

CODE ORDINANCE

Sponsored by: Borough Manager
Introduced: 09/26/23
Public Hearing: 10/03/23
Adopted: 10/03/23

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 23-091**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 11.10 UNAUTHORIZED ENCROACHMENTS IN ORDER TO REDUCE MAILING COSTS.

WHEREAS the intent and rationale are described in the accompanying Informational Memorandum No. 23-205.

BE IT ENACTED:

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

Section 2. Amendment of section. MSB 11.10.030 (B) is hereby amended as follows:

(B) At the borough's option, the borough may require a person causing the encroachment or the owner of the underlying property upon which the encroachment lies to remove the unauthorized encroachment. The removal of the encroachment shall be done at the expense of the underlying property owner or the person causing the encroachment. Notice shall be given to the underlying property owner or the person causing the encroachment, that the encroachment must be removed at the expense of the underlying property owner or the person causing the encroachment. Notice shall consist of

a written letter, sent by [CERTIFIED] first class mail[, RETURN RECEIPT REQUESTED,] or personally delivered, explaining the violation and stating the time period in which the encroachment must be removed. If the person receiving notice does not remove the encroachment, the borough may remove the encroachment and the person receiving notice shall be liable to the borough for all costs incurred in removing the encroachment and attempting to have the encroachment removed.

Section 3. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this 3 day of October, 2023.


EDNA DeVRIES, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)



PASSED UNANIMOUSLY: Hale, Yundt, Tew, Fonov, and Bernier