

**CITY OF HOMER  
HOMER, ALASKA**

Smith

**ORDINANCE 20-74**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
AMENDING HOMER CITY CODE 14.08.040 WATER CONNECTION  
AND EXTENSION PERMIT TO REQUIRE PROPERTY OWNERS  
REQUESTING CONNECTION TO THE CITY'S WATER SYSTEM BE  
CONNECTED TO THE CITY'S SEWER SYSTEM.

WHEREAS, In 2019, the Homer City Council reviewed the City code provisions relating to the City's public utility provisions to *"ensure they were up to date, clear and consistent"*; and

WHEREAS, This resulted in substantial changes to Title 14, Homer Public Water System, and Title 17, Improvement Districts, but did not specify that it was necessary to be connected to City sewer in order to be issued a Water Connection Permit; and

WHEREAS, Numerous properties in the City rely on on-site sewage disposal systems, which are challenging in Homer because of bad soils, high ground water and copious quantities of surface water from rainfall, open springs and storm water runoff; and

WHEREAS, On-site sewage disposal systems are no longer, as a practical matter regularly inspected by the Alaska Department of Environmental Conservation, due to budget cutbacks; and

WHEREAS, People connected to City water usually use more water than those who rely on hauled water, which exacerbates the challenges related to septic systems in neighborhoods with poor soils and high ground water; and

WHEREAS, The costs of installing and maintaining a properly functioning on-site sewage system would typically exceed the normal costs of a sewer assessment; and

WHEREAS, The City is typically able to offer long term, low interest financing for utility assessment and allows a 3-year grace period for connecting to new utilities ; and

WHEREAS, It is in the best interests of the public health and welfare, and not a substantial burden, to require people who want access to City water to connect to City sewers.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:



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Section 1. Homer City Code 14.08.040 Water Connection and Extension Permit is hereby amended as follows:

**14.08.040 Water connection and extension permit.**

a. All property owners connecting to the water system must obtain a permit prior to starting construction.

b. The water system connection and extension permit application shall be available at the City Clerk’s office, the Public Works Department, and/or on the City’s website. The permit fee must be paid at the time the application is submitted. The criteria for the permit shall be included in the application.

c. The Public Works Director or his or her designee may revoke, modify or impose conditions upon a water system permit if he or she finds, in his or her sole discretion, that revocation, conditions or modifications to the permit are required to prevent or stop damage to the water system or protect public health or sanitation. ~~Except when immediate action is necessary to protect the water system and prevent immediate harm to public health and sanitation, the Public Works Director shall provide notice to the property owner at least 30 days before revoking or modifying a water system permit.~~

d. Installation of a water system connection or extension of a water main must meet the standards and specifications in the permit application, the Homer City Code, and any applicable State or Federal law or regulations, including but not limited to State of Alaska Department of Labor Occupational Safety and Health requirements. **Except as otherwise provided for in the Homer City Code, permits for connections to the water system or an extension of a water main to properties that are not served with City sewer service, will not be issued.**

e. A property owner installing an on-site water connection line or extending a water main is solely responsible for all costs and liability associated with or arising from the excavation, connection, and installation of the on-site water line or water main extension. [Ord. 19-23(S-2)(A) § 4, 2019].

**17.02.170 Water and sewer connections required.**

(a) Except as otherwise provided in the code, the owner of property in a water or sewer special assessment district that contains an occupied building shall connect to the improvement constructed in the district within three years after the date that the resolution confirming the assessment roll for the district becomes final. [Ord. 19-23(S-2)(A) § 5, 2019].

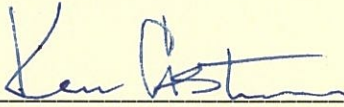


**(b) Property owners and developers interested in initiating water special assessment districts should review the provisions of Homer City Code Section 14.08.040, which provides that “[e]xcept as otherwise provided in the Homer City Code, permits for connections to the water system or an extension of a water main to properties that are not served with City sewer service, will not be issued”. Thus, Special Assessment Districts for water main extensions will only be formed (1) where city sewer is available or (2) if a Special Assessment District for a sewer main extension is also formed.**

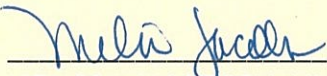
Section 2. This Ordinance is of a permanent and general character and shall be included in the City Code.

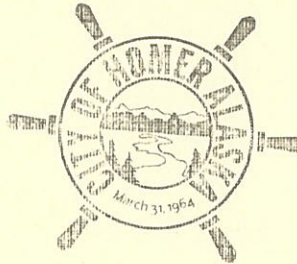
ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 26 day of October, 2020.

CITY OF HOMER

  
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KEN CASTNER, MAYOR

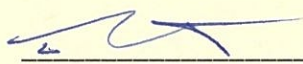
ATTEST:

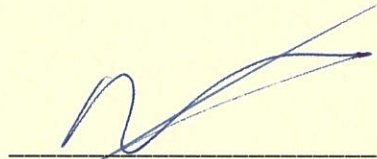
  
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MELISSA JACOBSEN, MMC, CITY CLERK



YES: 6 Introduction 10.12.20  
NO: 0 Public Hearing 10.26.20  
ABSTAIN: 0 Second Reading 10.26.20  
ABSENT: 0 Effective Date 10.27.20

Reviewed and approved as to form:

  
\_\_\_\_\_  
Robert Dumouchel, City Manager

  
\_\_\_\_\_  
Michael Gatti, City Attorney

Date: 29 Oct 20

Date: 11/11/2020