

Introduced by: Scalzi, Drathman, Brown
Date: 2/04/97
Hearing: 3/04/97
Action: Enacted as Amended
Vote: Unanimous

**KENAI PENINSULA BOROUGH
ORDINANCE 97-11**

**AN ORDINANCE CREATING THE KENAI PENINSULA BOROUGH
TRAILS COMMISSION**

WHEREAS, the Kenai Peninsula Borough has many designated historic trails established by its earliest settlers and homesteaders; and

WHEREAS, through the development of Peninsula lands from its growing populations access to these trails are rapidly becoming lost to the legitimate desire of privacy among new property owners; and

WHEREAS, it is desirable to have trail access throughout the borough for purposes of recreation and travel; and

WHEREAS, to ensure these areas desirable to access do not suffer further net loss; and

WHEREAS, planning for and creating new trails by easements dedicated by both federal, state, and private entities is in the best interest of the Kenai Peninsula Borough for these purposes; and

WHEREAS, the formation of a citizens group interested in the creation and preservation of trails throughout the borough is in the best interest of the citizens of the Kenai Peninsula Borough; and

WHEREAS, the Kenai Peninsula Borough Comprehensive Plan recognizes the importance in preserving and expanding recreational trails throughout the borough; and

WHEREAS, Goal 4.6 of the Kenai Peninsula Borough Comprehensive Plan is to increase borough and community involvement in state and federal transportation planning; and

WHEREAS, the Kenai Peninsula Borough Draft Comprehensive Trail Plan recommended the borough identify the trails which have been established for ten (10) years or more and develop a policy for dedicating them to public use; and

WHEREAS, a Trails Commission may plan for trails within the borough consistent with the

borough's comprehensive plan Chapter 3, § 8 and Ch. 4, § 2;
**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI
PENINSULA BOROUGH:**

SECTION 1. That KPB Chapter 2.75 is adopted as follows:

2.75.010 Trails commission established — Purpose clause.

Consistent with the goals of the comprehensive plan, the Kenai Peninsula Borough trails commission (trails commission) is established for the purpose of planning expanded trail access throughout the borough. The trails commission shall plan location and acquisition of trail easements from state, federal, and private property owners based on community need and desire. The trails commission shall maintain records regarding the status and condition of dedicated trails. The trails commission shall help resolve conflicts that arise as a result of the peninsula's growing population and the need for access in populated urban areas and less populated rural areas. The trails commission will work in conjunction with local trails committees in the municipalities within the borough to avoid duplication of efforts in trail planning and development.

2.75.020 Membership.

The trails commission shall be comprised of nine residents of the Kenai Peninsula Borough, including two from each of the zones described in KPB 2.45.020(B), and one member of the KPB planning commission whose name shall be submitted to the mayor by the planning commission chairperson. The mayor shall appoint all members of the trails commission, subject to assembly confirmation. The trails commission shall be comprised of volunteers with no reimbursement for travel and expenses.

2.75.030 Terms.

All terms shall be for three years, except that initial appointments will be four positions at a three-year term, four positions at a two-year term, and one position at a one-year term in order to effect staggered terms for trails commission members. If the planning commission term expires prior to the trails commission term for the planning commission representative on the trails commission the member may continue to serve on the trails commission until the end of the trails commission term for which he was appointed.

2.75.040 Staff assistance.

The Kenai Peninsula Borough planning department shall provide staff assistance to the trails commission.

2.75.050 Operating procedures.

The trails commission by resolution shall establish procedures for the conduct of its meetings and guidelines for implementing the purpose clause set forth in KPB 2.75.010.

2.75.060 Powers and duties.

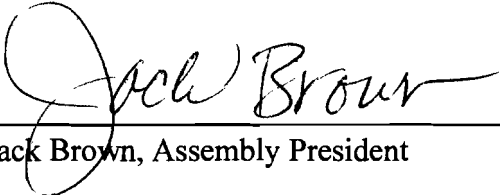
The trails commission shall make recommendations to the assembly regarding the location and acquisition of easements for trails within the Kenai Peninsula Borough, catalog existing and future trails, and make recommendations regarding multi-use trail needs and trail use conflicts. The trails

commission shall, when appropriate, coordinate with other local trail associations, committees and local governments in trail planning for the Kenai Peninsula Borough.

SECTION 2. That the Trails Commission shall submit a report identifying public and private historic trails, together with a proposed policy recommendation regarding dedication of these trails to public use by June 30, 1998.

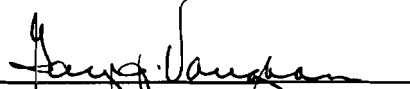
SECTION 3. That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 4th DAY OF MARCH, 1997.



Jack Brown, Assembly President

ATTEST:



Gaye J. Vaughan, Borough Clerk