

Introduced by: Mayor at the request of
the KPB Trails
Commission
Date: 06/01/99
Action: Adopted
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 99-051**

**A RESOLUTION IN SUPPORT OF IMPROVED LIABILITY PROTECTION FOR
UNINVITED, UNCOMPENSATED USE OF PRIVATE LAND**

WHEREAS, increased resident and visitor population has caused greater recreational pressures on both public and private land in the Kenai Peninsula Borough; and

WHEREAS, public easements and historically used trails often cross private land in the Kenai Peninsula Borough; and

WHEREAS, liability concerns are often cited as reason landowners block public use of historic trails; and

WHEREAS, it is in the public interest to encourage landowners to continue to allow public use of and passage over their land for non-commercial recreational purposes; and

WHEREAS, resolving trail corridor conflicts will become increasingly difficult without more effective liability protection for landowners; and

WHEREAS, Policy 4.1.1 of the Kenai Peninsula Borough Trail Plan encourages passage of legislation that further limits the liability of landowners and public agencies for public use of trails; and

WHEREAS, Recreational Use Statutes provide liability protection for uninvited and uncompensated use of private land; and

WHEREAS, the current Recreational Use Statute in the State of Alaska (AS 09.65.200) provides only limited protection to private landowners in the State of Alaska;

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

SECTION 1. That the Assembly of the Kenai Peninsula Borough supports efforts to strengthen liability protection for uninvited and uncompensated recreational use of private land.

SECTION 2. That the Assembly of the Kenai Peninsula Borough encourages legislators to revise AS 09.65.200 to more effectively address actual recreational use patterns and reflect the desires of landowners in the State of Alaska.

SECTION 3. That a copy of this resolution be sent to Governor Tony Knowles and all Kenai Peninsula Borough legislators.

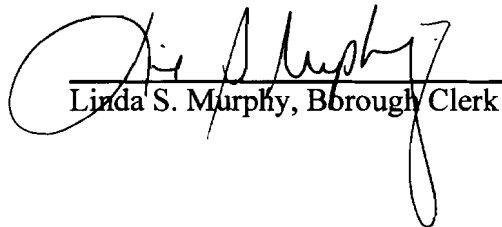
SECTION 4. This resolution shall take effect immediately upon adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST DAY OF JUNE, 1999.



Ronald Wm. Drathman, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk

