1	CITY OF HOMER
2	HOMER, ALASKA
3	City Manager/
4	Public Works Director
5	ORDINANCE 22-40
6 7	AN OPPINANCE OF THE CITY COUNCIL OF HOMER ALASKA
8	AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE TITLE 11 BY ADDING CHAPTER 11.37
9	PROHIBITING OBSTRUCTIONS AND ENCROACHMENTS IN CITY
10	RIGHTS-OF-WAY AND EASEMENTS.
11	MOTTO OF WATAND EAGEMENTS.
12	WHEREAS, The Public Works Operators have had a long-standing problem with people
13	pushing snow from their private property into, or otherwise blocking, road rights-of-way,
14	which interferes with the Department's ability to efficiently remove snow and perform other
15	road maintenance tasks required to keep traffic moving on City roads for protection of the
16	public; and
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18	WHEREAS, It is in the public's best interest to codify the City's authority to control its
19	rights-of-way, which is a necessary function of its road maintenance power; and
20	
21	WHEREAS, The State of Alaska, Alaska Administrative Code, 17 AAC 10.020(g), contains
22	useful language that can be adopted into the City code in furtherance of the public's health,
23	safety, and welfare.
24	
25	WHEREAS, The Homer City Council deems it to be in the public interest to regulate these
26	matters.
27 28	NOW THEREFORE THE CITY OF HOMER ORDAINS.
29	NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
30	Section 1. Homer City Code Title 11 Streets, Sidewalks, and Driveway Construction is
31	hereby amended to add Chapter 11.37 Encroachments in city rights-of-way and easements
32	prohibited as follows:
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34	Chapter 11.37 Encroachments in city rights-of-way and easements prohibited.
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36	Section: 11.37.010 Obstructions to snow removal and road maintenance
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38	11.37.010 Obstructions to snow removal and road maintenance
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41	a. The Public Works Department is not obligated to remove snow berms
42	plowed into a driveway, parking lot or approach road during its snow removal
43	<u>activities.</u>

44	b. It is unlawful to plow snow from a private driveway, parking lot or approach
45	road onto City roads, paths or sidewalks or to interfere with drainage ways or
46	structures.
47	c. It is unlawful to park vehicles or leave other objects that would interfere
48	with (i) snow removal, or road maintenance, in City roads, paths or sidewalks or
49	(ii) drainage ways or structures.
50	
51	ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this, day of,
52	2022.
53	
54	CITY OF HOMER
55	
56	Amal
57	KEN CASTNER, MAYOR
58	
59	
60	ATTEST:
61 62	Mela Jacole
63	MELISSA JACOBSEN, MMC, CITY CLERK
64	
65	YES: 6
66	NO: O
67	ABSTAIN:○
68	ABSENT: O
69	KHUMIP
70	Introduction: 7.25.22
71	Public Hearing: 8-8-12
72	Second Reading: 8-8-22
73	Effective Date: 89.22