KENAI PENINSULA BOROUGH
ORDINANCE 2004-35

AN ORDINANCE AMENDING KPB CHAPTER 1.12 TO PROVIDE FOR ECONOMIC SUMMARIES TO BE ATTACHED TO PROPOSED ORDINANCES

WHEREAS, many ordinances considered by the assembly are expected to have a financial impact upon the borough finances and the private sector; and

WHEREAS, in order to make an informed decision regarding such proposed ordinances, it is important for the assembly and the public to be made aware of such potential fiscal impacts; and

WHEREAS, the borough's best interests are served by requiring a fiscal note, in the form of an economic summary, be attached to most ordinances;

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

SECTION 1. That KPB 1.12.025 is hereby enacted to read as follows:

1.12.025. Summary of economic effects of proposed ordinances.

A. Required.

1. A summary of economic effects describes the anticipated effect of a proposed ordinance on borough costs and revenues and the private sector. A summary of economic effects in the form required in subsection B of this section shall be submitted to the assembly when a proposed ordinance is introduced.

2. A summary of economic effects is not required if:

   a. The proposed ordinance has no known private sector economic effects and borough effects are estimated to be less than $30,000.00, in which case a statement to this effect shall be attached to the ordinance; or

   b. The information is already included in the ordinance or appended materials, in which case a statement to that effect shall be attached to the ordinance.

3. For ordinances proposed by a member of the assembly, the summary of economic effects shall be prepared prior to the packet deadline for the first public hearing of the ordinance, unless a time extension is granted by the assembly.

4. The sponsor of the proposed ordinance may prepare a summary of economic effects in conformity with the requirements of this section and submit it to the office of the municipal clerk for attachment to the proposed ordinance.

B. *Contents.* A summary of economic effects shall address:
1. Borough effects for the current and succeeding four years, including:

   a. All costs of implementation, capital, operation and maintenance of the proposed ordinance, if adopted;
   b. Changes in revenue;
   c. The impact on existing programs;
   d. The source of funds to be utilized;
   e. The number of new positions which may be required, identified as full-time, part-time or temporary;
   f. The fiscal effects, if any, of not passing this ordinance; and
   g. Any additional fiscal information that may be useful to the assembly in its deliberations.

2. A description of private sector economic effects which may reasonably be expected as a consequence of the proposed ordinance. This summary of private sector effects may include but need not be limited to changes in:

   a. Costs or opportunities to individuals or businesses;
   b. Availability of goods and services;
   c. Employment;
   d. Property value;
   e. Population; and
   f. Other economic factors that may be useful to the assembly in its deliberations.

3. Formal information consisting of:

   a. The ordinance number;
   b. The name of the prime sponsor;
   c. The date the summary was prepared; and
   d. The name and telephone number of the person who prepared the summary.

C. *Waivers.* The assembly may, by motion, waive the application of the provisions of this section. Failure to comply with this section shall not invalidate any action taken.

SECTION 2. That this ordinance will remain in effect until June 30, 2006.

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

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS x DAY OF x, 2005.

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Gary Superman, Assembly President

ATTEST:

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Linda S. Murphy, Borough Clerk