

CODE ORDINANCE

Sponsored by: Borough Manager
Introduced: 10/17/17
Public Hearing: 11/07/17
Adopted: 11/07/17

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 17-130**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 15.39, BOARD OF ADJUSTMENT AND APPEALS, BY ADOPTING MSB 15.39.205, WITHDRAWAL OF APPEAL BY APPELLANT; JOINT STIPULATION FOR DISMISSAL OF APPEAL.

WHEREAS, the rationale and intent of the legislation is outlined in the accompanying Informational Memorandum.

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. Adoption of section. MSB 15.39.205, WITHDRAWAL OF APPEAL BY APPELLANT; JOINT STIPULATION FOR DISMISSAL OF APPEAL, is hereby adopted as follows:

(A) If a motion for withdrawal of an appeal is filed by the appellant or a joint stipulation for dismissal of an appeal is filed by the parties, the chairperson may rule on those requests by granting a withdrawal or dismissal, without calling a BOAA meeting.


(B) A withdrawal of an appeal or the filing of a joint stipulation for dismissal, does not constitute the appellant prevailing in their appeal.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this 7 day of November, 2017.


VERN HALTER, Borough Mayor

ATTEST:


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

PASSED UNANIMOUSLY: Sykes, Beck, McKee, Leonard, Mayfield, Doty, and Kowalke