

Introduced by: Community Development Department thru the Mayor  
Drafted by: Community Development Director  
Introduced on:02/24/2022  
Public Hearing Date:03/17/2022  
Adopted on:03/17/2022

**KODIAK ISLAND BOROUGH  
ORDINANCE NO. FY2022-13**

**AN ORDINANCE OF THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH AMENDING  
KODIAK ISLAND BOROUGH CODE SECTION 18.50.010 REGARDING FEES FOR PERMITS**

**WHEREAS**, Kodiak Island Borough Code (KIBC) section 18.50.010 prescribes the fee for permits issued under KIBC 18.50.010(A)(1)\_through (8); and

**WHEREAS**, The Kodiak Island Borough routinely sets and adjusts fees by Resolution, the most recent of which, Resolution FY2017-02, sought to amend the fees for permits issued under KIBC 18.50.010(A)(1)\_through (8); and

**WHEREAS**, The Assembly desires to amend KIBC 18.50.010 to set the fees for issued under KIBC 18.50.010(A)(1)\_through (8); at the levels which were approved by Resolution FY 2017-02 and to authorize the future adjustment of fees for permits issued under KIBC 18.50.010(A)(1) through (8) to be made by Resolution similar other fees which are set by Resolution.

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH** that:

**Section 1:** Classification. Section 2 of this ordinance is of a general and permanent nature and shall become a part of the Code of Ordinances of the Kodiak Island Borough. The remainder shall not be codified.

**Section 2:** Kodiak Island Borough Code section 18.50.010, Generally, is amended to read as follows:

**18.50.010 Generally.**

A. A negotiated permit, easement, or right-of-way is required for the following uses and/or occupancy of borough real property:

1. Roads;
2. Trails;
3. Ditches;

- 39 4. Communication and electrical lines;
- 40 5. Landfill and disposal sites;
- 41 6. Pipelines of all types (sewer, water, petroleum, etc.);
- 42 7. Temporary use (not exceeding 45 days); and
- 43 8. Exploration work involving vehicle use of any type on the borough land.
- 44 B. Uses listed in subsections (A)(5), (7) and (8) of this section, not increasing the value or utility  
45 of borough land, shall be charged no less than \$250 per site or application area. The Assembly  
46 may periodically adjust this fee by resolution, which shall be adopted after a public hearing  
47 under the public hearing section of the agenda.
- 48 C. Uses listed in subsections (A)(1) through (4) and (A)(6) of this section, not directly increasing  
49 the value or utility of borough land, shall be charged a fixed fee of ~~\$250.00~~ not less than the  
50 greater of \$1200.00 per year or the fair rental value of the land. ~~taken whichever is greater.~~ The  
51 Assembly may periodically adjust the \$1,200.00 fee benchmark set in this section by  
52 resolution, which shall be adopted after a public hearing under the public hearing section  
53 of the agenda. The fee under this section is in addition to any tax due on the taxable  
54 personal property on the borough property and the taxable possessory interest in the real  
55 property.

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58 **Section 3. Effective Date:** This ordinance takes effect at midnight on the day of adoption of this  
59 ordinance.

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61 **ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH**  
62 **THIS SEVENTEETH DAY OF MARCH, 2022.**

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64 KODIAK ISLAND BOROUGH

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68 William Roberts, Mayor

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71 ATTEST:

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73 Lina Cruz, Acting Borough Clerk

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76 **VOTES:**

77 Ayes: Smiley, Williams, Arndt, and Griffin

78 Noes: