

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

KENAI PENINSULA BOROUGH

ORDINANCE 75-59

AMENDMENT OF VARIOUS SECTIONS OF THE CODE OF ORDINANCES OF THE KENAI PENINSULA BOROUGH TO CORRECT TYPOGRAPHICAL ERRORS OR ERRORS OF OMISSION WHICH CAUSE LACK OF CLARITY OR COMPREHENSIBILITY.

WHEREAS, a number of errors of omission or typographical errors which occurred in original ordinances of the borough have been brought to light during the recodification project; and

WHEREAS, some of these errors result in a lack of clarity or in making the ordinance completely incomprehensible; and

WHEREAS, it is desirable that such errors be corrected;  
Now Therefore,

BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1: KPB 17.04.010 B is hereby amended to read as follows:

B. "Division of Lands" or "Director" means the Division of Lands or the Director of the Division of Lands of the State of Alaska.

Section 2: KPB 17.04.020, entitled "Land use plan required when--Agreement required", is hereby amended to read as follows:

All lands disposed of by the State of Alaska, pursuant to agreement with the borough, shall first be subjected to a land use plan and such plan shall, prior to becoming final, be [BY] reviewed jointly and agreed upon by the borough and the state.

Section 3: KPB 17.04.060, entitled "Lands--Disposition--Deposit and accounting of moneys required", is hereby amended to read as follows:

All moneys received by the state from the sale, lease or other disposal of borough lands shall be deposited with the Department of Revenue, State of Alaska. Upon certification by the Director that payment is in order, the monies so deposited shall be transferred to the borough. The state shall, during the month of January of each year, render an accounting of the year. Concurrent with the final accounting, the state shall withhold survey, appraisal and other appropriate direct management costs, exclusive of overhead costs from the total receipts.

Section 4 : KPB 20.16.260, entitled "Survey and monumentation--Monuments--Number and location required", is hereby amended to read as follows:

Every subdivision shall contain at least 2 inter-visible monuments as a base line, but in the case of a resubdivision, the Commission may waive additional monument installation if sufficient monuments already exist. As used in this particular paragraph, the words "monument" and "marker" shall be synonymous. It is desirable that monuments be set at all exterior angle points in a subdivision. A 3/4 inch by 30-inch galvanized iron pipe shall be set in a manner similiar to that described above at all exterior angle points which are not monumented. The distance and bearings between monuments shall be shown. The distance between required monuments shall be no further than 1320'+/-. No part of any subdivision shall be further than 1320'+/- from a monument. All monuments shall be tied to the subdivision lines. All lot corners shall be marked in a professional manner.

Section 5: KPB 21.44.060 B 2 is hereby amended to read as follows:

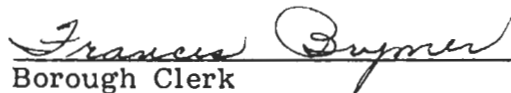
2. Side yard width: The width of each [EACH] side yard shall be 1/4 the height of the building, but not less than 5 feet each, but in no event where a side yard fronts on a side street shall the width of that yard be less than 10 feet, and no part of any church or school shall be within 20 feet of any adjoining lot,

Section 6: This ordinance shall become effective immediately.

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

  
Assembly President

ATTEST:

  
Borough Clerk

