

ORDINANCE CERTIFICATION

I certify that upon final enactment of Ordinance No. 81-96 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 13th day of October, 1981 and will become effective immediately.

Francis Byrne
Borough Clerk

Date: October 15, 1981

Introduced by: Mayor
Date: August 18, 1981
Hearing: ~~October 13, 1981~~
Vote: Unanimous
Action: Enacted as amended

KENAI PENINSULA BOROUGH

ORDINANCE 81-96

AMENDING ORDINANCE 81-22 TO PROVIDE THAT CAPITAL IMPROVEMENT PROJECTS FINANCED SOLELY THROUGH STATE OR REVENUE GRANT FUNDS ARE NOT REQUIRED TO BE APPROVED BY A VOTE OF THE PEOPLE.

WHEREAS, the Assembly, by Ordinance 81-22, provided that all major capital improvement projects whose total project cost is in excess of one million dollars must be approved by a vote of the people; and

WHEREAS, the Twelfth Legislature, First Session, subsequently provided for a grant of funds to each municipality of \$1000 per resident, with such funds to be used for capital improvement projects; and

WHEREAS, the Assembly has already determined that these funds will be used primarily for the construction of roads and other capital projects required immediately; and

WHEREAS, certain proposed road projects will costs in excess of one million dollars and the requirement of Ordinance 81-22 that each project be submitted to the voters for specific approval will hamper and delay construction of these needed projects which are financed solely through the use of per capita funds received from the State of Alaska; and

WHEREAS, the intent of Ordinance 81-22 was to require a vote of the people on all major capital improvement projects which utilized funds derived from property taxation and this ordinance did not contemplate the Legislature's provision of \$1000 per capita funding for such capital improvement projects as the Assembly might designate;

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

Section 1. That Section 5.04.110 of the Borough Code is amended to read:

"Major capital improvement projects - referendum required. A. All major capital improvement projects to be constructed by the Borough must be approved by the voters of the Borough at a regular or special election. For the purpose of this ordinance,

a major capital improvement project is one whose total project cost is more than \$1,000,000, including architectural, engineering, inspection, design, administration and other costs. This section applies to all proposed capital improvement projects to be financed with borough funds which are not the proceeds of a bond issue approved by voters, except that federal or state grants for [SPECIFIC] capital improvement projects are not subject to this ordinance.

Section 2. That this ordinance shall expire on June 30, 1983.

Section 3. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 13 DAY OF October, 1981.

Paul A. Fischer
Paul Fischer, Assembly President

ATTEST:

Frances Bryner
Borough Clerk

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DAY OF

Borough Clerk