

Introduced by: Mayor at request of road
service area board
Date: 08/01/00
Hearing: 09/12/00
Action: Enacted as Amended
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2000-39**

**AN ORDINANCE AMENDING KPB 14.06.070 PROVIDING FOR DECERTIFICATION
OF ROADS VACATED IN ACCORDANCE WITH KPB 20.28**

WHEREAS, standards for decertification of roads on the borough's maintenance system were adopted in 1998; and

WHEREAS, there are roads on the maintenance system which are unconstructed; and

WHEREAS, there are roads on the maintenance system outside of the right-of-way which the road service area endeavors to reestablish in rights-of-way; and

WHEREAS, roads on the maintenance system have been vacated in favor of alternate routes and because they meet the standards of KPB 20.28 that they do not or cannot provide access; and

WHEREAS, there is a need to amend the decertification criteria in order to allow for housekeeping decertification by the road service area board where roads on the system have been relocated into rights-of-way or vacated and clearly there is no need for further maintenance of these roads;

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

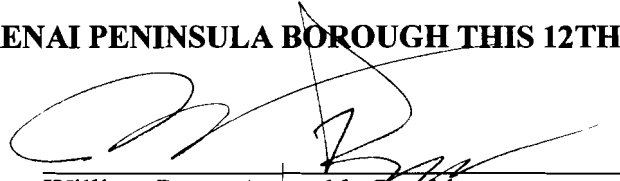
SECTION 1. KPB 14.06.070 is hereby amended by adding new subsections E and F as follows:

- E.** Vacations. Notwithstanding KPB 14.06.070(B), a road that is vacated through the process set forth in KPB 20.28 shall be decertified for maintenance by resolution of the road service area board.
- F.** Alternate Route. Notwithstanding KPB 14.06.070(B), any portion of a road that has been maintained outside of dedicated right-of-way may be decertified for maintenance by resolution of the road service area board where the travel surface has been moved into the right-of-way and the new travel surface is certified for maintenance by the borough. Every decertification approved by the road service area board under this

subsection shall be submitted to the assembly for consideration. The assembly shall have 45 days from the date of the road service area board decertification resolution to veto decertification of a road under this subsection.

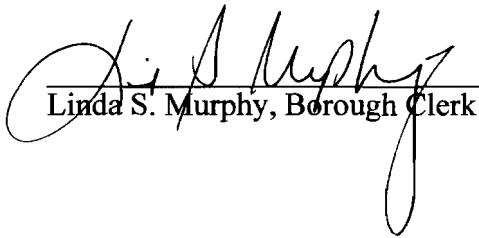
SECTION 2. That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 12TH DAY OF SEPTEMBER, 2000.



William Popp, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk

