

Introduced by: Mayor
Date: June 19, 1990
Hearing: July 17, 1990; Postponed to
Vote: ENACTED 8-21-90
Action: 12 Yes, 2 No

KENAI PENINSULA BOROUGH

ORDINANCE 90-46

PROVIDING AN EXEMPTION FROM KPB CHAPTER 14.06 "ROAD STANDARDS" TO ALLOW ACCEPTANCE OF ALL EXISTING BRIDGES ON BOROUGH-MAINTAINED ROADS ONTO THE ROAD MAINTENANCE SYSTEM

WHEREAS, there are a total of 8 existing bridges which are abutted at each end by roads maintained by the Borough road maintenance system; and

WHEREAS, the Borough has, in the past year, received notification from the State of Alaska, Department of Transportation, that certain maintenance and upgrade activities are necessary in order that several of these bridges may meet minimal safety standards; and

WHEREAS, in 1986 the Kenai Peninsula Borough Assembly enacted a new chapter 14.06 to the Borough code of ordinances which established construction standards for acceptance of roads and bridges onto the Borough road maintenance system; and

WHEREAS, prior to enactment of that chapter, a Borough policy had been adopted to exclude all bridges from the Borough road maintenance system due to concerns of the large potential liabilities and maintenance expenses arising from the bridges as compared to the other basic road maintenance services provided; and

WHEREAS, the Borough had posted all existing bridges with signs stating that the bridges were not Borough-maintained and were excluded from the Borough maintenance system, which exclusion existed at the time of adoption of the Borough road standards under KPB Chapter 14.06; and

WHEREAS, the Assembly believes that exclusion of these bridges from the road maintenance system, and the consequent inability of the Borough to provide maintenance and repair as necessary to keep these bridges in a safe condition, is not in the best interest of the Kenai Peninsula Borough;

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

Section 1. That notwithstanding the requirements of KPB Chapter 14.06, which sets construction standards to be met by bridges for acceptance onto the Borough road maintenance system,

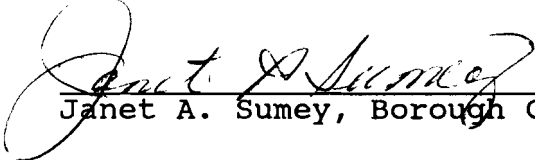
all bridges which were in existence before June 1, 1990, and were abutted on each end by roads included on the Borough road maintenance systems as of June 1, 1990, are hereby granted an exception from the KPB Chapter 14.06 bridge construction standards, and are hereby accepted onto the maintenance system of the Borough road maintenance service areas. All those bridges accepted for maintenance through this ordinance are listed in Memorandum 90-54 provided in support of this ordinance.

Section 2. That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 21st DAY OF August, 1990.

ATTEST:


James W. Skogstad, Assembly President


Janet A. Sumey, Borough Clerk