

An Ordinance of the Haines Borough amending Haines Borough Code Sub-section 5.18.080(I) to revise the process for nontemporary amendments to the Borough's Commercial Ski Tour Areas map.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Sub-section 5.18.080(I). Sub-section 5.18.080(I) of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED.
~~STRIKETHROUGH~~ ITEMS ARE DELETED

5.18.080(I). Nontemporary Amendment of the Haines Borough Approved Commercial Ski Tour Areas Map.

1. ~~To initiate nontemporary amendment of~~ **Amendments to** the Haines Borough Approved Commercial Ski Tour Areas map, ~~the assembly shall adopt a resolution, following a public hearing, that articulates the reasons to consider amendments to the map and authorizes the borough manager to convene a heliski map committee~~ **shall only be considered on a three year cycle beginning in 2016. The process to review and amend the map shall be** according to the following procedures:

a. ~~Proposals for map amendments may be submitted to the borough manager from May 1st to May 31st. Proposals shall be in writing and include an illustration of the general subject area and rationale for the amendment.~~ **At least 30 days prior to May 15 of every third year after 2016, the manager will solicit proposals for possible map amendments. Proposals are due by May 15 of that year and will contain illustrations of the specific areas and justification for the proposed amendments.**

b. ~~After May 31st and prior to June 10th,~~ **As soon as possible after May 15,** the manager shall ~~convene~~ **establish** an advisory committee to review ~~the~~ **any** proposed map amendments **received by the proposal deadline. The committee shall convene no later than June 15.**

c. The committee shall include the following five voting members:

- (1) A representative of a local conservation organization, appointed by the mayor;
- (2) A member of the Haines Borough assembly;
- (3) A representative from the heliski**ing** industry selected randomly by current Haines Borough heliski **commercial ski tour** permit holders; and
- (4) Two members chosen randomly from Haines Borough residents who petition to be members of the committee. **The manager shall solicit applications by posting notice no less than ten days.**

d. The committee shall organize itself as to procedure.

~~e.e.~~ The committee shall to every extent possible involve ADFG area wildlife biologists and Bureau of Land Management (BLM) in its deliberations, including forwarding all proposals for map changes to the ADFG and BLM, seeking ADFG and BLM testimony, and requesting comments from ADFG and BLM on all draft recommendations before they are sent to the manager.

~~d.f.~~ The committee shall ~~organize itself as to procedure and shall~~ make a recommendation to the manager on or before ~~July 15th~~ **September 30**. The manager **shall prepare a recommendation for the assembly and** will not be bound to ~~by~~ the **committee's** recommendations. **However, the manager** ~~but shall present them~~ **also provide the** committee recommendations to the assembly for consideration.

g. For a proposal correctly-submitted in accordance with the current map review policy, the borough assembly may adopt a resolution to provide for adjustments to the map amendment timeline to accommodate for reasonable date or schedule conflicts.

2. The Haines Borough assembly shall adopt a resolution, following a public hearing, to finalize any nontemporary amendments of the Haines Borough Approved Commercial Ski Tour Areas map.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS _____ DAY OF _____, 2016.

Janice Hill, Mayor

ATTEST:

Julie Cozzi, MMC, Borough Clerk

Date Introduced:	08/09/16
Date of First Public Hearing:	08/23/16
Date of Second Public Hearing:	09/13/16