



## **KENAI PENINSULA BOROUGH**

144 North Binkley Street • Soldotna, Alaska 99669-7520  
Toll-free within the Borough: 1-800-478-4441  
**PHONE:** (907) 262-4441 • **FAX:** (907) 262-1892  
www.borough.kenai.ak.us

**DAVID R. CAREY**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Gary Knopp, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** David R. Carey, Borough Mayor *D. Carey*

**FROM:** Colette Thompson, Borough Attorney *C. Thompson*  
Craig Chapman, Finance Director *C. Chapman*

**DATE:** September 12, 2011

**SUBJECT:** Ordinance 2011-32, approving a fee schedule for the Kenai Peninsula Borough and amending various borough code provisions to reference it

After the introduction of the above ordinance a clerical review was undertaken to crosscheck the accuracy of the information gathered and assimilated in ordinance 2011-32. It was found that several code provisions referenced in the fee schedule were inadvertently omitted from the ordinance. The administration requests that the assembly amend the ordinance to include these sections and that the section numbers in the ordinance be revised accordingly. Additionally, the fee schedule attachment has been updated for missing code references, fees, and formatting consistency. Your approval of these amendments is requested.

➤ Add a new section 3 to read as follows:

**SECTION 3.** That KPB 4.130.020(A) is hereby amended as follows:

#### **4.130.020 – Application for petition.**

- A. An initiative or referendum is proposed by filing an application with the borough clerk containing the ordinance or resolution to be initiated or the ordinance or resolution to be referred and the name and address of the prime sponsor and an alternate sponsor to whom all correspondence relating to the petition may be sent. The application shall be on a form provided by the clerk. A deposit in the amount listed in the most current Kenai Peninsula Borough Schedule of Rates, Charges and Fees [OF \$100.00] must accompany the application. This deposit shall be retained if an application fails certification. If the application is certified, the deposit shall be refunded. An application shall be signed by at least ten voters who will sponsor the petition. Within two weeks the clerk shall certify the application if the clerk finds that it is in proper form and, for an initiative petition, that the matter
1. is not restricted by AS 29.26.100;
  2. includes only a single subject;

3. relates to a legislative rather than to an administrative matter; and
4. would be enforceable as a matter of law.

➤ Renumber previous Section 3 to Section 4 and amend the code reference as follows:

**SECTION 4[3].** That KPB 5.12.050(B) is hereby amended as follows:

**5.12.050 - Valuation and flat tax appeal procedure.**

...

**B.[A.]** No appeal application may be accepted unless a filing fee [OF \$30.00 FOR A PROPERTY WHOSE ASSESSED VALUE IS LESS THAN \$100,000.00, \$100.00 FOR PROPERTY WHOSE TOTAL ASSESSED VALUE IS AT LEAST \$100,000.00 BUT LESS THAN \$500,000.00, \$200.00 FOR PROPERTY WHOSE TOTAL ASSESSED VALUE IS AT LEAST \$500,000.00 AND LESS THAN \$2,000,000.00, AND \$1,000.00 FOR PROPERTY WHOSE TOTAL VALUE IS \$2,000,000.00 OR GREATER] in the amount listed in the most current Kenai Peninsula Borough Schedule of Rates, Charges and Fees is received by the clerk at the time of filing.

...

- Renumber previous section 4 to section 6 and section 5 to section 7.
- Add a new section 5 to read as follows:

**SECTION 5.** That KPB 5.18.225(B) is hereby amended as follows:

**5.18.225 – Application for petition.**

...

**B.** An owner builder may apply for an owner builder tax exemption certificate, on the form provided by the borough. Upon approval of a completed application, and a fee in the amount listed in the most current Kenai Peninsula Borough Schedule of Rates, Charges and Fees [OF \$100.00] per card, the borough will issue the certificate, which will be valid for one year from the date of purchase.

...

- Renumber previous sections 6 through 9 to sections 8 through 11.
- Renumber previous section 10 to section 14 and add a new section 12 to read as follows:

**SECTION 12.** That KPB 5.35.107 is hereby amended as follows:

**5.35.107 – Requirements of petition.**

The petition shall include all information approved in the petition application by assembly resolution, a statement notifying the property owners to contact the applicable utility for any additional costs that may be required to utilize the improvement, and notification that any

costs to connect to the main improvement are not included in the assessment. The petition shall contain the signatures of (a) the owners of record of more than seventy percent of the total number of parcels subject to assessment within the proposed district; and (b) the owners of record of properties within the district which would be subject to greater than seventy percent of the total assessment under the petitioner's proposal. The petition must contain or be accompanied by a statement from an authorized officer or employee of the utility whose service is sought to be extended acknowledging that the project as proposed by the petition meets the requirements of the utility and that the utility approves and will support construction of the extension. A nonrefundable filing fee in the amount listed in the most current Kenai Peninsula Borough Schedule of Rates, Charges and Fees [OF \$1,000.00 (ONE THOUSAND DOLLARS)] shall be remitted with the petition. No property owner may withdraw his approval of the proposed improvement for a period of six (6) months after the date of filing of petition, and this six (6) month approval shall be expressly stated upon the petition. Nothing in this section shall be construed to preclude a property owner from filing an objection as provided in KPB 5.35.110(D) within the time provided by ordinance or regulation.

- Add a new section 13 to read as follows:

**SECTION 13.** That KPB 10.20.080 is hereby amended as follows:

**10.20.080 – Enforcement.**

A person who violates any provision of this chapter shall be subject to civil penalties, injunctive relief, or both. The owner, agent, contractor, lessee or tenant of any part of a structure or premises in which a part of a violation of this chapter shall exist, is guilty of a misdemeanor and upon conviction thereof shall be fined not more than the amount listed in the most current Kenai Peninsula Borough Schedule of Rates, Charges and Fees [\$300.00]. Each and every day that a violation continues shall be deemed a separate and distinct violation.

- Renumber all remaining sections accordingly.

## Kenai Peninsula Borough

### Schedule of Rates, Charges and Fees

Code reference		Current fee	Proposed fee
<b>Clerk</b>			
KPB 2.54.070 and AS 40.25.110	Public records request up to 5 hrs staff time per month	\$0.25 per page	\$0.25 per page
KPB 2.54.070 and AS 40.25.110	Public records request taking longer than 5 hrs staff time per month	actual costs	actual costs
R1992-079; R1998-013	Copies	\$0.25 per page	\$0.25 per page
R1992-079; R1998-013	Certified copies	\$5.00 plus copy costs	\$5.00 plus copy costs
R1992-079; R1998-013	Audio / Data CD	\$2.50 per copy	\$2.50 per copy
R1992-079; R1998-013	Assembly agenda and minutes mailing	\$12.50	\$12.50
R1992-079; R1998-013	Assembly packet, complete (black and whitecopy only)	\$90.00	\$90.00
R1992-079; R1998-013	Borough code, complete	\$150.00	\$150.00
R1992-079; R1998-013	Code supplement service - annual fee	\$50.00	\$50.00
21.20.250 (A)	Appeal to Board of Adjustment (BOA)	\$300.00	\$300.00
	Valuation and flat tax appeal (BOE), refundable if appeal upheld		
5.12.050	Assessed value less than \$100K	\$30.00	\$30.00
5.12.050	Assessed value \$100K to less than \$500K	\$100.00	\$100.00
5.12.050	Assessed value \$500K to less than \$2 million	\$200.00	\$200.00
5.12.050	Assessed value \$2 million or greater	\$1,000.00	\$1,000.00
4.100.020	Election recount (may be refundable or additional may apply)	\$100.00	\$100.00
4.130.020	Initiative/Referendum Petition Application (Refunded Upon Certification)	\$100.00	\$100.00
<b>Emergency Medical</b>			
16.12.115; 16.20.210; 16.28.115; 16.30.125; 16.40.025	<u>Ambulance billing</u>		
	Basic Life Support (BLS)	varies	\$300.00
	Basic Life Support Emergency (BLS-E)	varies	\$500.00
	Advanced Life Support (ALS)	varies	\$400.00
	Advanced Life Support (ALS 1)	varies	\$600.00
	Advanced Life Support (ALS 2)	varies	\$800.00
	Mileage	varies	\$11.00
	Mileage in excess of 17	varies	\$7.00
	Ambulance billing - air transport (if needed)		\$3,500 per hour + fuel charge

note - fees are subject to change to meet medicare definitions and rates for maximum reimbursement

## Kenai Peninsula Borough

### Schedule of Rates, Charges and Fees

Code reference		Current fee	Proposed fee
<b>Finance</b>			
	Tax foreclosure recording fees including advertising	direct passthrough cost from vendor	direct passthrough cost from vendor
	Litigation report fees	direct passthrough cost from vendor	direct passthrough cost from vendor
	Redemption fee	\$50.00	\$50.00
5.12.190	Personal property tax return,late filing or failure to file	10%	10%
5.18.225	Sales tax exemption card - owner builder	\$100.00	\$100.00
5.18.230	Sales tax exemption card - nonprofit or govt	\$10.00	\$10.00
5.18.240	Sales tax exemption card - reseller	\$10.00	\$10.00
	Sales tax exemption card replacement	\$10.00	\$10.00
5.18.670	Sales tax return not filed	\$25.00	\$25.00
5.18.670	Reinstatement of business to active roll	\$100.00	\$100.00
5.18.670	Audit estimate preparation	\$20.00 per hr NTE \$100.00	\$25.00 per hr NTE \$100.00
	Annual audit, paper copy	no charge	\$25.00
	Annual audit, electronic copy	no charge	no charge
	Annual Budget, paper copy	no charge	\$25.00
	Annual Budget, electronic copy	no charge	no charge
	wire transfer fee	\$25.00	\$25.00
	Returned Check/e-check fee (NSF)	\$25.00	\$25.00
5.35.107	Utility special assessment district application fee (USAD)	\$1,000.00	\$1,000.00
5.35.080	USAD administration fee (USAD), plus estimated cost parcel share	\$6,000 plus \$70 per parcel	\$6,000 plus \$70 per parcel

## Kenai Peninsula Borough

### Schedule of Rates, Charges and Fees

Code reference		Current fee	Proposed fee
<b>Geographic Information (GIS)</b>			
	8 1/2 x 11 color map	\$1.50	\$1.50
	11 x 17 color map	\$3.00	\$3.00
	11 x 17 b&w map	\$1.00	\$1.00
	18 x 24 b&w map	\$1.00	\$1.00
	18 x 24 color map	\$6.00	\$6.00
	24 x 36 b&w map	\$2.00	\$2.00
	24 x 36, 34 x 44 color map	\$12.00	\$12.00
	Digital DVD mapbooks (complete set)	\$25.00	\$25.00
	Mapbooks - hardcopy (each)	\$125.00	\$125.00
<b>Land Management</b>			
17.10.180	Temporary land use permit application fee	\$100.00	\$100.00
17.10.160	Right Of Way or easement	\$500.00	\$500.00
17.10.100	Negotiated sale. Lease or exchange	\$500.00	\$500.00
17.10.210	Commercial quantity material extractions	\$300.00	\$300.00
17.10.200	Small quantity material extraction application	\$25.00	\$25.00
17.10.180	Temporary land use permit annual fee	\$400.00	\$400.00
14.08.030	General utility Right Of Way use (base fee)	\$250.00	\$250.00
14.08.040	Individual utility construction project (base fee)	\$50.00	\$50.00
14.08.040	Individual utility construction project (line fee)	\$0.10 per foot after first 200 feet (\$2500 Max)	\$0.10 per foot after first 200 feet (\$2500 Max)
17.10.080	Classify or reclassify Borough land	\$500.00	\$500.00
17.10.130	Modify conveyance document restrictions	\$500.00	\$500.00
17.10.120	Borough financed land sales	Prime + 2%	Prime + 2%
17.10.120	Minimum down payment amount	10%	10%
17.10.120	late fees, more than 10 days late	10% of payment amt	10% of payment amt
<b>Office of Emergency Management</b>			
2.60.030 & 2.60.035	E911 surcharge	\$1.50	\$1.50

## Kenai Peninsula Borough

### Schedule of Rates, Charges and Fees

Code reference		Current fee	Proposed fee
<b>Planning Department</b>			
20.12.040	Preliminary plats	\$100.00	\$200.00
20.12.090	Time extensions	no charge	no charge
21.29.030	Counter permit (material extraction)	no charge	\$50.00
21.29.030	Conditional (material site) land use permit (CLUP)	\$300.00	\$300.00
21.29.070	Modification of CLUP	no charge	\$300.00
	Variance to CLUP	no charge	\$300.00
	Local option zoning petition	no charge	\$300.00
21.27.010	Correctional community residential center (CCRC)	\$300.00	\$300.00
21.28.010	Concentrated animal feeding operation (CAFO)	\$0.20 per animal	\$0.20 per animal
20.28.065	Easement vacation not requiring public hearing	\$50.00	\$75.00
20.28.065	Section line esmt & ROW vacations	\$300.00	\$500.00
	Plat amendment	no charge	\$50.00
20.04.040 D	Plat waivers	\$50.00	\$50.00
20.04.070 C	Abbreviated plat	\$100.00	\$200.00
21.20.250	Appeal to BOA	\$300.00	\$300.00
14.10.050	Street naming/renaming petition	\$300.00	\$300.00
	Installation of new street sign & post	\$150.00	\$150.00
	Replacement of existing sign	\$80.00	\$80.00
	Uniform address sign fee	\$20.00	\$20.00
	8 1/2 x 11 color copy	\$1.50	\$1.50
	11 x 17 color copy	\$3.00	\$3.00
	11 x 17 b&w copy	\$1.00	\$1.00
	18 x 24 b&w copy	\$1.00	\$1.00
	24 x 36 b&w copy	\$2.00	\$2.00
<b>Purchasing</b>			
5.28.320	Contract award appeal (refundable if appellant prevails)	\$300.00	\$300.00

## Kenai Peninsula Borough

### Schedule of Rates, Charges and Fees

Code reference		Current fee	Proposed fee
<b>River Center *</b>			
	Floodplain permit (staff)	no charge	\$50.00
	Floodplain development permit (staff)	no charge	\$100.00
	Floodway development permit (staff)	no charge	\$300.00
	Floodplain variance (PC)	no charge	\$300.00
	Habitat protection permit (staff)	no charge	\$50.00
	Habitat protection prior existing permit (staff)	no charge	\$50.00
	Habitat protection limited commercial permit (PC)	no charge	\$300.00
	Habitat protection conditional use permit (PC)	no charge	\$300.00
	Habitat protection variance (PC)	no charge	\$300.00
	* If a project requires more than one borough River Center Department permit then only the single highest value fee will be charged		
<b>Roads</b>			
14.08.030	Right of Way use permit, annual	\$250.00	\$250.00
14.08.030	Right of Way service connection	\$1.00	\$1.00
14.080.040 C	Utility construction project permit (base fee for start up includes first 200 linear feet of construction, then \$.10 per linear foot)	\$50 minimum \$2,500 maximum	\$50 minimum \$2,500 maximum
14.31.050	Road Improvement district application fee (RIAD)		
14.31.050	Assessed value \$2 million or less	\$1,000.00	\$1,000.00
14.31.050	Assessed value greater than \$2 million up to \$3 million	\$1,400.00	\$1,400.00
14.31.050	Assessed value greater than \$3 million up to \$4 million	\$1,800.00	\$1,800.00
14.31.050	Assessed value greater than \$4 million up to \$5 million	\$2,200.00	\$2,200.00
14.31.050	Assessed value greater than \$5 million	\$2,200 plus \$400 for each add'l million	\$2,200 plus \$400 for each add'l million
14.31.060 A 2	Road Improvement district administration fee, included in the total cost of the project	\$6,000 plus \$70 per parcel	\$6,000 plus \$70 per parcel



## Kenai Peninsula Borough

### Schedule of Rates, Charges and Fees

Code reference		Current fee	Proposed fee
<b>Solid Waste</b>			
<u>Non commercial waste (residential)</u>			
	Asbestos	\$200.00 per ton	\$200.00 per ton
	Automobiles	No charge	No charge
	Household small batteries	No charge	No charge
	Misc (animal carcasses, ashes, etc)	No charge	No charge
	Refrigerators and freezers	No charge	No charge
	Used oil (limits apply)	No charge	No charge
	Vehicle batteries (limits apply)	No charge	No charge
	Hazardous waste - 3 drums per year	No charge	No charge
	Fluorescent lamps and bulbs (limits apply)	No charge	No charge
10.20.080	Hazardous waste - violations	\$300.00	\$300.00
<u>Commercial waste</u>			
	Solid waste	\$20.00 per ton	\$20.00 per ton
Reso 93.023	Asbestos	\$200.00 per ton	\$200.00 per ton
Reso 93.023	Construction and demolition, land clearing, tires, etc per ton	\$20.00	\$45.00
Reso 93.023	5-10 cubic yards	\$40.00	\$90.00
Reso 93.023	10-20 cubic yards	\$75.00	\$180.00
Reso 93.023	20-30 cubic yards	\$125.00	\$270.00
Reso 93.023	30-40 cubic yards	\$125.00	\$360.00
Reso 93.023	Acids/bases, liquid pesticides, etc. per gallon	\$15.00	\$30.00
	Animal carcasses, ashes, etc per animal	no charge	\$5.00
Reso 93.023	Automobiles, per vehicle	no charge	\$10.00
	Batteries, per pound	\$1.50	\$1.50
	Empty drum, each	\$35.00	\$35.00
	Fluorescent lamps and bulbs, each	\$0.52	\$0.52
	Fuses and flares, per pound	\$30.00	\$30.00
10.20.080	Hazardous waste - violations	\$300.00	\$300.00
	Household appliances, per unit	\$20.00	\$20.00
	Mercury, per gallon	\$15.00	\$15.00
Reso 93.023	Oxidizers, per pound	\$30.00	\$60.00
Reso 93.023	Paint, solvent, fuel, oil, etc. per gallon	\$4.00	\$8.00
Reso 93.023	Solid pesticides, per pound	\$3.00	\$6.00
Reso 93.023	Solids or sludge, per gallon	\$6.00	\$12.00
	Special waste, per ton	\$20.00	\$85.00

## Kenai Peninsula Borough

### Schedule of Rates, Charges and Fees

Code reference	Current fee	Proposed fee
<b>North Peninsula Recreation</b>		
<b>Pool</b>		
General admission	\$4.00	\$4.00
General admission -punch card (10 punches)	\$35.00	\$35.00
Senior citizen (60+)	\$2.00	\$2.00
Service Area resident	no charge	no charge
General admission with water slide	\$7.00	\$7.00
General admission with water slide - service area resident	\$1.50	\$1.50
General admission with water slide - service area resident (20 punches)	\$20.00	\$20.00
water aerobics, per class	\$3.50	\$3.50
water aerobics punch card (10 punches)	\$30.00	\$30.00
Swimming lessons	\$40.00	\$40.00
Swimming lessons, service area residents	\$35.00	\$35.00
Swimming lessons, tiny tots	\$18.00	\$18.00
Swimming lessons, semi-private	\$50.00	\$50.00
Swimming lessons, private	\$100.00	\$100.00
Red Cross Lifeguard class	\$135.00	\$135.00
Water safety classes for school groups, per participant (in addition to admission)	\$3.00	\$3.00
Idita-swim competition	\$20.00	\$20.00
Pool rental per hour (up to 50 people)	\$125.00	\$125.00
Pool rental per hour, service area resident (up to 50 people)	\$100.00	\$100.00
Waterslide rental per hour, (in addition to pool rental)	\$75.00	\$75.00
Waterslide rental per hour, service area resident (in addition to pool rental)	\$50.00	\$50.00
Each additional 20 people	\$10.00	\$10.00
<b>Exercise Room &amp; Racquetball Courts</b>		
Exercise room	\$5.00	\$5.00
Exercise room service area resident	\$3.00	\$3.00
Exercise room service area resident, punch card (10 punches)	\$30.00	\$30.00
Racquetball courts per hour	\$9.00	\$9.00
Racquetball courts per hour, service area resident	\$6.00	\$6.00
Walleyball per hour	\$12.00	\$12.00
<b>Jason Peterson memorial Ice rink</b>		
Zammed Ice per hour	\$60.00	\$60.00
Practice rates for ice 1.5 hours (Nikiski teams, High school, USA hockey)	\$75.00	\$75.00
Game 2 hours (with clock and zam between periods)	\$175.00	\$175.00
Game 1.5 hours (with clock and no zam between periods)	\$100.00	\$100.00
Open skate	no charge	no charge
<b>Nikiski Community Recreation Center</b>		
Room rental, gym, classroom, multipurpose	\$30.00	\$30.00
Full day room rental, gym, classroom, multipurpose	\$175.00	\$175.00
Full day room rental, gym, classroom, multipurpose with kitchen	\$225.00	\$225.00
Kitchen rental per hour	\$50.00	\$50.00
Gym floor covering	\$50.00	\$50.00
Dance floor	\$50.00	\$50.00

## Kenai Peninsula Borough

### Schedule of Rates, Charges and Fees

Code reference	Current fee	Proposed fee
Gym equipment	\$15.00	\$15.00
Inflatable obstacle course	\$100.00	\$100.00
Gym use, per participant	\$1.00	\$1.00
Gym use, family limit	\$5.00	\$5.00
Teen center, per participant	\$1.00	\$1.00
Teen center, annual membership	\$75.00	\$75.00
Teen night, per participant	\$2.00	\$2.00
Teen dance, per participant	\$2.00-\$5.00	\$2.00-\$5.00
Spinning class	\$7.00	\$7.00
Spinning class punch card (10 punches)	\$65.00	\$65.00
Spinning class punch card (5 punches)	\$32.50	\$32.50
Arts n Craft class, per class	\$3.00	\$3.00
Arts n Craft class, punch class (10 punches)	\$25.00	\$25.00
 Summer Camp		
Summer pass, eight weeks	\$125.00	\$125.00
Daily rate	\$12.00	\$12.00
Per Activity	\$3.00	\$3.00
Punch Card	\$50.00	\$50.00
 Summer Leagues		
Flag football	\$25.00	\$25.00
Youth basketball	\$25.00	\$25.00
Interleague basketball	\$35.00	\$35.00
Youth volleybal	\$25.00	\$25.00
Adult basketball	\$35.00	\$35.00
Adult dodgeball	\$25.00	\$25.00
Northern lights sport camp, per participant	\$25-\$50	\$25-\$50
 Annual events		
Community garage sale, per space	\$10.00	\$10.00
Craft fair, per space	\$10.00	\$10.00
Geocache events	varies	varies
Family fund event, booth space	\$25-\$35	\$25-\$35
Walleyball & Volleyball tournaments	varies	varies