

Introduced by: Glick, Merkes
Date: 09/21/93
Hearing: 11/02/93
Action: Defeated
Vote: Unanimous

KENAI PENINSULA BOROUGH
ORDINANCE 93-49

**AN ORDINANCE REPEALING CHAPTER 5.35 OF THE BOROUGH CODE
PERTAINING TO SPECIAL ASSESSMENT DISTRICTS FOR EXTENSION OF
PUBLIC UTILITY LINES**

- WHEREAS,** Chapter 5.35 of the borough code was adopted to provide special assessment districts to finance extension of utility lines; and
- WHEREAS,** during the more than one year from enactment only one project has advanced for assembly approval; and
- WHEREAS,** the proposals and efforts to create a district have fostered complaints about the information given to residents in the area concerning the effects of creation and prescreening of the area proposed is done before the petition is written in order to accommodate the 70% approval rule; and
- WHEREAS,** complaints occur that property owners are pressured by their neighbors to petition for support of a project; and
- WHEREAS,** the assembly envisioned this as merely a means to accommodate financing of line extensions with the utility to own the lines constructed; and
- WHEREAS,** the circumstance exists that the borough is viewed by residents as either the sponsor of a project or to be responsible for any information or claimed misinformation; and
- WHEREAS** the borough's option of creating a district where only consenting properties are assessed could create greater confusion; and
- WHEREAS,** these problems, in conjunction with the fact that the administrative expenses that will have to be added to the project cost for borough involvement will significantly increase project costs, indicate that continuation of this ordinance is not in the best interest of the borough particularly given the geographic distribution and number of nonresident property owners involved;

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

SECTION 1. That Chapter 5.35 of the borough code is hereby repealed.

SECTION 2. That this ordinance takes effect December 1, 1993.

**ENACTED BY THE KENAI PENINSULA BOROUGH ASSEMBLY THIS ____ DAY OF
_____, 1993.**

Betty J. Glick, Assembly President

ATTEST:

Gaye J. Vaughan, Borough Clerk