

# KETCHIKAN CHARTER COMMISSION

## AGENDA STATEMENT

NO   G-4  

MEETING OF March 26, 2004

ITEM TITLE Review and approval of the Article XIV, Local Improvement & Service Districts, of the DRAFT Ketchikan 2004 Charter in the second reading SUBMITTED BY John Harrington
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### SUMMARY STATEMENT

At the regular Charter Commission meeting of March 19, 2004, the Commission reviewed Article XIV, Local Improvement & Service Districts, of the Ketchikan 2001 Charter document and alternatives from Sitka, Juneau and Haines.

There were no changes to this Article at that meeting.

### RECOMMENDED ACTION:

"I move to approve Article XIV, Local Improvement & Service Districts, of the Ketchikan 2004 DRAFT Charter in the second reading of three."

## **ARTICLE XIV LOCAL IMPROVEMENT AND SERVICE DISTRICTS**

### **Section 14.01 Purpose.**

Subject to this Charter's limitations on the exercise of areawide and service area powers, the municipality shall have the power to make public improvements, including local improvements and to provide local services, within the municipality.

To the extent otherwise permitted by this Charter and other law, the cost of a public improvement and local services may be paid wholly by the municipality, or partly by the municipality and partly by benefitted property, or wholly by benefitted property, as the Assembly may determine. Said cost or part thereof to be borne by benefitted property may be assessed by special assessment upon the benefitted property.

### **Section 14.02 Local Improvement Procedure.**

The Assembly may begin procedures for local improvements either on its own initiative or upon receipt of a petition. Procedures for local services may begin only upon petition of the owners of a majority of the property which will be assessed for the local service. The Assembly shall prescribe, by ordinance, special assessment procedures, including re-assessment procedures, for local improvements and local services and for agreements for furnishing local services, capital improvements, and the extension thereof in lieu of assessment.

### **Section 14.03 Lien for Special Assessments.**

The municipality shall have a first lien upon all real property against which special assessments are assessed, for the special assessments and any collection charges, penalties, and interest which may accumulate thereto; and the lien shall be of the same character, effect, and duration, and shall be enforceable in the same manner, as the lien for municipal taxes.

### **Section 14.04 All Real Property Liable for Special Assessments.**

All real property, including such as is exempt from taxation in accordance with law, shall be liable for the cost of local improvements and local services assessed in accordance with this article unless specifically exempted from special assessments by law. If municipality property is benefitted by the local improvement or local services, the Assembly may make payments in lieu of the amount which would otherwise be assessed against the property.