necessary to waive permit and permit-fee requirements for work undertaken solely to repair, restore, or mitigate damage resulting from Hurricane Lowell to previously permitted constructions, provided all work performed shall be in compliance with applicable requirements. All other permitting requirements and fees shall remain in effect.
10. Chapter 16, KCC, Traffic Code, Article 9, Stopping, Standing and Parking; to the extent necessary to allow government agencies to prepare for, respond to, and recover from the emergency.
11. Section 21-9.2, KCC, Fees for Disposal of Solid Waste at County Landfills, Transfer Stations, and Debris Recycling Stations; only to the extent necessary to suspend fees for the disposal of solid waste as part of the emergency response, provided that fees under this section shall remain applicable to waste delivered to county landfills, refuse transfer stations, and debris recycling stations by any business, industry, governmental agency, educational institution, or other nonresidential entity in the ordinary course of its operations.

12. Chapter 22, KCC, General Provisions Relating to Public Health, Safety and Welfare, Article 7, Grading, Grubbing, and Stockpiling, to the extent necessary to waive permit and permit-fee requirements for grubbing and stockpiling debris related to Hurricane Lowell and any applicable deadlines the County must meet relating to applications submitted pursuant to this Article during the emergency period; and Article 16, Drainage, to the extent necessary to prioritize recovery and rebuilding by real property owners or lessees whose residence or rental unit was impacted by Hurricane Lowell.
13. Chapter 25, KCC, Article 13, Sewer Service Charges and Article 14, Sewer Funds and Delinquent Accounts; to the extent necessary to provide financial relief to real property owners and lessees whose primary residences or rental units were damaged or destroyed by Hurricane Lowell, specifically and exclusively by waiving sewer service charges and fees for properties that are no longer connected to the County's sewer system and, consequently, no longer active users of the system. Article 14, Sewer Funds and Delinquent Accounts, is further suspended to the extent necessary to waive all penalties and interests otherwise imposed for delinquent sewer service charges during the emergency period.
14. Rule 3-1-C(7), Kaua'i County Special Management Area Rules and Regulations, to the extent necessary to waive any administrative assessment fee that may impede or be detrimental to both expeditious and efficient execution of any repair or reconstruction to real property damaged or destroyed by Hurricane Lowell.
15. Rules of the Director of Personnel Services, only to the extent those rules require the Department of Personnel Services to provide, at the Department of Personnel Services office at 4444 Rice Street, Suite 140, Lihue, Hawaii, 98788, in-person services, public inspection of documents, or posting of information.

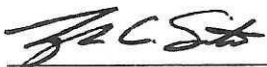
All the provisions of the Emergency Proclamation of September 5, 2026, and all Supplemental Emergency Proclamations, shall remain in full force and effect and are hereby included in the provisions of this Supplemental Emergency Proclamation and the disaster emergency relief period shall now continue for sixty days after this day or until further act by this office, whichever occurs first. Notwithstanding the termination of a disaster relief or emergency period, any contracts, agreements, procurements, programs, or employment of personnel entered into, started, amended, or continued by reason of the provisions of these proclamations shall continue.



Derek S.K. Kawakami
Mayor, County of Kaua'i

Dated: 9/18/26

APPROVED AS TO FORM AND LEGALITY:



Tyler C. Saito, County Attorney