

Introduced by: Mayor  
Date: 02/06/01  
Hearing: 03/13/01  
Action: Enacted as Amended  
Vote: 7 Yes, 1 No, 1 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2000-19-22**

**AN ORDINANCE AMENDING KPB 12.06 REGARDING ABANDONED VEHICLE ABATEMENT AND APPROPRIATING \$75,000 TO BEGIN A PROJECT TO REMOVE ABANDONED VEHICLES AND OTHER DEBRIS FROM BOROUGH RIGHTS-OF-WAY, BOROUGH LANDS, AND ON A VOLUNTARY BASIS FROM PRIVATE LANDS**

- WHEREAS**, the assembly adopted KPB 12.06 in September 2000 providing procedures for the removal of abandoned vehicles from borough property and rights-of-way; and
- WHEREAS**, the borough plans to undertake an abandoned and junk vehicle abatement program in the spring which will include borough property and rights-of-way and voluntary abatement from private property; and
- WHEREAS**, KPB 12.06 should be amended to include private property in order that the procedures regarding abatement for both private and public property will be consistent; and
- WHEREAS**, unless the assembly adopts an ordinance, title of abated abandoned vehicles vests with the state of Alaska;
- WHEREAS**, KPB 12.06 allows the borough to remove from public property and borough roads abandoned, wrecked, dismantled, or inoperative vehicles following the procedures set forth in AS 28.11.010-110; and
- WHEREAS**, junk vehicles and debris stored and abandoned throughout the borough in rights-of-way and on borough and private lands are creating health and safety hazards and unsightly roadways; and
- WHEREAS**, funds are needed to implement and commence with a cleanup project for the proper handling and disposal of these items; and
- WHEREAS**, the project will take place during the spring and summer of 2001; and
- WHEREAS**, funds will be used to inventory rights-of-way; establish procedures for tagging and tracking vehicles; prepare public notifications; contract for the removal of vehicles and debris from borough rights-of-way; establish working agreements with volunteer organizations, cities and communities; establish centrally located impound yards; and contract for vehicle crushing, hauling and recycling;

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

**SECTION 1.** That KPB 12.06.010 is hereby amended to read as follows:

**12.06.010. Authority—Administration.**

The borough may cause to be removed from public property and borough roads and that private property abutting borough roads upon written consent of the private property owner abandoned, wrecked, dismantled, or inoperative vehicles following the procedures set forth in AS 28.11.010-110. The roads director or designee shall administer this chapter and be the hearing officer for borough roads. The planning director or designee shall administer this chapter and be the hearing officer for borough and private property. Specific procedures consistent with AS 28.11 and this chapter may be adopted by road service area board or planning commission resolution as appropriate.

**SECTION 2.** That KPB 12.06.040 is hereby amended to read as follows:

**12.06.040. Definition.**

“Road” means a road certified for borough road service area maintenance and also includes travel surface, ditches, or roads associated with a borough-maintained road or a borough right-of-way.

**SECTION 3.** That \$75,000 is appropriated from the general fund balance to account number 100.94910.00000.47290 for transfer to the Solid Waste Fund.

**SECTION 4.** That \$75,000 is appropriated to Account No. 290.32570.01CAR.49999 to begin the process of a borough abandoned and junk vehicle abatement project.

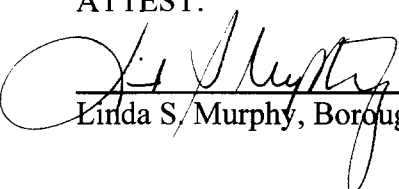
**SECTION 5.** That the mayor is authorized to execute all documents and make all agreements deemed necessary for this project.

**SECTION 6.** This ordinance shall become effective immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 13TH DAY OF MARCH, 2001.**

  
Timothy Navarre, Assembly President

ATTEST:

  
Linda S. Murphy, Borough Clerk

