

**PETERSBURG BOROUGH
ORDINANCE #2024-22**

**AN ORDINANCE OF THE PETERSBURG BOROUGH CLARIFYING THAT PROPERTY
OBTAINED BY FORECLOSURE AND WHICH THE ASSEMBLY DETERMINES TO
SELL IS EXEMPT FROM SALE PROCEDURES AND REQUIREMENTS OF
PETERSBURG MUNICIPAL CODE CHAPTERS 16.12 AND 16.16**

WHEREAS, when the Borough Assembly forecloses on property, the Assembly first determines by ordinance whether to retain the parcel for a public purpose; and

WHEREAS, if the Assembly determines that the parcel of property shall be sold, they then determine by resolution the method of sale; and

WHEREAS; the minimum bid for the property has historically been set at assessed value plus miscellaneous expenses; and

WHEREAS; the proceeds from the sale of property will first be used to pay off the property taxes owed, with any remaining proceeds going to the prior property owner.

THEREFORE, THE PETERSBURG BOROUGH ORDAINS, Section 4.24.460, *Disposition and sale of foreclosed property*, of the Petersburg Municipal Code, is hereby amended as follows:

Section 1. Classification: This ordinance is of a permanent nature and shall be codified in the Petersburg Municipal Code.

Section 2. Purpose: The purpose of this ordinance is to add a section that clarifies that foreclosed property determined to be sold by the Borough does not need to follow the sale procedures of Chapters 16.12 and 16.16 of the Petersburg Municipal Code.

Section 3. Substantive Provisions: Section 4.24.460, *Disposition and sale of foreclosed property*, of the Petersburg Municipal Code is hereby amended as follows. The language proposed for addition is underlined and in red.

4.24.460 Disposition and sale of foreclosed property.

A. The assembly shall determine by ordinance whether foreclosed property deeded to the borough shall be retained for a public purpose or sold. The ordinance shall contain the information required by state law. The finance director shall provide notice of the assembly's determination to the former record owner of the property in accordance with state law.

B. The procedures and requirements of Chapters 16.12 and 16.16 of this Code shall not apply to the disposal and sale of property that was obtained by the Borough under the provisions of this Chapter.

Section 4. Severability: If any provisions of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Section 5. Effective Date: This Ordinance shall become effective immediately upon final passage.

PASSED AND APPROVED by the Petersburg Borough Assembly, Petersburg, Alaska, this _____ day of _____, 2024.

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Noticed:
Effective: