

CODE ORDINANCE

By: Borough Manager
Introduced: 11/19/19
Public Hearing: 12/03/19
Adopted: 12/03/19

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 19-040**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING
AND UPDATING TITLE 23 REAL PROPERTY.

WHEREAS, the Assembly adopted Ordinance Serial No. 16-100 updating and amending Title 23, Real Property, to align with amendments to the Land and Resource Management Division Policy and Procedures Manual adopted by accompanying Resolution Serial No. 16-068; and

WHEREAS, the two amendments to Title 23 made herein are housekeeping measures to clarify and align with current adopted practices in order to better serve the public; and

WHEREAS, a definition of "Roving Vendor" is being included as part of an effort to support the amendments to the Policy and Procedures Manual to address vendors, such as food trucks, on Borough land.

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 23.05.030(G) is hereby amended as follows:

(G) A best interest finding, approved by the Assembly, shall be completed when disposing of, exchanging, or otherwise conveying an interest in real property at less than fair market value or waiving of permit fees unless the waiving of permit fees is permitted by this title.

(1) Applications for use of Borough-owned property that will not generate a profit, and are in the public's interest may qualify for the Land and Resources Management application fee to be waived. The Borough Manager may delegate authority to waive the application fees required under this title to the Community Development Director.

Section 3. Amendment of Section. MSB 23.05.060(B) is hereby amended as follows:

(B) The Manager may, within guidelines approved by Assembly resolution, waive fees under this title if found to be in the best interest of the borough. [SUCH A FINDING SHALL BE FORWARDED TO THE ASSEMBLY FOR THEIR INFORMATION.]

Section 4. Amendment of Section. MSB 23.05.150(A) is hereby amended as follows:


"Roving Vendor" means a person who offers food, goods or services to the public, with or without the use of a motor vehicle, from one or more locations on public property or from no fixed location at all.

Section 5. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this 3 day of December, 2019.


VERN HALTER, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk
(SEAL)

PASSED UNANIMOUSLY: Hale, Nowers, McKee, Leonard, Mayfield, Sumner, and Boeve