

Introduced by: Mayor, Pierce
Date: 06/07/11
Shortened Hearing: 06/21/11
Action: Enacted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2011-22**

**AN ORDINANCE AUTHORIZING THE PLACEMENT OF “NO PARKING” AND
“TOW-AWAY” SIGNS ON ‘LOWER’ RAPIDS AVENUE**

- WHEREAS**, pursuant to KPB 12.04.010 the Kenai Peninsula Borough Road Service Area (RSA) has the authority to regulate parking within Borough maintained rights-of-way pursuant to KPB Chapter 12.04 Parking Regulations; and
- WHEREAS**, parking restrictions are established on an as-needed basis depending on the circumstances applicable to a particular road or section of road; and
- WHEREAS**, Samsel Road, Steelhead Circle and ‘Upper’ Rapids Avenue are Borough maintained roads within Bing’s Landing Subdivision Part One and ‘Lower’ Rapids Avenue is a non-maintained road in a Borough right-of-way within the same subdivision; and
- WHEREAS**, assembly approval by ordinance is needed to place signs along non-maintained roads; and
- WHEREAS**, these roads are adjacent to State managed Bing’s Landing Campground and Day Use Area within the Kenai River Special Management Area; and
- WHEREAS**, these roads also provide public access to the Kenai River; and
- WHEREAS**, seasonally, these roads and associated ditches are increasingly used by the public for parking; and
- WHEREAS**, parking along these roads presents a safety concern identified by Central Emergency Services and residents as emergency vehicles are limited in their access and ability to reach residences in the neighborhood and any potential victims on the river; and
- WHEREAS**, parking along these roads has led to traffic congestion and damage and increased risks of damage to adjacent properties, water bodies, and the park fenced off rehabilitation area, from activities including but not limited to trampling in unauthorized trails, and the dumping of garbage and human waste; and

WHEREAS, the Central Emergency Services Chief supports the proposed signage plan with signs to be placed on these roads at intersections and line of sight; and

WHEREAS, the Park Superintendent for the Kenai Prince William Sound Area has stated that the Alaska Division of Parks and Outdoor Recreation supports the proposed signage plan; and

WHEREAS, the Alaska Division of Parks and Outdoor Recreation is working towards long term solutions to better accommodate the public's access to the fishing area by providing parking areas and facilities inside the park which will be reached from Bing's Landing Road that may negate the need for such restrictive parking measures in the future; and

WHEREAS, the cost of purchasing and installing these signs for "Lower" Rapids Avenue is estimated to be less than \$500 and sufficient funds are available; and

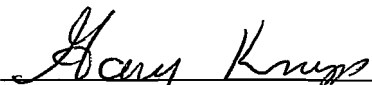
WHEREAS, on May 10, 2011, the RSA passed RSA Resolution 2011-06 recommending the Assembly authorize "No Parking" and "Tow Away" signs be placed on the unmaintained right-of-way of 'Lower' Rapids Avenue;

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

SECTION 1. That the Assembly authorizes the Mayor, through the RSA, to purchase and place "No Parking" and "Tow Away" signs on both sides of 'Lower' Rapids Avenue on intersections and within line of sight.

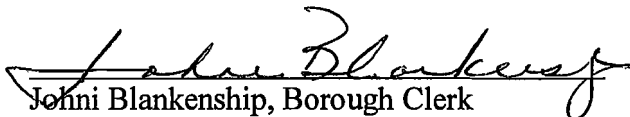
SECTION 2. That this ordinance shall be effective immediately upon its enactment.

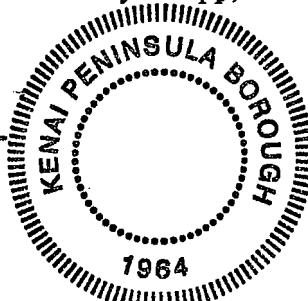
ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 21ST DAY OF JUNE, 2011.



Gary Knopp, Assembly President

ATTEST:


Johni Blankenship, Borough Clerk



Yes: Haggerty, Johnson, McClure, Murphy, Pierce, Smalley, Smith, Tauriainen, Knopp

No: None

Absent: None