

Introduced by: Scalzi  
Date: 08/03/99  
Hearing: 09/07/99  
Action: Enacted as Amended  
Vote: 9 Yes, 0 No

**KENAI PENINSULA BOROUGH  
ORDINANCE 99-47**

**AN ORDINANCE AUTHORIZING THE CITY OF HOMER TO EXERCISE  
EXTRATERRITORIAL JURISDICTION IN THE BRIDGE CREEK WATERSHED  
FOR THE PURPOSE OF PROTECTING ITS WATER SUPPLY AND WATERSHED**

- WHEREAS,** the City of Homer provides water to its residents and nonresidents; and
- WHEREAS,** the City of Homer relies exclusively on the Bridge Creek watershed for its water supply, which is situated outside of the city's limits; and
- WHEREAS,** municipalities frequently go outside their limits for their water supply; and
- WHEREAS,** Alaska Statute 29.35.020 specifically authorizes a municipality to adopt an ordinance to protect its water supply and watershed and to enforce this ordinance outside of its boundaries; and
- WHEREAS,** before such an ordinance may be enforced inside the borough's jurisdiction, the borough must first approve the city's exercise of this power by ordinance; and
- WHEREAS,** as this issue primarily affects the Homer area, and the City of Homer has expressed an interest in assuming this power, the borough's best interests would be served by delegating such power to the City of Homer;

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

- SECTION 1.** That the assembly hereby approves the exercise by the City of Homer of the power necessary to protect its water supply and watershed in the following described area, commonly known as the Bridge Creek watershed, which is situated in the borough but outside of the Homer City limits:

That area of land bounded by the following description:

Commencing at the intersection of West Hill Road and Skyline Drive, also being the section corner common to Sections 12, 13, T6S, R14W and Sections 7, 18, T6S, R13W;

Thence northeasterly along Skyline Drive within Section 7, T6S, R13W, approximately 0.9 miles to the intersection of Skyline Drive and an unnamed road to Bridge Creek Reservoir, and the Point of Beginning;

Thence northeasterly along the unnamed road passing by Bridge Creek Reservoir, within Section 5, 6, 7, T6S, R13W, approximately 1.5 miles, to the intersection of the unnamed road with the road commonly known as Crossman Ridge Road;

Thence easterly and southeasterly along the unnamed road commonly known as Crossman Ridge Road, within Sections 3, 4, 5, T6S, R13W, approximately 2.5 miles, to the intersection of the unnamed road commonly known as Crossman Ridge Road and Skyline Drive;

Thence southwesterly and northwesterly along Skyline Drive, within Sections 3, 7, 8, 9, 10, T6S, R13W, approximately 3.9 miles, to the intersection of Skyline Drive and the unnamed road to Bridge Creek Reservoir, and the Point of Beginning;

All within the Seward Meridian, Alaska.

Said boundary encompassing the waters which flow into Bridge Creek Reservoir, and containing 2180 acres, more or less.

**SECTION 2.** That the assembly specifically reserves its full powers to amend, modify or repeal this ordinance, by ordinance, without first obtaining the consent of the City of Homer.

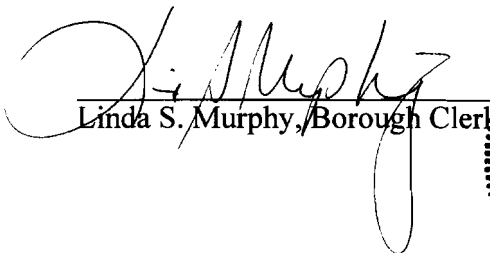
**SECTION 3.** That this ordinance shall take effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF SEPTEMBER, 1999.**



Ronald Wm. Drathman, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk

