

Introduced by: Dimmick
Date: Feb. 15, 1983
Hearing: Mar. 15, 1983 Ref L.A. Committee
Vote:
Action: 7-19-83 Returned from Local Affairs /DEFEATED
Not set for hear.

KENAI PENINSULA BOROUGH

ORDINANCE 83-9

PROVIDING FOR THE ACQUISITION OF MUNICIPAL POWERS NECESSARY TO PROVIDE ROAD MAINTENANCE ON ROADS LOCATED IN THE BOROUGH OUTSIDE CITIES TO BE FUNDED FROM STATE AID TO MUNICIPALITIES FOR ROADS.

WHEREAS, the economic development in the Borough requires the maintenance of an adequate road system to accommodate the needs of industry as well as the public; and

WHEREAS, the Assembly finds that limited road powers solely for the purpose of maintaining existing roads in the Borough outside the boundaries of first-class cities are needed for efficient road maintenance; and

WHEREAS, the State of Alaska currently provides up to \$2,500 of State aid for each mile of dedicated and constructed roads maintained by a local government; and

WHEREAS, the Borough should be able to adequately maintain roads for no more than the amount paid to the Borough annually by the State, provided that adequate standards for construction of such roads are adopted; and

WHEREAS, the assumption of limited road maintenance powers by the Borough must be ratified by a majority vote of the voters residing outside the boundaries of any first-class city;

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 maintenance of roads located within the Borough outside cities. As required by AS 29.38.020, the Borough shall seek 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. A. All road maintenance shall be provided on an areawide basis in that portion of the Borough outside first-class cities, to be paid from State aid to municipalities for road maintenance.

B. The Assembly, upon recommendation of the Mayor, shall adopt minimum standards appropriate for the construction of each category of road which is to be maintained by the Borough in whole or in part. The Borough shall maintain only roads which meet the minimum construction standards for that class of road. The Mayor, upon the advice of the

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Planning Commission and the Public Works Director, shall propose to the Assembly specific road construction and maintenance requirements for newly subdivided land at the earliest practicable time.

C. Prior to June 1, 1984, the Mayor shall provide the Assembly with an inventory of existing roads which are not maintained currently by the State of Alaska. The report shall classify each road as to its construction standards, suitability for maintenance, and approximate number of residences and land area served. The report shall indicate which roads have been maintained by the four road maintenance service areas, which will be accepted by the Borough for inclusion in the maintenance program, shall designate the priority in which each road will be accepted for Borough maintenance and the proposed level of maintenance service. The report shall also indicate which roads must be upgraded in order to meet minimum construction standards. The Borough inventory shall be revised annually and shall be presented to the Assembly, as part of the regular budgetary process, by June 1 of each year. The inventory shall indicate the status of each road which will be maintained by the Borough for the next fiscal year, contingent upon the Assembly's approval.

Section 3. That the Assembly may appoint a five-member advisory committee in each of the four Assembly election districts in the Borough to provide for information and discussion by the public.

Section 4. That 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 5. 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 6. That this ordinance takes effect on the date of its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON
THIS ____ DAY OF _____, 1983.

Donald L. McCloud, Assembly President

ATTEST:

Borough Clerk

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