

HAINES BOROUGH, ALASKA
ORDINANCE No. 19-04-531

Draft

AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE 7.08.050 TO CLARIFY AND EXPAND THE BOUNDARIES OF THE HISTORIC DALTON TRAIL ROAD MAINTENANCE SERVICE AREA AND UPDATE FIGURE 7-1.

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 Section 7.08.050. Haines Borough Code 7.08.050 is amended, as follows:

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

7.08.050 Historic Dalton Trail road maintenance service area.

A. Establishment of the Historic Dalton Trail Road Maintenance Service Area. The Historic Dalton Trail road maintenance service area is established with area and boundaries as set forth on a ~~plat~~ **map**. [See Figure 7-1.] The boundaries of the Historic Dalton Trail road maintenance service area are described as follows:

1. All the area within the current boundaries of the Chilkat Lake Road maintenance service area and the Porcupine Road maintenance service area as set forth on the attached ~~plat~~ **appended map** ~~plat~~;
2. A portion of Chilkat Lake Road from the intersection of Chilkat Lake and Porcupine Roads to its intersection with the Haines Highway, ~~not~~ including the steel bridge as set forth on the attached ~~plat~~ **appended plat map**;
3. All private property subdivisions on Chilkat Lake and along its ~~access~~ **Chilkat Lake Road** from the Chilkat Lake Tsirku River boat landing as set forth on the attached ~~plat~~ **appended map**;
4. All private property along the Dalton Trail from Pyramid Harbor to Chilkat Lake as set forth on the attached ~~plat~~ **appended plat map**;
- 5 ~~4~~. All property along the Dalton Trail from Bear Creek to Glacier Creek including the old Porcupine Townsite.

B. Services Provided. The services provided are for the purpose of road and trail maintenance, **improvements** and repair. **The first twelve hundred feet (from Haines Highway across the bridge) is used in part by all property owners in the service area and shall be considered service areawide for operations and maintenance taxation purposes.** The service area shall be divided into the following service sub-zones **and shall include all parcels accessed from the identified roads:**

1. Sub-zone 1—Chilkat Lake Road;
2. Sub-zone 2—Chilkat Lake (including last two miles of Chilkat Lake Road);
3. Sub-zone 3 1— Porcupine Road;
4. Sub-zone 4 2— Eagle Vista/Corinna Avenue **Chilkat Lake Road (from the bridge extending 1 mile)**
Sub-zone 3 – Eagle Vista/Corinna Avenue, including Sub-zone 2 above.
Sub-zone 4 – Chilkat Lake Road from the end of Subzone 2 to Chilkat Lake, including Sub-zone 2 above.

Parcels accessed from any of the subzones will be added to the tax rolls as improvements are made. The mil rate will be equal to that assessed to the subzone through which the property is accessed. Subzones 3 and 4 will be included in the assessment for sub-zone 2.

C. Board of Directors.

1. The board of directors for the Historic Dalton Trail road maintenance service area is composed of not less than two and no more than five members ~~designated as follows~~ **appointed by the Mayor and confirmed by the assembly as follows:**

- a. One director representing **from within** Sub-zone 1;
- b. One director representing **from within** Sub-zone 2;
- c. One director representing **from within** Sub-zone 3;
- d. One director representing **from within** Sub-zone 4;
- e. One director-at-large **from within the service area.**

2. Each term shall be for three years, but the first members shall draw lots for one-, two-, and three-year terms as necessary to accomplish staggered terms. All appointments shall be made in accordance with HBC 7.04.080 **except that the definition of "from within the service area" shall include residents, property owners, or a designee of a commercial user of the subzone who shares the financial burden of the Road Maintenance Service Area.**

3. The board shall serve to make recommendations to the assembly concerning services in the service area as permitted by statute.

D. Commercial Use. The service area board shall **may** develop a fee schedule for commercial users, **subject to assembly adoption.** These funds shall be used for capital improvements, **maintenance** and repairs. **For Sub-zone 1 – Porcupine Road- the historical practice of payments in lieu of taxes by industrial and commercial users may continue at the discretion of the borough assembly and service area board.**

Section 5. Amendment of Figure 7-1. Figure 7-1 appended to Haines Borough Code 7.08 is amended, as follows:

FIGURE 7-1. As updated.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____ DAY OF _____, 2019.

ATTEST:

Janice Hill, Mayor

Date of Introduction: 09/24/19
Date of First Public Hearing:
Date of Second Public Hearing:

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Alekka Fullerton, CMC, Borough Clerk

Date of Introduction: 09/24/19
Date of First Public Hearing:
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