

Introduced by:	Mayor
Date:	05/18/10
Hearing:	06/22/10
Action:	Postponed until 07/06/10
Date	07/06/10
Action:	Enacted
Vote:	8 Yes, 1 No, 0 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2010-25**

**AN ORDINANCE ENACTING KPB 14.31.145, DEFERRAL OF PAYMENTS,  
TO AUTHORIZE ECONOMICALLY DISADVANTAGED RESIDENTS TO  
DEFER PAYMENTS FOR ROAD IMPROVEMENT ASSESSMENTS**

**WHEREAS,** KPB Chapter 14.31 as authorized by AS 29.46.010, establishes procedures for formation and approval of road improvement assessment districts (RIADs) to finance road improvements; and

**WHEREAS,** KPB Chapter 5.35, Utility Special Assessments, likewise authorized by AS 29.46.010, was amended by Ordinance 2009-25 on May 19, 2009 to include, in part, a provision for deferral of payments for residents who are economically disadvantaged; and

**WHEREAS,** KPB Chapter 14.31 as currently written does not allow for deferral of payments for residents who are economically disadvantaged; and

**WHEREAS,** providing a hardship exemption for economically disadvantaged residents protects qualified residents from losing their homes based on an inability to pay RIAD assessments;

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

**SECTION 1.** That KPB 14.31.145 is hereby enacted as follows:

**14.31.145. Deferral of payment.**

- A. All of the assessments on real property owned and occupied as the primary residence and permanent place of abode by a resident who is economically disadvantaged may be deferred as provided in this section.
- B. For purposes of this section, a resident is economically disadvantaged if the person's income is less than 200 percent of the current U.S. Health and Human Services Poverty Guidelines for Alaska.

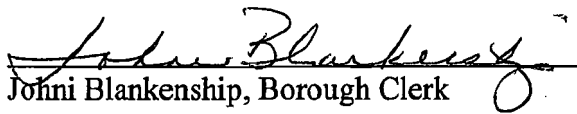
C. The deferred assessment, including all accrued interest, becomes due and payable in full when the property ceases to be owned by the resident who qualified for the deferral. Any remaining balance due shall be paid on the same schedule as would have been in place if no deferral had applied.

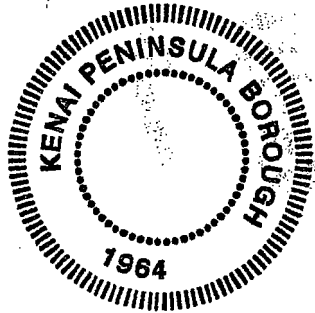
**SECTION 2.** That this ordinance takes effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 6TH DAY OF JULY, 2010.**

  
Pete Sprague, Assembly President

ATTEST:

  
Johni Blankenship, Borough Clerk



Yes: Fischer, Haggerty, McClure, Pierce, Smalley, Smith, Superman, Sprague  
No: Knopp  
Absent: None