



**CITY OF KOTZEBUE, ALASKA
ORDINANCE NO. 25-03**

ENTITLED: “A CODE ORDINANCE ADDING NEW SECTIONS TO THE KOTZEBUE MUNICIPAL CODE (“KMC”) TITLE 13, CHAPTER 13.04, WATER AND SEWER UTILITY, A NEW SECTION 13.04.350, ENTITLED ‘*LIENS FOR PAST DUE UTILITY BILLINGS*’ AND KOTZEBUE MUNICIPAL CODE (“KMC”) CHAPTER 8.04, REFUSE COLLECTION, A NEW SECTION 8.04.310, ENTITLED ‘*LIENS FOR PAST DUE UTILITY BILLINGS*’ AS SET FORTH HEREIN.”

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

Section 1. This is a Code Ordinance pursuant to KMC 1.12.010 and KMC 1.12.040.

Section 2. The Alaska Legislature has amended Alaska Statute 29.35.010(17) to provide for utility liens by municipalities, to wit in pertinent part: “***General Powers***, *All municipalities have the following general powers, subject to other provisions of law...to provide by ordinance for the creation, recording, and notice of lien on real or personal property to secure payment of past due utility fees...*”

Section 3. The collection of past due utility billings is a priority for the City of Kotzebue and is appropriate and necessary for those utility ratepayers who stay current on their obligations.

Section 4. The new section **KMC 13.04.350, Liens for Past Due Utility Billings**, enacted by this Ordinance 25-03 shall be entitled and reads as follows:

*13.04.350 – Liens for past due utility billings.
Pursuant to Alaska Statute 29.35.010(17) and any subsequent amendments thereto or any successor statute(s) related thereto, the City of Kotzebue hereby creates a lien for past due utility billings on real or personal property to secure payment of past due utility fees which may be recorded after notice of such has been duly given.
(Ord. 25-03 § 4, 2025).*

Section 5. The new section KMC 8.04.310, **Liens for Past Due Utility Billings**, enacted by this Ordinance 25-__ shall be entitled and reads as follows:

*8.04.310 – Liens for past due utility billings.
Pursuant to Alaska Statute 29.35.010(17) and any subsequent amendments thereto or any successor statute(s) related thereto, the City of Kotzebue hereby creates a lien for past due utility billings on real or personal property to secure payment of past due utility fees which may be recorded after notice of such has been duly given.
(Ord. 25-03 § 5, 2025).*

Section 6. These new sections KMC 13.04.350 and 8.04.310 shall become effective immediately upon passage of this Ordinance 25-03 pursuant to 1.12.030(B).

ENACTED this 5th day of June 2025.

CITY OF KOTZEBUE

Derek Haviland-Lie Mayor

[SEAL]

ATTEST:

Lorraine Hunnicutt Acting City Clerk

ATTESTATION: I, Lorraine Hunnicutt, Acting City Clerk of Kotzebue, hereby attest that the above Code Ordinance, No. 25-03 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 June 5, 2025.

Introduction: April 17, 2025
Published/Posted: April 11, 2025
Republished/Reposted: May 9, 2025
1st Public Hearing: May 15, 2025
Republished/Reposted: May 30, 2025
2nd Public Hearing: June 5, 2025
Passage: June 5, 2025