

Introduced: 01/28/19
Posted: 01/23/19
Public Hearing: 02/11/19
Adoption: 02/11/19

CITY OF SELDOVIA

ORDINANCE 19-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, AMENDING CHAPTER 11.10.040 GENERAL UTILITY RIGHT-OF-WAY USE PERMIT

SECTION 1. CLASSIFICATION: This ordinance is permanent in nature and shall become a part of the Municipal Code of the City of Seldovia.

SECTION 2: SEVERABILITY: If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to another person or circumstances shall not be affected thereby.

SECTION 3. AMENDING CHAPTER 11.10.040 GENERAL UTILITY RIGHT-OF-WAY USE PERMIT, BY REMOVING LANGUAGE IN ~~STRIKEOUT~~ TO READ AS FOLLOWS:

11.10.040 General utility right-of-way use permit. A. A general utility right-of-way use permit shall give written evidence of a utility's written agreement to comply with terms, conditions and requirements of this chapter, including, but not limited to:

1. A provision for indemnification by the utility saving the city harmless against any loss or damages due to the negligence of the utility or its agents and employees while constructing, operating and maintaining its plant and equipment in, under or over city right-of-way.

B. There is established an annual base fee for a general utility right-of-way permit in the amount listed in the most current City of Seldovia Fee Schedule. ~~Permit renewal fees are due at the beginning of each calendar year.~~

C. A general utility right-of-way permit issued to a utility authorizes the utility to:

1. Conduct normal maintenance and/or repairs of existing utility facilities within a right-of-way.
2. Provide service connections from existing utility facilities within a right-of-way to individual customer facilities outside of the right-of-way.

~~D. Each service connection installed under a general utility right-of-way permit shall be reported to the City Manager in accordance with the provisions of section 11.10.040(C).~~

~~1. A one-time fee in the amount listed in the most current City of Seldovia Fee Schedule for each service connection installed shall accompany the utility's report.~~

~~2. The utility bears the responsibility for submitting an accurate report and accounting of all service connections installed on an annual basis.~~

SECTION 4. EFFECTIVE DATE. This ordinance becomes effective upon its adoption by the City Council.

ADOPTED by a duly constituted quorum of the City Council of the City of Seldovia, Alaska this 14th day of February, 2019.

ATTEST:



Heidi Geagel, City Clerk



APPROVED:



Dean Lent, Mayor

Vote:
Colberg-
Campbell-
Morrison-
Rojas-
Lethin-
Sweatt-