



CITY OF WASILLA Code Ordinance

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Requested By: Finance Dept.
Prepared By: Municipal
Services

ORDINANCE SERIAL NO. 90-22

AN ORDINANCE OF THE CITY OF WASILLA, ALASKA AMENDING PORTIONS OF THE WASILLA MUNICIPAL CODE ON SPECIAL ASSESSMENT DISTRICTS.

BE IT ORDAINED AND ENACTED BY THE CITY OF WASILLA, ALASKA AS FOLLOWS:

SECTION I. Classification. This ordinance is of a general and permanent nature and shall become a part of the Wasilla Municipal Code.

SECTION II. Purpose. To revise the Wasilla Municipal Code to match Title 29 and establish refund procedures on Gas LID's.

SECTION III. Amendment. Section 2 of Ordinance Serial No. 82-7, Sections 2d - 2e of Ordinance Serial No. 88-11 and Sections 2.60.095(E) and 2.60.130 of the Wasilla Municipal Code are amended to read as follows:

2.60.095 E. [THE COUNCIL SHALL DETERMINE AT OR PRIOR TO THE CONFIRMATION OF THE ASSESSMENT ROLL HOW ANY REFUNDS TO THE CITY FROM THE GAS UTILITY ARISING OUT OF NEW CUSTOMER HOOKUPS ON THE GAS LINE SHALL BE TREATED. IF NO DECISION IS MADE PRIOR TO CONFIRMATION OF THE ASSESSMENT ROLL, SUCH REFUNDS MADE TO THE CITY SHALL BE DEPOSITED IN THE GENERAL FUND OF THE CITY; PROVIDED, SUCH FUNDS MAY BE PLEDGED AS SECURITY FOR OR THE PAYMENT OF BONDS ISSUED TO FINANCE THE IMPROVEMENT WHEN REQUIRED IN THE ORDINANCE OR RESOLUTION AUTHORIZING THE ISSUANCE OF THE BONDS.] Funds generated and received by the City, based upon the tariff provisions of the gas utility and/or the contract of construction (for example, there may be return of monies to the City through the tariff provisions involving free main allowances and/or hook up of costumers outside LID) shall be deposited in the appropriate accounting fund for gas LID's. These funds may be used to make early bond payments or may be transferred to the Guarantee Fund as required. Payments made by the City to the gas utility at or about the time of original construction (refund to as deposits under the Enstar tariff) and thereafter refunded to the City shall be deposited to the appropriate accounting fund. Upon satisfaction of all outstanding bonded indebtedness related to the LID, excess funds may be distributed to then-existing owners of record on a pro rate basis per a schedule prepared by the Finance Director and approved by the Mayor.

2.60.130 Limitations on Suits and Actions. No special assessment procedure shall be contested in any civil action, unless commenced within thirty (30) days after the confirmation of the special assessment roll for the assessment. If no such action be so commenced, the procedure shall be conclusively presumed to have been regular, [AND] complete and valid in all respects.

SECTION IV. Repeal. Section 2.60.090(A) of the Wasilla Municipal Code and Section 9 (A) of Ordinance W78-0-1 are hereby repealed and Sections 2.60.090(B) through (D) are hereby renumbered (A) through (C).


SECTION V. Repeal. Section 2.60.060 of the Wasilla Municipal Code and Section 6 of Ordinance W78-0-1 are hereby repealed.

SECTION VI. Effective Date. This ordinance becomes effective upon adoption by the Wasilla City Council.

Introduction: 08/13/90


Public Hearing: 08/27/90

ADOPTED by the Council of the City of Wasilla on this 10th day of September, 1990.



JOHN C. STEIN, Mayor

ATTEST:



ERLING P. NELSON, CMC
City Clerk

