

Introduced by: Local Affrs  
Cmte./Dimmick  
Date: July 2, 1985  
Hearing: August 6, 1985  
Action: ENACTED  
Vote: 10 Yes, 4 No

KENAI PENINSULA BOROUGH

ORDINANCE 85-52

PROVIDING FOR THE ACQUISITION OF MUNICIPAL POWER NECESSARY TO PROVIDE FOR IMPROVEMENTS TO (AND MAINTENANCE ON) ROADS MAINTAINED OR QUALIFIED TO BE MAINTAINED BY THE KENAI PENINSULA BOROUGH.

WHEREAS, accelerating growth within all areas of the Borough has put increased traffic pressure on roads within the Borough and many of the roads are inadequate; and

WHEREAS, current levels of state maintenance funding are barely adequate to maintain road conditions or in some cases only provide snow removal; and

WHEREAS, in many areas there is a need for upgrading of the roads to accommodate increasing growth and prevent further road deterioration;

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 for the improvement of roads located within the Borough road maintenance service areas, to be exercised within the Borough road maintenance service areas.

Section 2. That section 16.44.080 of the Kenai Peninsula Borough Code of Ordinances is hereby amended to read as follows:

16.44.080 Board--Powers and Duties. Pursuant to the provisions of AS 29.63.090, the board of directors of the service area, subject to assembly approval and appropriation of funds, shall have the power to provide for improvement and maintenance of roads within the service area and shall promptly furnish accurate and complete copies of minutes of all board meetings to the mayor and the assembly.

Section 3. That section 16.48.080 of the Kenai Peninsula Borough Code of Ordinances is hereby amended to read as follows:

16.48.080 Board--Powers and Duties Pursuant to the provisions of AS 29.63.090 the board of directors of the service area, subject to assembly approval and appropriation of funds, shall have the power to provide for improvement and maintenance of roads within the service area and shall promptly furnish accurate and complete copies of minutes of all board meetings to the mayor and the assembly.

Section 4. That section 16.52.080 of the Kenai Peninsula Borough Code of Ordinances is hereby amended to read as follows:

16.52.080 Board--Powers and Duties Pursuant to the provisions of AS 29.63.090 the board of directors of the service area, subject to assembly approval and appropriation of funds, shall have the power to provide for improvement and maintenance of roads within the service area and shall promptly furnish accurate and complete copies of minutes of all board meetings to the mayor and the assembly.

Section 5. That section 16.56.080 of the Kenai Peninsula Borough Code of Ordinances is hereby amended to read as follows:

16.56.080 Board--Powers and Duties. Pursuant to the provisions of AS 29.63.090 the board of directors of the service area, subject to assembly approval and appropriation of funds, shall have the power to provide for improvement and maintenance of roads within the service area and shall promptly furnish accurate and complete copies of minutes of all board meetings to the mayor and the assembly.

Section 6. That a new section 16.04.090 of the Kenai Peninsula Borough Code of Ordinances is hereby enacted to read as follows:

16.04.090 Road Improvement Standards. The Mayor, upon the advice of the Public Works Director, shall propose to the Assembly specific road improvement requirements and standards. The Assembly, shall adopt minimum standards appropriate for the improvement of each category of road which is to be improved.

Section 7. That the Assembly shall order an election in the South Kenai Peninsula Road Maintenance Service Area on the question: "Shall the Kenai Peninsula Borough acquire road improvement power and exercise it within the South Kenai Peninsula Road Maintenance Service Area?"

Section 8. That the Assembly shall order an election in the Central Kenai Peninsula Road Maintenance Service Area on the question: "Shall the Kenai Peninsula Borough acquire road improvement power and exercise it within the Central Kenai Peninsula Road Maintenance Service Area?"

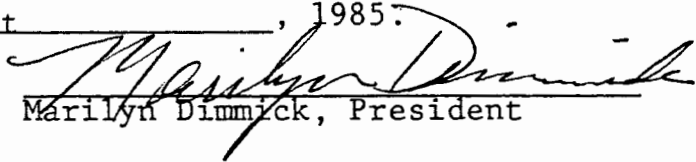
Section 9. That the Assembly shall order an election in the East Kenai Peninsula Road Maintenance Service Area on the question: "Shall the Kenai Peninsula Borough acquire road improvement power and exercise it within the East Kenai Peninsula Road Maintenance Service Area?"

Section 10. That the Assembly shall order an election in the North Kenai Peninsula Road Maintenance Service Area on the question: "Shall the Kenai Peninsula Borough acquire road improvement power and exercise it within the North Kenai Peninsula Road Maintenance Service Area?"

Section 11. That no bids be sought or contracts awarded for improvement projects prior to Assembly adoption of the road improvement plan for the service area. That plan shall be adopted no later than March 1, 1986.

Section 12. That this ordinance takes effect on the date of its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON  
THIS 20th DAY OF August, 1985.

  
Marilyn Dimmick, President

ATTEST:

  
Borough Clerk

