

1 Introduced by: Assembly Member Dvorak Thru The Mayor
2 Drafted by: Assembly Member Dvorak and Borough Attorney
3 Introduced on: 03/04/2021
4 Postponed to: 04/15/2021
5 Postponed Indefinitely: 04/15/2021

6 **KODIAK ISLAND BOROUGH**
7 **ORDINANCE NO. FY2021-31**
8

9 **AN ORDINANCE OF THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH AMENDING**
10 **KODIAK ISLAND BOROUGH CODE, CHAPTER 4.110, SERVICE AREA NO. 2, ELIMINATING**
11 **THE SERVICE AREA BOARD.**
12

13 **WHEREAS,** a review of the code reveals that the Service Area Board for Service Area No. 2,
14 under KIBC 4.110, does not actively operate because the water and sewer services in this area
15 of the Borough are provide by the City of Kodiak and all water, sewer, and infrastructure in Service
16 Area No. 2 was transferred to the City of Kodiak; and,
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18 **WHEREAS,** The Service Area No. 2 board has not been empaneled for many years; and
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20 **WHEREAS,** There is not a need for Service Area No. 2 to actively have a board or operate as
21 an active Service Area so long as the City of Kodiak continues to provide water and sewer
22 services to Service Area No. 2 residents. However, Service Area No. 2 may be needed in the
23 future in the event the City of Kodiak were to cease providing the services; and
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25 **WHEREAS,** Dissolving Service Area No. 2 would require a public vote and could leave the area
26 without authority to provide services in the future if needed; and
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28 **WHEREAS,** The Assembly finds that it is in the public interest to suspend operation of Service
29 Area No. 2 and the Service Area No. 2 Board until and unless it is needed in the future.
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31 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KODIAK ISLAND**
32 **BOROUGH that:**
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34 Section 1: This ordinance is of general application and shall be codified.
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36 Section 2: Kodiak Island Borough Code of Ordinances Section 4.110.010 is hereby amended
37 to read as follows:
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39 Chapter 4.110
40 SERVICE AREA NO. 2
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42 Sections:
43 4.110.010 Creation and power.
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45 A. There is established a service area within the borough designated "service area No. 2" as
46 shown on the corresponding map in the office of the clerk.

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- B. Service area No. 2 ~~shall~~ has the authority to provide water and sewer services within its boundaries should the City of Kodiak cease to provide those services.
- C. ~~The~~ Service area No. 2 shall not have a board and shall not actively operate unless the manager or the assembly determines that the City of Kodiak is no longer providing water and sewer services to service area no. 2 and declares that a board is required to operate the service area. ~~board shall consist of five members appointed by the assembly.~~

**POSTPONED INDEFINITELY BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
THIS FIFTEENTH DAY OF APRIL, 2021.**

KODIAK ISLAND BOROUGH

ATTEST:

William Roberts, Mayor

Alise L. Rice, Borough Clerk

VOTES:

Ayes: Arndt, Dvorak, Kavanaugh, Smith, Symmons, and Turner.

Noes:

Absent: Williams

Postponed Indefinitely