

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

3 City Manager/
4 Public Works Director

5 **ORDINANCE 21-27**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING HOMER CITY CODE TITLE 14.08.040 TO CREATE A
9 PROCESS FOR WAIVING THE REQUIREMENT THAT PROPERTY BE
10 CONNECTED TO CITY SEWER AS A CONDITION PRECEDENT TO BE
11 CONNECTED TO CITY WATER.

12
13 WHEREAS, The Homer City Council adopted Ordinance 20-74, to add language, which
14 made a connection to the City's sewer system a condition precedent to being connected to the
15 City's water system; and

16
17 WHEREAS, The rationale behind this provision, when it was first introduced last year, is
18 that it was in the best interests of the public health and welfare to require people who want
19 access to City water to connect to City sewers; and

20
21 WHEREAS, This is especially true in Homer where on-site septic systems can be
22 challenging because of bad soils, high ground water and copious quantities of surface water
23 from rainfall, open springs and storm water runoff, and

24
25 WHEREAS, The City still supports this rationale, but believes, there are times when, in
26 the interests of equity and with due diligence, exceptions can be made; and

27
28 WHEREAS, Tools for administering such exceptions exist so the public health is
29 protected.

30
31 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

32
33 Section 1. Homer City Code Title 14 Water Connection and Extension Permit is hereby
34 amended as follows:

35
36 14.08.040 Water connection and extension permit.

37
38 a. All property owners connecting to the water system must obtain a permit prior to starting
39 construction.

40
41 b. The water system connection and extension permit application shall be available at the City
42 Clerk's office, the Public Works Department, and/or on the City's website. The permit fee must

43 be paid at the time the application is submitted. The criteria for the permit shall be included in
44 the application.

45
46 c. The Public Works Director or his or her designee may revoke, modify or impose conditions
47 upon a water system permit if he or she finds, in his or her sole discretion, that revocation,
48 conditions or modifications to the permit are required to prevent or stop damage to the water
49 system or protect public health or sanitation. Except when immediate action is necessary to
50 protect the water system and prevent immediate harm to public health and sanitation, the
51 Public Works Director shall provide notice to the property owner at least 30 days before
52 revoking or modifying a water system permit.

53
54 d. Installation of a water system connection or extension of a water main must meet the
55 standards and specifications in the permit application, the Homer City Code, and any
56 applicable State or Federal law or regulations, including but not limited to State of Alaska
57 Department of Labor Occupational Safety and Health requirements. Except as otherwise
58 provided for in the Homer City Code, permits for connections to the water system or an
59 extension of a water main to properties that are not served with City sewer service, will not be
60 issued.

61
62 e. **The Public Works Director may authorize a waiver of the requirement that connection**
63 **to the City's sewer system is a prerequisite to a connection to the City's water system,**
64 **under the following conditions:**

65 **1. The property served will be developed as a single family residence.**

66 **2. The water main to which the property will be connected must be directly**
67 **adjacent to subject property.**

68 **3. The design, installation and operation of the on-site waste water disposal**
69 **system must be in accordance with Alaska Department of Environmental Conservation**
70 **("ADEC").**

71 **4. A copy of the annual inspection report for the on-site waste water disposal**
72 **system must be submitted to the Department of Public Works, within 30 days of the date**
73 **of the inspection.**

74 **5. In addition to the remedies set forth in Paragraph (c) above, the Public**
75 **Works Director may revoke the waiver in the event the inspection report for the waste**
76 **water disposal system indicates deficiencies and after having been given 60 days of the**
77 **date of the inspection report, the deficiencies have not corrected and a plan for**
78 **correcting the deficiencies has not been submitted.**

79
80 e-f. A property owner installing an on-site water connection line or extending a water main is
81 solely responsible for all costs and liability associated with or arising from the excavation,
82 connection, and installation of the on-site water line or water main extension. [Ord. 19-23(S-
83 2)(A) § 4, 2019].

84

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

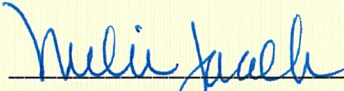
87
88 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 10th day of May, 2021.
89

90 CITY OF HOMER

91 

92 _____
93 KEN CASTNER, MAYOR

94 ATTEST:

95 
96 _____
97 MELISSA JACOBSEN, MMC, CITY CLERK

98
99 YES: 5

100 NO: 0

101 ABSTAIN: 0

102 ABSENT: 1

103
104 First Reading: 4.26.21

105 Public Hearing: 5.10.21

106 Second Reading: 5.10.21

107 Effective Date: 5.11.21

