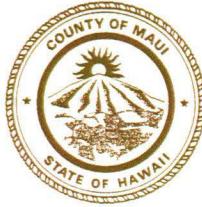


MICHAEL P. VICTORINO  
Mayor

SANDY K. BAZ  
Managing Director



COUNTY OF MAUI  
**OFFICE OF THE MAYOR**  
200 SOUTH HIGH STREET  
WAILUKU, HI 96793

**PUBLIC HEALTH EMERGENCY PROCLAMATION**

By the authority vested in me as Mayor of the County of Maui, by the Revised Charter of the County of Maui (1983), as amended, and the Constitution and laws of the State of Hawaii, I, MICHAEL P. VICTORINO, Mayor of the County of Maui of the State of Hawaii, hereby proclaim, determine, declare and find the following:

WHEREAS, Chapter 127A, Hawaii Revised Statutes ("Haw. Rev. Stat.") provides that, in the event of a state of emergency in the County of Maui, the Mayor may take action to relieve hardship and inequities or obstructions to the public health by suspending any county law, in whole or in part, or by alleviating the provisions of county laws on such terms and conditions as the Mayor may impose, including county licensing laws, and county laws relating to labels, grades, and standards;

WHEREAS, Haw. Rev. Stat. § 127A-13(b)(2) provides that the Mayor may suspend any county law that impedes or tends to impede, or that may be detrimental to, the health, safety and welfare of the public; and

WHEREAS, Haw. Rev. Stat. § 127A-13(b)(3) further provides that the Mayor may shut off water mains, gas mains, or electrical power, or may suspend other service to the extent permitted by federal law; and

WHEREAS, Haw. Rev. Stat. § 127A-13(b)(4) further provides that the Mayor may direct and control mandatory evacuation of the civilian population; and

WHEREAS, Haw. Rev. Stat. § 127A-13(b)(5) further provides that the Mayor may exercise any additional powers to the extent necessary to prevent hoarding, waste, destruction of materials, supplies, commodities, accommodations, facilities and services to effectuate equitable distributions as the public welfare may require; and

WHEREAS, Haw. Rev. Stat. § 127A-14(b) further provides that the Mayor may declare the existence of a state of emergency in the County of Maui by proclamation if the Mayor finds that an emergency or disaster exists or that there is an imminent danger or threat of emergency or disaster; and

WHEREAS, as of the date and time of this Proclamation, the United States has confirmed cases of individuals who have a severe acute respiratory illness caused by a new coronavarius (COVID-19). Further, on February 24, 2020, the World Health Organization (“WHO”) reported approximately 77, 262 confirmed cases of COVID-19 in China, more than the number of confirmed cases of the 2003 outbreak of Severe Acute Respiratory Syndrome. Additional cases have been confirmed in several other countries including the United States. The number of confirmed cases continues to rise significantly over a short duration of time.

WHEREAS, WHO officials report that sustained transmission of COVID-19 from human to human is occurring. On February 28, 2020, the WHO’s inspector raised the risk assessment of a Coronavirus outbreak to very high at a global level. The Maui Emergency Management Agency for the County of Maui advises of the potential effects of COVID-19 have created an imminent threat to life, health and safety of residents and visitors (the “Emergency Condition”);

WHEREAS, the County of Maui Emergency Management Agency anticipates that the most likely impacts resulting from COVID-19 Novel Coronavirus will include causing a threat to human health, safety and welfare that may result in the need to quarantine and/or evacuate residents from some areas as deemed appropriate by the State Department of Health; and

WHEREAS, the County of Maui’s Emergency Operating Center has been activated to coordinate appropriate County of Maui disaster response activities; and

WHEREAS, while there have been no reported cases in the County of Maui and the State of Hawai‘i, the cumulative effects of the Emergency Condition may create a public calamity in the County of Maui, such that preparing for such effects now is in the best interest of the County of Maui and its residents;

NOW, THEREFORE, I, MICHAEL P. VICTORINO, Mayor of the County of Maui, pursuant to the authority vested in me as the Mayor of the County of Maui as set forth above, in order to promote and protect the public health, safety, and welfare of the residents and visitors of the County of Maui, do hereby proclaim, determine, declare and find that:

1. There is imminent danger or threat of a state of emergency or disaster in all or any portion of the County of Maui, as of the date and time of this Proclamation; and
2. The provisions, in whole or in part, of Haw. Rev. Stat. chapter 103D and Haw. Rev. Stat. §§ 103-50, 103-53, 103-55, 105-1 to 105-10, and 464-4 that impede or tend to impede the expeditious discharge of the functions of emergency management, or that compliance therewith is impracticable due to existing conditions and, therefore, such provisions shall not apply to any such emergency management functions; and
3. Without regard to Haw. Rev. Stat. chapters 76, 78, and 88, agencies, officials, officers, employees of the county and other persons may be ordered and directed as I deem necessary to carry out emergency management functions under Haw. Rev. Stat. chapter 127A; and
4. Any public property of the county, real or personal, may be possessed, used, managed, controlled, or reallocated as I require for the purposes of emergency management functions under Haw. Rev. Stat. chapter 127A, including parks, playgrounds, and other public or private buildings; and
5. The provisions of the Maui County Code, in whole or in part, shall be suspended including, but not limited to, Section 2.20 (intergovernmental agreements), Section 3.12.060 and 3.12.070, to the extent that they impede the expeditious discharge of the functions of emergency management or the compliance therewith is impracticable due to existing conditions.
6. All County officers and employees shall be required to take all steps requested by the State of Hawaii Director of Department of Health to qualify the County of Maui for reimbursement from the Federal Emergency Management Agency and for other state and federal relief as may be available to reimburse the County of Maui for the expenses it incurs in addressing this emergency.

This Proclamation of Emergency or Disaster shall terminate on the first to occur of (1) sixty (60) days after the date of this Proclamation, or (2) issuance of a Declaration of Termination of Emergency issued by the undersigned, whichever occurs first. Pursuant to this Proclamation, I hereby exercise any and all powers listed in Sections 12 and 13 of Chapter 127A, Haw. Rev. Stat.

*Michael P. Victorino*

MICHAEL P. VICTORINO, Mayor  
*County of Maui*  
March 4, 2020

APPROVED:

*Moana M. Lutey*

MOANA M. LUTEY  
*Corporation Counsel*  
*County of Maui*