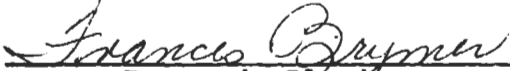


ORDINANCE CERTIFICATION

I certify that upon final enactment of Ordinance No. 81-47 of the Kenai Peninsula borough, this certification of the actions taken by me conforms with the rules and regulations governing ordinances.

1. Publication: Publication has been made by causing a summary of this ordinance to be inserted one time in a newspaper of general circulation in the borough. One copy of this ordinance as set for hearing, together with Notice of Hearing has been mailed to the city clerks of each first class city in the borough and to each postoffice in the borough with a request for posting on the City Hall and Post Office bulletin boards for 10 days immediately following receipt.
2. After adoption of this ordinance, one copy will be mailed to the city clerk of each first class city in the borough.

This ordinance was ENACTED by the assembly of the Kenai Peninsula Borough on the 21 day of July, 1981 and will become effective immediatley.


Borough Clerk

Date: July 23, 1981

Introduced by: Mayor at the request
of the Economic
Development Council
Date: May 19, 1981
Hearing: July 21, 1981
Vote: 14 Yes, 2 No
Action: Enacted as Amended

KENAI PENINSULA BOROUGH

ORDINANCE 81-47

PROVIDING FOR THE ACQUISITION OF MUNICIPAL POWERS NECESSARY TO PROVIDE PORTS AND HARBORS, WHARVES, AND OTHER MARINE FACILITIES IN THE BOROUGH OUTSIDE CITIES.

WHEREAS, it is in the best interest of the residents of the Kenai Peninsula Borough to sustain a business climate supportive of economic growth and maintain an active effort to promote the development of resources and industry so as to maintain a healthy economic climate and employment opportunities within the Borough; and

WHEREAS, the development prospects for Borough resources are highly related to their location in proximity to tide-water and the prospects for the expansion and development of ports and harbors; and

WHEREAS, many of the most likely sites where resource and industrial developments may occur are in the unincorporated areas of the Borough where authority to assist in planning and developing needed facilities is lacking; and

WHEREAS, in developing its economy, assumption of port and harbor powers would provide the Borough with the authority to assist in planning for such developments; and

WHEREAS, such powers would also permit the issuance of long-term, low interest financing through industrial bonds as an added inducement to industry; and

WHEREAS, such inducements are currently available to industrial developers in neighboring and competing communities; and

WHEREAS, it is becoming increasingly apparent that resource development, the attraction of new industry, and the creation of job opportunities in the Borough would be greatly improved through Borough assumption of powers to plan and develop ports and harbors and provide such inducements as industrial bonding; and

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WHEREAS, this economic potential cannot be met or fully developed by any one particular city or any one particular community, but requires the full cooperation of the entire Borough;

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

Section 1. That the Assembly proposes the acquisition of the additional municipal power to provide public facilities, services and industrial revenue bonding relating to the development of ports and harbors, wharves, marine terminals, and other marine facilities, in the area outside cities. The Borough shall offer to have the identical power transferred from cities within the Borough, or propose joint Borough-city exercise of the power, before exercising this power outside cities only.

Section 2. The Assembly shall hold at least one public hearing in the Borough on the question. The Assembly shall then evaluate the ability of the Borough to exercise the powers and make its findings public.

Section 3. The Assembly shall, within 30 days after its findings have been made public, order an election on the question in the Borough area outside cities. The election shall be held at the next regular election.

Section 4. The Assembly hereby declares its intention and policy to take control and management of any Borough port and harbor functions, and the port and harbor powers will be administered by the Borough's existing staff and no additional employees will be employed without approval of the Assembly.

Section 5. The Assembly declares its intent to withhold any specific port developments under port and harbor powers involving the expenditure of Borough capital funds unless and until proper feasibility analyses are available, adequate public hearings are held, and approval is obtained from the taxpayers.

Section 6. The Assembly declares its intention in enacting this ordinance as limited to the question of acquisition of port and harbor powers, and not authorization to undertake any capital improvement projects dealing with ports and harbors in the Borough.

Section 7. This ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
ON THIS 21st DAY OF July, 1981.

Paul A. Fischer
Paul Fischer, Assembly President

ATTEST:

Frances Bumpus
Borough Clerk