CITY OF HOMER
HOMER, ALASKA

City Manager/
Public Works Director

ORDINANCE 22-40

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING HOMER CITY CODE TITLE 11 BY ADDING CHAPTER 11.37
PROHIBITING OBSTRUCTIONS AND ENCROACHMENTS IN CITY
RIGHTS-OF-WAY AND EASEMENTS.

WHEREAS, The Public Works Operators have had a long-standing problem with people
pushing snow from their private property into, or otherwise blocking, road rights-of-way,
which interferes with the Department’s ability to efficiently remove snow and perform other
road maintenance tasks required to keep traffic moving on City roads for protection of the
public; and

WHEREAS, It is in the public’s best interest to codify the City’s authority to control its
rights-of-way, which is a necessary function of its road maintenance power; and

WHEREAS, The State of Alaska, Alaska Administrative Code, 17 AAC 10.020(g), contains
useful language that can be adopted into the City code in furtherance of the public’s health,
safety, and welfare.

WHEREAS, The Homer City Council deems it to be in the public interest to regulate these
matters.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code Title 11 Streets, Sidewalks, and Driveway Construction is
hereby amended to add Chapter 11.37 Encroachments in city rights-of-way and easements
prohibited as follows:

Chapter 11.37 Encroachments in city rights-of-way and easements prohibited.

Section: 11.37.010 Obstructions to snow removal and road maintenance

11.37.010 Obstructions to snow removal and road maintenance

a. The Public Works Department is not obligated to remove snow berms
plowed into a driveway, parking lot or approach road during its snow removal
activities.
b. It is unlawful to plow snow from a private driveway, parking lot or approach road onto City roads, paths or sidewalks or to interfere with drainage ways or structures.
c. It is unlawful to park vehicles or leave other objects that would interfere with (i) snow removal, or road maintenance, in City roads, paths or sidewalks or (ii) drainage ways or structures.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this 8th day of August, 2022.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES: 6
NO: 0
ABSTAIN: 0
ABSENT: 0

Introduction: 7/25/22
Public Hearing: 8/8/22
Second Reading: 8/8/22
Effective Date: 8/9/22