

PETERSBURG BOROUGH

ORDINANCE #2026-18

AN ORDINANCE AMENDING CHAPTERS 4.13, 4.16, 4.20, 4.27, AND 14.18 OF THE FORMER CITY OF PETERSBURG CODE TO ACCOUNT FOR BOROUGH FORMATION

Whereas, on January 3, 2013, the Election Division for the State of Alaska certified the election results of the December 18, 2012 incorporation election for the Petersburg Borough; and

Whereas, the certified election confirmed the incorporation of the Petersburg Borough and dissolved the City of Petersburg; and

Whereas, Petersburg Borough Charter, Section 19.06 requires all ordinances, resolutions, regulations, orders and rules in effect for the former City of Petersburg to continue in full force and effect within the Petersburg Borough, Service Area 1, until expressly reaffirmed, revised or repealed by the Assembly; and

Whereas, Chapters 4.13 (*Local Improvements by Private Contractor*), 4.16 (*Street Extensions by City*), and 4.20 (*Utility Extension by City*) are outdated or their contents are addressed in the updated version of Chapter 14.18, and thus they can be deleted in their entirety; and

Whereas, Chapters 4.27 (*Road Use Fees*) and 14.18 (*Municipal Utility Extensions*) of the former City of Petersburg Code, require changes in order to move them into the current municipal code.

Therefore, the Petersburg Borough Ordains, Chapters 4.13 (*Local Improvements by Private Contractor*), 4.16 (*Street Extensions by City*), 4.20 (*Utility Extension by City*), 4.27 (*Road Use Fees*) and 14.18 (*Municipal Utility Extensions*) of the Petersburg Municipal Code are hereby amended, as follows:

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

Section 2. Purpose: The purpose of this ordinance is to update the language to the municipal code to consolidate water, sewer, and electric utility extensions in one chapter, and to update road use fees regarding Cabin Creek Road, which have not been updated since 1999.

Section 3. Substantive Provisions:

A. **Amendment.** Chapter 4.13, *Local Improvements by Private Contractor*, of the Petersburg Municipal Code is hereby deleted in its entirety:

~~**Chapter 4.13 LOCAL IMPROVEMENTS BY PRIVATE CONTRACTOR**~~

~~**4.13.010 Contract with landowners.**~~

~~The owner or owners of land adjacent to a city owned right of way may contract with a private contractor for the construction of streets, water and/or sewer in the right of way.~~

~~**4.13.020 Dedicated street.**~~

~~The proposed street must have been dedicated as a city owned right of way from a plat approved by the city council of the city of Petersburg.~~

~~**4.13.030 Submission of plans.**~~

~~Engineering plans for the project shall be submitted to the city public works superintendent. The public works superintendent shall review the plans, and within thirty days, approve or disapprove of the plans. Upon approval by the public works superintendent, the engineering plans shall be submitted to the Department of Environmental Conservation in accordance with Alaska State Statute 46.03.070 and~~

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comply with the regulations set forth therein and with Sections 72.060 and 80.100 of Title 18 of the Alaska Administrative Code.

4.13.040 Valid contractor's license required.

~~The contractor for the project will hold a valid contractor's license for the state of Alaska and all appropriate permits and licenses necessary for contractual construction in the state of Alaska.~~

4.13.050 Contractual agreement.

~~The contractual agreement between the property owner(s) and the contractor is expressly between those parties and does not involve the city in any way except for the following stipulations:~~

~~A. — A bond for ten percent of the total project cost must be posted with the city to guarantee timely and satisfactory completion of the project.~~

~~B. — The city council shall specify the date for completion of the project.~~

~~C. — The public works superintendent shall inform the contractor of the specifications of installation of water and sewer lines and construction of streets which are acceptable to the city.~~

~~D. — The contractor will pay the city for the services of a city inspector who will be at the job site at the direction and discretion of the superintendent of public works. The fee/salary of the inspector shall be set by the superintendent of public works.~~

4.13.060 Bond and fines.

~~The ten percent bond will be refunded to the contractor upon satisfactory and timely completion of the project. The city will have the right to impose a five percent of the contract, per day, fine for each day of incompletion after the date set for completion. The contractor will have the right to apply for additional contract days due to weather, unavailability of materials or machinery breakdown.~~

4.13.070 Nonliability of city.

~~The city cannot be held responsible for nonpayment or failure of either party (owner(s) or contractor) of the contract.~~

4.13.080 City designated owner of street, water and sewer installation.

~~Upon successful completion of the street, water and/or sewer project, and within the specifications of the construction of same, the city will accept the street, water and/or sewer installation as owner, and maintain same as otherwise provided in this chapter.]~~

B. Amendment. Chapter 4.16, *Street Extensions by City*, of the Petersburg Municipal Code is hereby deleted in its entirety:

[Chapter 4.16 STREET EXTENSIONS BY CITY

4.16.010 Applicability.

~~Provisions of this chapter shall apply to construction of streets by the city in those areas where the city owns all of the adjacent property, and the streets are being extended in the course of the city's comprehensive growth and development program, undertaken unilaterally by the city. "Streets" may include curb and sidewalk.~~

~~4.16.020 Intent.~~

~~It is the intent of this chapter to establish incremental improvement valuation for prospective sale purposes on the properties receiving the benefit from the extension.~~

~~4.16.030 Calculation of assessment.~~

~~A rate per foot will be determined by taking the as-built cost of the street extension and dividing it by the total front footage of all the adjacent properties on both sides of the street extension. This rate per foot will then be used to determine the assessment to each property by multiplying the rate per foot by the front footage of each property.~~

~~4.16.040 Treatment of adjacent properties.~~

~~The city shall apply the adjacent property rule to city extensions as is expressed in Section 4.12.130 by following the same procedures.~~

~~4.16.050 Reference to utility extension provisions.~~

~~See also Chapter 4.20 of the city code, which deals with the extension of sewer and water during the course of the city's comprehensive growth and development program, and the assessments resulting therefrom.]~~

C. Amendment. Chapter 4.20, *Utility Extensions by City*, of the Petersburg Municipal Code is hereby deleted in its entirety:

~~[Chapter 4.20 UTILITY EXTENSIONS BY CITY~~

~~4.20.010 Applicability.~~

~~Provisions of this chapter shall apply to the extension of water and/or sewer services by the city in those areas where the city owns all of the adjacent property and the utilities are being extended in the course of the city's comprehensive growth and development program, undertaken unilaterally by the city. The provisions of this chapter shall supersede the terms of any agreements between the city and other parties which may have been entered into pursuant to Resolution No. 584 R, adopted May 17, 1976. This chapter may apply to other utilities in addition to water and sewer.~~

~~4.20.020 Intent.~~

~~It is the intent of this chapter to establish incremental improvement valuation for prospective sale purposes on the properties receiving the benefit from the extension.~~

~~4.20.030 Calculation of assessment.~~

~~A rate per foot will be determined by taking the as-built cost of the utility extension and dividing it by the applicable front footage of all properties adjacent to and receiving benefit from the utility extension. This rate per foot will then be used to determine the assessment of each property by multiplying the rate per foot by the applicable front footage of each property.~~

~~4.20.040 Determination of applicable front footage.~~

~~A. — Properties bordered on more than one side with streets where utilities are being extended shall have included in the calculation of the rate per foot cost only one side, which side shall be the longest side of the property bordering the extension; this side of the property shall be considered the applicable front footage of the subject property.~~

B. ~~The front footage of properties having only one side adjacent to a utility extension shall have that front footage considered as the applicable front footage for purposes of assessment basis.~~

4.20.050 Reference to street extension provisions.

~~See also Chapter 4.16 of the city code, which deals with the extension of streets during the course of the city's comprehensive growth and development program, and the assessments resulting therefrom.]~~

D. Amendment. Chapter 4.27, *Road Use Fees*, of the Petersburg Municipal Code is hereby amended as follows: The language proposed for addition is underlined and in **bold**, and the language proposed for deletion is in [brackets] and ~~struck through~~:

Chapter 4.27 ROAD USE FEES

4.27.010 Purpose.

The purpose of this chapter is to establish a method of appraising road use, surface rock replacement and road maintenance fees to resource recovery activities using the Cabin Creek Road.

4.27.020 Definitions.

"Cabin Creek Road" means the road which originates at the intersection of Reservoir Road and Sound Drive and terminates at 6.1 mile, a route of approximately 6.1 mile. Sound Drive, being the first 2.7 miles of the Cabin Creek Road, is subject to surface rock replacement.

"Resource ~~[recovery]~~ **extraction** activities" means the commercial **extraction**, recovery, or removal of any natural resource which is then transported on the Cabin Creek Road.

"Road maintenance fee" is charged to cover the cost of road maintenance over the entire haul route.

"Road use fee" is a charge for the use of the road based on the percentage of the current replacement value of the road cost. The road use fee is assessed when a single timber sale exceeds one million board feet or if resource extraction exceeds 16.5 million pounds annually.

"Surface rock replacement fee" is a fee charged for use of that portion of a road which has a surface rock overlay.

"Timber removal activities" mean the commercial removal of any timber which is then transported on Cabin Creek Road.

4.27.030 Fees for timber removal activities.

A. The road use fee shall be calculated at the rate of ~~[one dollar and twenty cents]~~ **two dollars and fifty cents** for each thousand board feet per mile traveled.

B. The surface rock replacement fee shall be calculated at the rate of ~~[sixty-eight cents]~~ **two dollars and fifty cents** for each thousand board feet per mile traveled.

C. The road maintenance fee shall be calculated and assessed at the rate of ~~[forty-nine cents]~~ **two dollars** for each thousand board feet per mile traveled.

4.27.040 Fees for resource ~~[removal]~~ **extraction** activities (non-timber).

A. The road use fee shall be calculated at the rate of ~~[one dollar and twenty cents]~~ **two dollars and fifty cents** for each sixteen thousand five hundred pounds (gross vehicle weight) per mile traveled.

B. The surface rock replacement fee shall be calculated at the rate of ~~[sixty-eight cents]~~ **two dollars and fifty cents** for each sixteen thousand five hundred pounds (gross vehicle weight) per mile traveled.

C. The road maintenance fee shall be calculated and assessed at the rate of ~~[forty-nine cents]~~ **two dollars** for each sixteen thousand five hundred pounds (gross vehicle weight) per mile traveled.

4.27.050 Payment of fees.

Payment of fees shall be made by prior arrangement with the public works director.

E. Amendment. Chapter 14.18, *Municipal Utility Extensions*, of the Petersburg Municipal Code is hereby deleted in its entirety and replaced with the following:

CHAPTER 14.18 – MUNICIPAL UTILITY EXTENSIONS

14.18.005 Applicability.

A. This chapter applies on an areawide basis to:

1. extension of the municipal water distribution mains and sewer collection mains, and associated water and sewer service lines to each lot, to a previously unserved area or subdivision;

2. extension of a municipal primary electrical distribution feeder (greater than 600 volts) from existing infrastructure to an unserved area or lot meeting one or more of the following criteria:

a. primary extension to a singular property and meter;

b. upgrades from an existing secondary service to a primary service for a singular property and meter; or

c. a primary backbone extension to multiple properties and meter locations; and

3. secondary electrical service extensions (less than 600 volts) over one hundred feet to provide service to a single meter location, within or outside of established service areas.

B. Individual installations of new services from existing water and sewer mains to property lines along Borough-owned rights-of-way are codified in Sections 14.04.220 (Water) and 14.08.220 (Sewer). Individual installations of secondary electrical service extensions (less than 600 volts) 100 feet or less are codified at Sections 14.16.260 (above ground) and 14.16.550 (underground). Underground electrical installations within a trailer court or subdivision are codified in Chapter 14.16.540 (Electric).

C. An extension of a utility is subject to the Service Area provisions of Section 14.02(A)(4) of the Borough Charter or, in the case of a Local Improvement District (LID), Article 16 of the Charter.

D. If the extended water, sewer, or electrical utility is not located in a service area providing street maintenance, performance of on-going utility maintenance is subject to adequate and safe street access being provided by those who requested the extension. Without such access, the Borough may, at its sole discretion, discontinue utility maintenance until such time as adequate and safe access is restored by the responsible parties. The Borough may discontinue utility service in the event that continuation of service presents a health or safety hazard.

14.18.010 Standard requirements for all extensions.

A. Any property owner(s) or applicant desiring an extension of a municipal utility service shall apply to the department head in charge of the utility. Applications for all water and sewer main extensions and primary electric backbone extensions to major subdivisions involving 5 or more lots shall include engineered plans of the utility extension, approved and stamped by an Alaska-licensed professional engineer having demonstrated experience in design of the utility in question, and meeting all applicable standard specifications of the Borough. All costs associated with utility extension work covered in this chapter are the responsibility of the property owner(s) and/or applicant.

B. Applicants for water and sewer extensions shall file an application with Alaska Department of Environmental Conservation (ADEC) to construct and operate the improvements and adhere to all conditions and requirements of the State of Alaska. ADEC Approval to Construct must be granted prior to construction. ADEC Approval to Operate, both Interim and Final, must be obtained within 90 days of project completion.

C. Municipal utility extensions shall only be made along and over lands on which the Borough has a legal right to construct, maintain and operate municipal utilities and related facilities. All costs associated with obtaining easements and rights-of-way necessary for utility extension shall be a part of the project costs and shall be paid by the property owner(s) and/or applicant. It is the applicant's responsibility to provide suitable cleared easements, rights-of-way and access streets meeting minimum Borough standards for utility construction. Streets, easements and rights-of-way will not be maintained by the Borough unless located within a service area providing street maintenance, the streets were built to Borough standard specifications, and dedicated and accepted for public use by the Borough Assembly. Streets, easements and rights-of-way not dedicated and accepted for public use by the Assembly are the responsibility of the property owner(s) to maintain. The Borough reserves the right to refuse maintenance, and discontinue service, of any utility if the street access does not meet minimum requirements to perform work safely.

D. Extensions to be constructed by the Borough shall be made at the convenience of the Borough departments in charge of each municipal utility and only after approval of proper design and feasibility by the Borough, or the Borough's appointed representative.

E. Ownership of all utility extensions shall be transferred to the Borough and shall become and remain the property of the Borough only when the following requirements are met:

1. A utility extension has been built per all applicable borough standard specifications and inspected and approved in writing by the Borough, or the Borough's appointed representative;
2. The property owner(s) or applicant demonstrates full payment of all extension project costs;
3. A complete set of as-built plans, with valid Professional Engineer stamp of the Engineer of Record, for water and sewer extensions have been submitted to the Borough;
4. Approvals to Construct and Operate have been received from ADEC and provided to the Borough, if applicable;
5. All provisions of this chapter have been addressed to the Borough's satisfaction, and the owner(s) of the improvements has made a formal request to the Borough, in the form of a signed and notarized letter;
6. Upon final approval of the work, in the case of electrical extensions that are installed by the Borough or a licensed contractor over and along legal easements or rights-of-way and fully paid by the applicant; and
7. Upon final plat approval by the Platting Board, for a new subdivision, or, in the case of a water or sewer utility extension to an existing subdivision or unsubdivided area, upon adoption of a resolution by the Borough Assembly approving and accepting the extension as borough-owned infrastructure.

F. In the event that the Borough is required to perform maintenance or repair on utility extensions that have not been excepted under paragraph E above, all expenses and costs for such maintenance and repair work shall be borne by the owner(s) or applicant and immediately due and payable.

G. A property owner(s) and/or applicant may contract with a licensed contractor to install municipal water, sewer or electric utility extensions; have the Borough install the water, sewer or electric extension, or the Borough may contract with a licensed contractor to install a specific utility

extension. In all installations, the utility extension shall be inspected by the Borough, or a Borough representative, to ensure compliance with all applicable codes, regulations, standards, specifications and policies. The utility extension shall not be opened or energized without payment of all applicable fees or costs and written approval from the department head of the utility being extended.

H. If, due to lack of adequate and safe street access, it is not feasible for the Borough to continue to maintain a utility, the Borough may elect, at its discretion, to terminate said maintenance until such time as adequate and safe access is restored by the responsible parties. The Borough may discontinue utility service in the event that continuation of service presents a health or safety hazard.

14.18.020 Borough installation of utility extensions – electric, water and sewer.

A. In the event the Borough is to install a utility extension hereunder, the applicable Borough department shall provide a written cost estimate of the extension. The estimate shall include all costs including but not limited to easement and right-of-way acquisition, surveying, design, engineering, administrative costs, materials, labor and equipment. The written cost estimate shall be sent to the property owner(s) or applicant and shall remain valid for a period of thirty days from the date of submission. The validity of the cost estimate may be extended beyond thirty days by mutual written agreement between the Borough and the property owner(s) or applicant.

B. Upon the acceptance of the cost estimate by the owner(s) or applicant and final approval of engineered plans, if required, the parties shall enter into a written agreement. The terms of the agreement shall include an estimated completion date, a cost estimate of the utility extension, a clear commitment by the owner(s) or applicant to pay, in full and in advance, all costs and expenses of the extension and dedicate the improvements to the Borough, and such other provisions as may be required and deemed necessary. Any deviation from previously approved engineered plans shall require a written change order signed by all parties.

C. Full payment for the actual costs and expenses of a utility extension is the property owner(s) or applicant's responsibility. Prior to the start of construction, the owner(s) or applicant shall deposit with the Borough the full estimated cost of the project as described in paragraph A of this Section. The Borough shall deposit the funds in the appropriate enterprise fund during construction and maintain an accounting of all actual project costs. At completion, all costs will be totaled and compared to the deposited amount. If the cost of the project is less than the deposit, the Borough shall return the excess deposit to the owner(s) or applicant. If the deposit falls short of actual costs, the owner(s) or applicant is required to pay the remaining balance of actual costs.

14.18.030 Property owner's installation of utility extensions by contractor.

A. The owner(s) of land adjacent to a borough owned and platted easement or right-of-way may contract with a private contractor, licensed in the State of Alaska, for the construction of streets, electric, water, and/or sewer in the easement or right-of-way. The owner(s) shall be responsible for obtaining all appropriate permits for the work and providing copies to the borough prior to any work.

B. The installation shall be inspected and approved by the Borough. The Borough shall provide a written estimate of the project inspection costs and the property owner(s) shall pay in full to the Borough the estimated costs of inspection prior to start of construction. At the completion of the work, and prior to approval, any additional costs over the estimated amount shall be immediately paid by the property owner(s). Any excess from the estimated amount shall be returned to the property owner(s).

C. The owner(s) shall comply with all construction and operational requirements of section 14.18.010 of this chapter.

D. The owner(s) shall post a bond with the borough for ten percent (10%) of the total project cost to guarantee timely and satisfactory completion of the project. The owner(s) must obtain the

consent of the utility department head to the proposed dates for commencement and completion of the portion of the work to be performed within the easement or right-of-way.

E. The bond will be refunded to the owner(s) upon full, satisfactory and timely completion of the project. The borough will have the right to impose a penalty on the owner(s) of up to Two Hundred Dollars (\$200.00) for each calendar day, or partial day, of unexcused delay beyond the scheduled completion date. The owner(s) will have the right to request an extension of the completion date in the event that completion was delayed due to weather, unavailability of materials not caused by the contractor, or machinery breakdown.

F. The borough is not responsible for nonpayment or other failure of either party (owner(s) or contractor) to the contract.

G. Upon successful completion of the project, and within the specifications of the construction of same, the borough will accept the street, electric, water, and/or sewer installation, excepting that the Borough will not accept streets for maintenance unless the project is located within a service area providing street maintenance. Acceptance is not a guarantee of maintenance or any specific level of maintenance, which is subject to Assembly appropriation.

14.18.040 Utility extensions to subdivisions – water, sewer and overhead electric.

A. No municipal utility will be available to an undeveloped subdivision unless and until the developer and the Borough reach written agreement concerning the subdivision's utility infrastructure and street construction.

B. When the developer elects to construct the utilities, it is the responsibility of the developer to provide the municipal utility infrastructure from existing locations to the subdivision and to the edge of each lot within the subdivision prior to sale of any subdivision lots.

C. It is the individual lot owner(s)' responsibility for the utility service from the edge of the lot to the house or other point of service.

D. The developer will not be reimbursed for any infrastructure costs in the event a utility is extended to others beyond the subdivision.

E. Underground electrical extensions to subdivisions or mobile home parks shall adhere to the requirements of chapter 14.16.540.

~~[14.18.005 – Applicability.~~

~~This chapter applies to extension of the municipal water distribution mains and sewer collection lines from existing systems to individual property lines; and extension of the municipal electrical distribution system from existing facilities to a meter location. This chapter also applies to requests for extensions over one hundred feet to provide a municipal utility service to a single location.~~

~~Individual service line installations from existing water and sewer mains to property lines along city owned rights-of-way are codified in Chapter 14.04 (Water) and Chapter 14.08 (Sewer).~~

~~14.18.010 – Standard requirements for all extensions.~~

~~A. Any person desiring an extension of a municipal utility service shall apply to the city building official. Applications for all water and sewer extensions and applications for large commercial electrical extensions shall include engineered plans of the utility extension, approved by a registered engineer.~~

~~B. Municipal utility extensions shall only be made along and over lands on which the city has a legal right to construct, maintain and operate municipal utilities and related facilities. All costs associated with obtaining easements and rights-of-way necessary for utility extension shall be a part of the project costs and shall be paid by the property owner. It is the property owner's responsibility to provide suitable cleared easements and rights-of-~~

way for utility construction. The city will maintain utility easements and rights-of-way after construction for the purpose of access to the utilities and for maintenance. Easements and rights-of-way will not be maintained for public use unless accepted and dedicated for public use.

C. Extensions shall be made at the convenience of the city departments in charge of each municipal utility and only after approval of proper design and feasibility by the city, or the city's appointed representative.

D. Ownership of all utility extensions shall be transferred to the city and shall become and remain property of the city only when:

1. A utility extension has been inspected and approved by the city, or the city's appointed representative;
2. A property owner demonstrates full payment of all extension project costs; and
3. Two complete sets of Mylar as-built plans for water and sewer extensions have been submitted to the city.

E. A property owner may contract with a licensed contractor qualified to install specific municipal utility extensions; have the city install the utility extension, or the city may contract with a licensed contractor qualified to install a specific utility extension. In all installations, the utility extension shall be inspected by the city, or city's representative, to insure compliance with all applicable codes, regulations, standards, specifications and policies. The utility extension shall not be opened or energized without written approval from the department head of the utility extended.

14.18.020 – City installation of utility extensions.

A. The city department in charge of a utility to be extended shall provide a written cost estimate of the extension. The estimate shall include all costs including but not limited to easement and right-of-way acquisition, surveying, design, engineering, administrative costs, materials, labor and equipment. The written cost estimate shall be sent to the property owner by certified mail and shall remain valid for a period of thirty days from the date of mailing. The validity of the cost estimate may be extended beyond thirty days by mutual written agreement between the city and the property owner.

B. Upon the property owner's acceptance of the cost estimate, final approval of engineered plans and agreement by the property owner and the city to proceed, both parties shall enter into a written agreement. The terms of the agreement shall include a completion date; a cost estimate of the utility extension and such other provisions as may be required and deemed necessary. Any deviation from previously approved engineered plans shall require a written change order signed by the property owner and the city.

C. Full payment for the actual expense of a utility extension is the property owner's responsibility and must be made prior to opening or energizing an extension. Prior to the start of construction, the property owner shall deposit with the city the full estimated cost of the project as described in subsection A of this section. The city shall hold the deposit until the extension is complete. If there is a balance of deposited funds remaining after the actual cost of the extension, the city shall return the excess deposit to the property owner. If the estimated cost and deposit falls short of actual costs by ten percent or less, the property owner is required to pay the balance of actual cost, less deposit.

14.18.030 – Property owner's installation of utility extensions by contractor.

If a property owner contracts to install a utility extension, the installation shall be inspected and approved by the city and all associated costs for inspection shall be paid in full to the city prior to the start of utility construction. The city shall provide a written estimate of the project inspection costs and the property owner shall pay in full to the city the estimated costs of inspection. Any additional costs over the estimated amount shall be billed to the property owner and any excess from the estimated amount shall be returned to the property owner.

14.18.040 – Cost participation in extensions.

It is city policy to encourage property owners along the route of a utility extension to participate in the cost of the project. To that end, the city shall:

- ~~A. Protect the original property owner's share of construction costs for up to five years from the date of completion in the event the amount paid to the city exceeds three thousand five hundred dollars and others connect to the line;~~
- ~~B. Provide for a refund of that portion of the cost that is in excess of two thousand five hundred dollars when new customers take service from the same extension. For each of the next three new customers taking service from the same basic extension, the original customer will receive a refund of twenty-five percent of the original cost over two thousand five hundred dollars. The city will collect the sums from the new customers and refund the sums to the original customer. Refunds will be made only to the original customer and are not transferable.~~

~~14.18.050—Hardship.~~

~~It is not the intent of the city to place an undue financial hardship on property owners affected by a utility extension. Affected property owners may apply to the city for hardship assistance as provided in Chapter 4.26 of this code.~~

~~14.18.060—Utility extensions to subdivisions.~~

~~No municipal utility will be available to a subdivision until the owner and/or developer and the city reach written agreement concerning the utility's infrastructure. It is the responsibility of a property owner and/or developer to provide the municipal utility infrastructure from existing locations to the subdivision and to the edge of each lot within the subdivision. It is the individual lot owner's responsibility for the utility service from the edge of the lot to the house or other point of service. The owner and/or developer will not be reimbursed for any infrastructure costs in the event a utility is extended to others beyond the subdivision.]~~

Section 4. Severability: If any provision 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; **however, the provisions of former Section 14.18.040, Cost Participation in Extensions, shall continue to apply to an extension completed after August 2, 2021, and prior to the effective date of this ordinance, for a period of five years from the date of completion of the extension.**

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this 17th day of August, 2026.

Robert Lynn, Mayor

ATTEST:

Rebecca Regula, Clerk

Adopted:
Noticed:
Effective: