

Introduced by: Mayor
Date: 12/06/11
Hearing: 01/03/12
Action: Enacted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2011-19-61**

AN ORDINANCE APPROPRIATING \$20,000 FOR THE HEARING OFFICER AND CLERK'S EXPENSES TO FUND THE HEARING PROCESS IN KPB CHAPTER 21.50 ESTABLISHING ENFORCEMENT PROCEDURES FOR VIOLATIONS OF TITLE 21

WHEREAS, on October 11, 2011, the assembly enacted Ordinance 2011-34 which enacted KPB Chapter 21.50, establishing an enforcement process for violations of Title 21 of the borough code; and

WHEREAS, Ordinance 2011-34 is effective January 1, 2012; and

WHEREAS, KPB Chapter 21.50 includes procedures for the investigation and enforcement of Title 21 violations, due process hearings for enforcement notices, and appeals from enforcement hearings; and

WHEREAS, KPB 21.50.110 provides that the borough shall retain one or more hearing officers to conduct adjudicative proceedings under Chapter 21.50; and

WHEREAS, if any such appeals are filed in FY2012, funds will be needed to hire and compensate any hearing officer and for the borough clerk to hire contractors to prepare transcripts of hearings for appeals to court; and

WHEREAS, the appropriation of such funds at this time is in the best interests of the borough in order that it may follow the new code section;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. The sum of \$15,000 is hereby appropriated from the General Fund fund balance to Account No. 100.11310.00000.43011, contract services, to hire one or more hearing officers to conduct adjudicative proceedings in accordance with KPB Chapter 21.50.

SECTION 2. The sum of \$5,000 is hereby appropriated from the General Fund fund balance to Account No. 100.11120.00000.43011, contract services, to cover expenses incurred by the clerk's office associated with implementing the enforcement provisions including hiring contractors to prepare transcripts of hearings for appeals to court and to perform other services as required by KPB Chapter 21.50.

SECTION 3. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD DAY OF JANUARY, 2012.

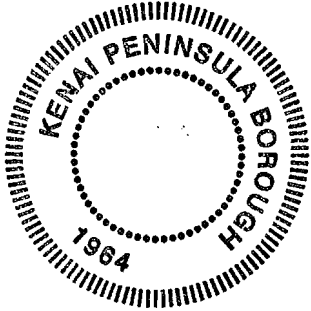
Gary Knopp

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship

Johni Blankenship, Borough Clerk



Yes: Haggerty, Johnson, McClure, Murphy, Pierce, Smalley, Smith, Tauriainen, Knopp
No: None
Absent: None