

CITY OF HOMER, ALASKA
ORDINANCE NO. 90-40

*Failed
12/17/90
Final Reading*

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA,
REGARDING ORDINANCE NO. 90-28,
CLARIFYING THE AMENDMENT OF CHAPTER 9.08,
ENFORCEMENT OF LOCAL IMPROVEMENT DISTRICT ASSESSMENTS,
AND § 18.02.065 REGARDING FORECLOSED PROPERTY

WHEREAS, on September 10, 1990, the Homer City Council enacted Ordinance No. 90-28, provisions of which revised Title 9 of the Homer City Code pertaining to the enforcement of liens; and,

WHEREAS, Section 4 of enacted Ordinance No. 90-28 incorrectly presented an amendment to § 9.08.040 a.1. of the Homer City Code and, as written, Section 4 unintentionally had the implied effect of deleting the remainder of Chapter 9.08 as well as those portions of § 9.08.040 not appearing in the ordinance; and,

WHEREAS, Section 14 of enacted Ordinance No. 90-28 amended the language of § 18.02.065 and the amendments may cause confusion as to interpretation and require clarification; and,

WHEREAS, during the process of codifying Ordinance No. 90-28 the revisor called these errors to the attention of the City Clerk and this ordinance is presented to correct the deficiencies in Ordinance No. 90-28;

THE CITY OF HOMER ORDAINS:

Section 1. Section 4. of Ordinance 90-28 as enacted by the Homer City Council on September 10, 1990, is hereby repealed.

Section 2. Section 9.08.040 a.1. of the Homer City Code is hereby amended to read as follows:

9.08.040 Foreclosure list. a. The City shall:

1. Annually, present a petition for judgment and a certified copy of the foreclosure list for ~~the previous year's~~ delinquent assessments in the Superior Court for judgment. Improvement districts may be foreclosed individually, or more than one district may be combined in a single petition.

Section 3. Chapter 9.08 of the Homer City Code is hereby retitled as "Enforcement of Local Improvement District Assessments."

Section 4. Section 18.02.065 of the Homer City Code is hereby amended to read as follows:

18.02.065 Foreclosed property subject to repurchase by record owner. a. Foreclosed property conveyed to the City may be repurchased by the record owner at the time of ~~xxx~~ foreclosure of property acquired by the City, or his assigns, if such repurchase occurs before the sale or contract of sale of the property by the City. ~~The/owner/may repurchase/the/property~~ The City shall sell the property for the full amount applicable to the property under the judgment and decree, with interest at the rate of fifteen percent a year from the date of entry of judgment of foreclosure to the date of repurchase, delinquent taxes and assessments levied as though it had continued in private ownership, and the cost of foreclosure and sale.

b. After adoption of an ordinance providing for the retention of foreclosed property by the City for a public purpose pursuant to ~~sub~~section 18.06.042, the right of the former record owner to repurchase the property ceases.

Section 5. This is a general ordinance of a permanent nature and the provisions of Section 1 through Section 4 as contained herein shall be codified for inclusion in the Homer City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this _____ day of _____, 1990.

THE CITY OF HOMER, ALASKA

, MAYOR

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Mary L. Shannon
City Clerk

(City Seal)

First Reading:
Public Hearing:
Second Reading:
Effective Date:

Reviewed and approved as to form and content:

C. E. Swackhammer, City Manager

Gordon J Tans, Perkins Coie