

Introduced by: McClure
Date: 05/01/12
Hearing: 06/05/12
Action: Enacted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-13**

**AN ORDINANCE STATING NON-OBJECTION TO THE LOWELL POINT
VOLUNTEER FIRE DEPARTMENT BEING RECOGNIZED BY THE STATE AS A
VOLUNTEER FIRE DEPARTMENT TO PROVIDE FIRE PROTECTION IN THE
LOWELL POINT AREA OF THE KENAI PENINSULA BOROUGH**

WHEREAS, fire departments located within the boundaries of recognized municipalities are required by 13 AAC 52.030 to be authorized by municipal ordinance to perform their duties in order to be registered by the state; and

WHEREAS, the Lowell Point Volunteer Fire Department was registered with the state under the auspices of the Lowell Point Emergency Service Area; and

WHEREAS, the Lowell Point Emergency Service Area will be abolished effective July 1, 2012 as approved by the voters in the October 4, 2011 general election; and

WHEREAS, once the service area is abolished, the Lowell Point Volunteer Fire Department will need authorization from the Kenai Peninsula Borough to continue to provide services; and

WHEREAS, in 2005 the State of Alaska accepted Kenai Peninsula Borough Ordinance 2005-42 for purposes of 13 AAC 52.030, in which the borough stated its non-objection to numerous other volunteer fire departments located in the borough but having no affiliation with the borough; and

WHEREAS, while the Lowell Point Volunteer Fire Department will have no affiliation with the Kenai Peninsula Borough after the service area is abolished, the Kenai Peninsula Borough has no objection to the existence of this fire department or to its provision of fire protection services within the Kenai Peninsula Borough;

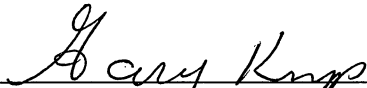
NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. The Kenai Peninsula Borough Assembly has no objection to the Lowell Point Volunteer Fire Department registering with the Alaska State Department of Public Safety, Division of Fire Protection as a volunteer fire department within the Kenai Peninsula Borough.

SECTION 2. That nothing in this ordinance shall be construed to impose any relationship whatsoever between this fire department and the Kenai Peninsula Borough, and the borough assumes no responsibility whatsoever for its acts or omissions. This ordinance is adopted solely to substantially comply with 13 AAC 52.030(a) to enable this fire department to register with the State of Alaska.


SECTION 3. That this ordinance takes effect July 1, 2012.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH DAY OF JUNE, 2012.

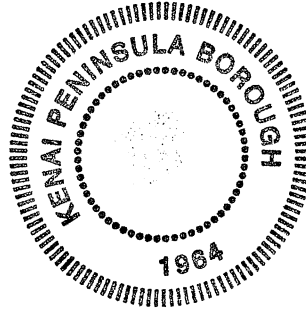


Gary Knopp, Assembly President

ATTEST:



Johni Blankenship, Borough Clerk



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

No: None

Absent: None