

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 92-48

failed
10/12/92

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, AMENDING CHAPTER 17.04, IMPROVEMENT DISTRICTS, OF THE HOMER CITY CODE THEREBY INCORPORATING AS 29.46.020(B).

WHEREAS, to take advantage of the authority granted in AS 29.46.020 (b) a new sub paragraph (d) needs to be added to 17.04.050 HCC; and

WHEREAS, a further amendment is required in 17.040.060 to further facilitate the authority of AS 20.46.020(b).

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Section 17.040.050, Improvement Plan-- Objections and revisions, be amended to add a new subparagraph d. to read as follows:

Notwithstanding subparagraph b. of this section, the City Council may proceed with the improvement over the objections of owners of property who shall bear 50% or more of the total estimated cost of the improvement only upon the approval of not fewer than 3/4 of the City Council.

Section 2. Section 17.040.060, Award of Project Bid, third line be amended to read as follows:

Prior to the award of the contract for the construction of the project, if the bid costs exceed one hundred fifteen percent of the engineer's estimate, the project may not be awarded until such time as all property owners of record have been notified in writing of such costs. If the property owners, who shall bear one-half of the estimated cost, do not object in writing to the additional costs, the Council may award the contract for construction. If the property owners do not consent, and the City Council is unable to reduce the costs, the City will not award the project except upon approval of not fewer than three-fourths of the City Council. If the project is not awarded, and the property owners shall be liable for any and all costs incurred, except where Council specifically assumes such costs. The Council shall dissolve the district.

Section 3. This ordinance is of a permanent and general character and shall be included in the Homer City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this _____ day of _____ 1992.

CITY OF HOMER

HARRY E. GREGOIRE, MAYOR

ATTEST:

MARY L. SHANNON, CITY CLERK

AYES:
NOES:
ABSTAIN:
ABSENT:

First Reading:
Public Hearing:
Second Reading:
Effective Date:

Reviewed and Approved as to form and content:

Richard J. Leland, City Manager
Date: _____

Gordon J. Tans, City Attorney
Date: _____