

Introduced by: Mayor
Date: November 4, 1975
Hearing: December 2, 1975
Vote: Unanimous
Action: Adopted

KENAI PENINSULA BOROUGH

ORDINANCE 75-56

AN ORDINANCE ADOPTING THE RECODIFICATION OF THE CODE OF ORDINANCES OF THE KENAI PENINSULA BOROUGH.

WHEREAS, the Alaska State Legislature has provided for the codification and publication of the permanent and general ordinances of municipalities in Section 29.48.180 of the Alaska Statutes; and

WHEREAS, Section 29.08.020 of the Alaska Statutes defines a general law municipality as ". . . an unchartered borough. . ."; and

WHEREAS, the Book Publishing Company, Seattle, Washington, has compiled, edited and published a codification of the permanent and general ordinances of the Kenai Peninsula Borough, Alaska; and

WHEREAS, there have been filed and there are now on file in the office of the borough clerk, for public inspection, five copies of a loose-leaf publication entitled "Kenai Peninsula Borough Code of Ordinances", and copies thereof are available for the use of persons present at the public hearing on this ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. Adoption. As authorized by Section 29.48.180 of the Alaska Statutes, there is hereby adopted the "Kenai Peninsula Borough Code," as compiled, edited and published by

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Book Publishing Company, Seattle, Washington.

Section 2. Title--Reference. This code shall be known as the "Kenai Peninsula Borough Code" and it shall be sufficient for all purposes to refer to said code as the "Kenai Peninsula Borough Code" and to refer to any portion of it in the short form provided in Section 1.08.030 therein.

Section 3. Codification authority. This code consists of all the regulatory and penal ordinances and certain of the administrative ordinances of the Kenai Peninsula Borough, Alaska, codified pursuant to the provisions of Section 29.48.180 of the Alaska Statutes.

Section 4. Ordinances passed prior to adoption of the code. All ordinances of a general and permanent nature adopted prior to Ordinance 75-40, which failed passage on August 19, 1975, are included in this code at the time of its adoption. The following ordinances of a general and permanent nature passed subsequent to Ordinance 75-40, but prior to the adoption of this code, are hereby adopted and made a part of this code: Ordinances 75-41, 75-43, and 75-45.

Section 5. Reference applies to all amendments. Whenever a reference is made to this code, or to any portion thereof, or to any ordinance of the Kenai Peninsula Borough, Alaska, the reference shall apply to all amendments, corrections, and additions heretofore, now, or hereafter made.

Section 6. Title, chapter and section headings. Title, chapter, and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any title, chapter, or section hereof.

Section 7. Historical Notes. Notes indicating sources of sections for information purposes, or referring to Alaska Statutes, ordinances, or resolutions, are inserted for convenience but are of no legal effect.

Section 8. Reference to specific ordinances. The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with ordinances which

are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code.

Section 9. Effect of code on past actions and obligations.

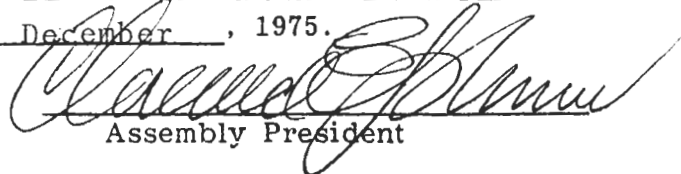
Neither the adoption of this code nor the repeal or amendments hereby made of any ordinance or part or portion of any ordinance of the Kenai Peninsula Borough shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any tax, license, fee, or penalty at said effective date due and unpaid under such ordinances, nor be construed as affecting any of the provisions of such ordinances, relating to the collection of any such tax, license, fee, or penalty, or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed, or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect.

Section 10. Effective date. This code shall become effective on the date the ordinance adopting this code as the "Kenai Peninsula Borough Code" shall become effective.

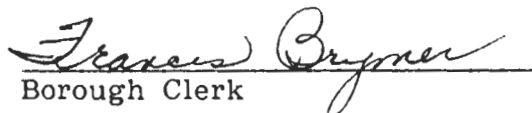
Section 11. Constitutionality. If any section, subsection, sentence, clause, or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The council hereby declares that it would have passed this code, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared invalid or unconstitutional, and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

Section 12. This ordinance shall become effective on the day after its enactment.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA
BOROUGH THIS 2nd DAY OF December, 1975.


Assembly President

ATTEST:


Borough Clerk

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