



**CITY OF KOTZEBUE, ALASKA
ORDINANCE NO. 24-05**

ENTITLED: “A NON-CODE ORDINANCE PURSUANT TO KOTZEBUE MUNICIPAL CODE (“KMC”) 15.04.100 REQUIRING THE OWNER OF HOUSE NO. 671 LOCATED AT LOT 16, BLOCK 6, USS 2645, KOTZEBUE TOWNSITE AT HIS OWN EXPENSE TO DEMOLISH OR REMOVE THE STRUCTURE HE OWNS.”

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF KOTZEBUE, ALASKA:

Section 1. This is a Non-Code Ordinance pursuant to KMC 15.04.100 which provides:

**15.04.100 Board of adjustment findings—
Ordinance—Compliance.**

The board, after the public hearing, shall adopt an ordinance containing its findings. If removal or demolition of the structure is provided for and ordered, the owner, tenant or person in possession or control of the property shall have at least thirty days from the date of such public hearing so to do; if repairs, alterations or reconstruction is permitted by the board, the work may be done within such time and under such terms and conditions as the board may specify.

(Prior code § 10.05.060).

Section 2. The City Council held a public hearing on this matter on August 1, 2024 after NOTICE (with attachments) was duly given to Dickie Curtis by USPS First Class Mail, posting NOTICE (with attachments) on his House No. 671 and hand-delivering the NOTICE (with attachments) to him personally at his home. However, Mr. Curtis did not appear at this public hearing. Nevertheless, the City Council heard from City Staff regarding this matter.

Section 3. The City Council after hearing from City Staff and after reviewing the extensive packet of materials present to the City Council found the following:

1. House No. 671 has refused to pay for water, sewer and garbage service;
2. as a result of no water, no sewer service and no garbage service, Mr. Curtis chooses to

dispose of his garbage and human waste by simply throwing plastic bags full of such out his backdoor, where the bags rupture and garbage and human waste flowing into adjoining properties aggravated by rainfall and flooding in the area;

3. these conditions have gone on for years completely and totally unabated by Mr. Curtis;
4. over the past two years, the City has issued numerous abatement letters and issued numerous citations to Mr. Curtis to no avail, he simply ignores all such notices and citations and has paid none of the citations;
5. in the past several years three people have died in this home from drug overdoses and/or alcohol abuse;
6. in the past several years the City of Kotzebue Fire Department/EMS and Police Department have responded over two dozen times for calls for service at House No. 671;
7. as a result of these extensive calls for service, the City Departments have found the interior of the home to be covered in human waste and other unknown substances and full of garbage;
8. the home is heated by burning wood in a wood stove that is completely unsafe and unsuitable for that use and presents a very real and present damage of a fire in the home which would totally destroy that structure and endanger adjoining properties;
9. the City of Kotzebue's Public Works Department in the past year has cleaned up the exterior of the property and hauled many cubic yards of garbage and human waste off the property, but to no avail because Mr. Curtis simply resumes his disposal habits noted above;
10. the City of Kotzebue has even spread lime on his property in an effort to mitigate the human waste contamination but to no avail because of his continuing disposal habits;
11. Mr. Curtis has been personally billed for these services, but has refused to pay any of the bills for such services;

12. the City of Kotzebue with the resources and staff available can no longer afford to try to mitigate this serious health and safety at House No. 671; and,
13. this situation must be abated by the demolition or removal of House No. 671 from the property owned by Mr. Curtis as soon as possible.

Section 4. This Non-Code Ordinance will be introduced on Thursday, September 5, 2024, at the RCCM on that date. A Public hearing on this Non-Code Ordinance will be held on Thursday, September 19, 2024 at the RCCM on that date.

Section 5. If this Ordinance passes on September 19, 2024, Mr. Curtis, owner of House No. 671, will be given thirty (30) days from that date to demolish or remove the structure from his property. If he fails to do so, the City of Kotzebue will be forced to take steps to evict Mr. Curtis, condemn the property and handle the demolition at the owner's expense.

Section 6. All fees and costs for dealing with this property to date and in the future will be billed to Mr. Curtis and collection efforts pursued if he does not pay these duly incurred expenses pursuant to KMC 15.04.110.

ENACTED this 19th day of September, 2024.

CITY OF KOTZEBUE

Saima Chase, Mayor

[SEAL]

ATTEST:

Paeton Schaeffer, City Clerk

ATTESTATION: I, Paeton Schaeffer, City Clerk of Kotzebue, hereby attest that the above Code Ordinance, No. 24-05 was duly presented to the Kotzebue City Council, duly published and that a valid public hearing was held and that it was duly enacted on September 19, 2024.

Introduction: September 5, 2024
Published/Posted: August 30, 2024
Republished/Reposted: September 13, 2024
Public Hearing: September 19, 2024
Passage: September 19, 2024