

Introduced by: Hodgins
McGahan, McLane, Brown
Glick
Date: Jan. 3, 1989
Hearing: Feb. 7, 1989
Action: Adopted
Vote: Unanimous
*Referred to Committee
Postponed to 6-6-89

KENAI PENINSULA BOROUGH

ORDINANCE 89-5

AMENDING KENAI PENINSULA BOROUGH ORDINANCE 81-47 WHICH ADOPTED MUNICIPAL POWERS NECESSARY TO PROVIDE PORTS AND HARBORS, WHARVES, AND OTHER MARINE FACILITIES IN THE BOROUGH OUTSIDE CITIES, TO REMOVE RESTRICTIONS ON EXPENDITURES AND HIRING

WHEREAS, on July 21, 1981 the borough assembly enacted 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 of cities; and

WHEREAS, the provisions of Sections 4, 5 & 6 of Ordinance 81-47 place restrictions upon the Borough's authority to hire employees and expend funds for administration or capital improvement projects dealing with ports and harbors; and

WHEREAS, the ballot proposition passed by the voters at the regular borough election of October 6, 1981 which ratified Ordinance 81-47 expressly limited port and harbor powers by requiring that no additional employees be employed and that port and harbor development projects funded by borough capital funds must obtain prior approval of the voters; and

WHEREAS, these limitation on hiring and expenditure of funds effectively deny the borough any ability to reasonably administer ports, harbors, wharves, and other marine facility projects;

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

Section 1. That KPB Ordinance 81-47 is hereby amended by deletion of Sections 4, 5 & 6 thereto, and the renumbering of Section 7 to Section 4.

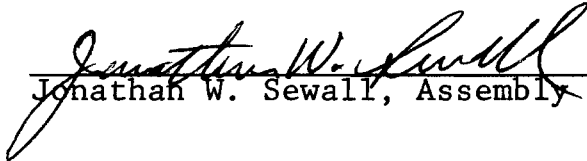
Section 2. That the effect of this amendment, following ratification by the voters, is to remove the limitations on employment and expenditure of funds as currently set out in Ordinance 81-47 and by the ballot proposition voted upon by the voters at the borough election on October 6, 1981 (as set out by Resolution 81-128).

Section 3. That a ballot proposition for consideration of the voters outside of the cities shall be placed on the ballot of

the next borough general election to provide for ratification of this amendment of borough ports and harbors powers.

Section 4. That this ordinance shall take effect immediately following ratification by borough voters outside of the cities.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 6th DAY OF June, 1989.


Jonathan W. Sewall, Assembly President

ATTEST:


Borough Clerk