

RESOLUTION 89-5

*Revised  
sent before  
Council.*

A RESOLUTION OF THE HOMER CITY COUNCIL AFFIRMING THAT THE CURRENT ZONING ORDINANCE PROHIBITS NUCLEAR ACTIVITIES AND THAT HOMER IS SUBSEQUENTLY A NUCLEAR FREE ZONE, TO THE EXTENT OF THE CITY'S AUTHORITY.

WHEREAS, the Homer City Council has been asked to pass an ordinance regarding a Nuclear Free Homer; and,

WHEREAS, the Homer City Council believes the current zoning ordinance addresses many issues stated in the proposed ordinance by virtue of the fact that said ordinance, purposely structured in the positive, does not specify said issues as permitted uses; and,

WHEREAS, the City of Homer does not have the authority to prohibit direct activities of the Federal and State Government which are preempted by existing law; and,

WHEREAS, the City does not have authority for Solid Waste Management, which is a function of the Kenai Peninsula Borough;

NOW THEREFORE, BE IT RESOLVED that the Homer City Council believes the current zoning ordinance prohibits nuclear activities and that Homer is subsequently a nuclear free zone, to the extent of the City's authority.

BE IT FURTHER RESOLVED THAT:

1. The Kenai Peninsula Borough be requested to consider prohibiting nuclear disposals in sites and containers in the Homer area.
2. The Planning and Zoning Commission review the Comprehensive Plan to assure that nuclear activities are not allowed, to the extent of the authority of the City of Homer.

DATED this \_\_\_\_ day of January, 1989, in Homer, Alaska.

CITY OF HOMER

Daniel R. Calhoun, Mayor Pro Tem

ATTEST:

Patti J. Whalin, City Clerk