

1 **CITY OF HOMER**  
2 **HOMER, ALASKA**

City Clerk

3  
4 **ORDINANCE 20-12**

5  
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
7 AMENDING HOMER CITY CODE 17.02.040 INITIATION OF SPECIAL  
8 ASSESSMENT DISTRICT TO UPDATE THE STEPS IN THE SPECIAL  
9 ASSESSMENT PETITION APPLICATION PROCESS.

10  
11 WHEREAS, Homer City Code Title 17 was amended via Ordinance 19-23(S-2)(A); and

12  
13 WHEREAS, When working through development of the special assessment district  
14 application, section 17.02.040 needs clarity in the series of steps required to initiate a petition.

15  
16 NOW THEREFORE, THE CITY OF HOMER ORDAINS:

17  
18 Section 1: Homer City Code 17.02.040 Initiation of Special Assessment District is  
19 amended as follows:

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21 a. A special assessment district may be initiated by:

22  
23 1. A resolution, initiated by a Council member, the City Manager, or through the  
24 developer reimbursement application process set forth in this title and  
25 approved by a vote of not less than three-fourths of Council; or

26  
27 2. A petition signed by 50 percent of the total record owners who receive notice  
28 from the City Clerk's office that they will be assessed a portion of the costs of a  
29 single capital improvement.

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31 ~~b. Special assessment petition applications are available from the Clerk's office. A~~  
32 ~~benefited property owner proposing a special assessment district by petition must file~~  
33 ~~with the Clerk a complete special assessment petition application no more than 60 days~~  
34 ~~after the notice of assessment is issued to record owners. The Clerk shall approve all~~  
35 ~~properly and timely submitted applications within 10 days of the date on which the~~  
36 ~~application is filed. The Clerk shall notify the petition sponsor in writing that the~~  
37 ~~petition has been approved, prepare the petition, and distribute it by certified mail to~~  
38 ~~all record owners of property in the proposed district no more than 30 days after the~~  
39 ~~petition application is approved.~~  
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41 **A benefitted property owner proposing a special assessment district by petition**  
42 **must file a complete special assessment petition application with the City Clerk.**  
43 **Special assessment petition applications are available at the City Clerk's Office.**  
44 **Upon receipt of a completed application and Special Assessment district filing fee,**  
45 **the City Clerk shall within 10 days:**

- 46 1. **Submit the application to the Public Works Director and Finance**  
47 **Director for review, and**
- 48 2. **Notify the applicant in writing that the application is either sufficient or**  
49 **insufficient and identify the insufficiencies.**

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51 **Upon approval of an application the Clerk shall then prepare the petition and**  
52 **distribute it by certified mail to all record owners of property in the proposed**  
53 **district no more than 30 days after the petition application is approved. Petition**  
54 **signatures of the record owners of real property in the district to be benefitted**  
55 **must be received by the City Clerk within 60 days after the mailing of the petition.**  
56

57 c. Upon adoption of a resolution initiating a special assessment district, or the filing of  
58 a sufficient petition with the Clerk, the City Clerk shall:

- 59 1. Schedule a meeting of record owners of real property in the proposed district, notify  
60 the record owners by mail of the date, time and location of the meeting, and include  
61 a copy of the notice in the City's regular meeting advertisement;  
62
- 63 2. Refer the proposed district to the Public Works Director, who shall prepare an  
64 improvement plan for the proposed district, **to be provided at the neighborhood**  
65 **meeting.** The proposed district improvement plan shall include:  
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67
  - 68 a. The boundaries of the proposed district;
  - 69 b. The design of the proposed improvement;
  - 70 c. A cost estimate for the improvement;
  - 71 d. The assessment allocation method used to calculate the amount owed by  
72 each record owner in the proposed district;
  - 73 e. The percentage of the improvement cost to be assessed against properties in  
74 the district;
  - 75 f. The time period over which assessments will be financed; and
  - 76 g. Preliminary assessment roll for the proposed district.

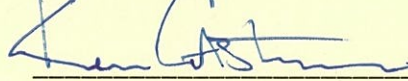
77  
78 3. The Public Works Director shall use the equal area method in calculating the  
79 assessment amount unless another method is specified in the improvement plan.  
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81 **Section 2: This ordinance is of a permanent and general character and shall be included**  
82 **in the Homer City Code.**

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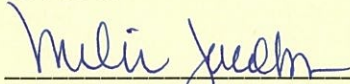
ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 9<sup>th</sup> day of March, 2020.

CITY OF HOMER



KEN CASTNER, MAYOR

ATTEST:



MELISSA JACOBSEN, MMC, CITY CLERK

YES: 6

NO: 0

ABSTAIN: 0

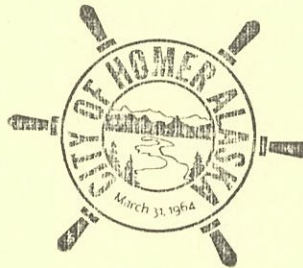
ABSENT: 0

First Reading: 2.24.2020

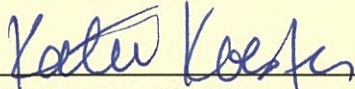
Public Hearing: 3.9.2020

Second Reading: 3.9.2020

Effective Date: 3.10.2020



Reviewed and approved as to form.



Katie Koester, City Manager

Date: 3.12.20



Michael Gatti, City Attorney

Date: 3/22/2020