ANCHORAGE, ALASKA
AO 2006 - 24

AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS RESIDING IN THE
BIRCH TREE/ELMORE LIMITED ROAD SERVICE AREA (LRSA) AT THE REGULAR
MUNICIPAL ELECTION ON APRIL 4, 2006, A BALLOT PROPOSITION TO EXTEND THE
BIRCH TREE/ELMORE LIMITED ROAD SERVICE AREA (LRSA) FOR AN ADDITIONAL
THREE YEARS, AND AMENDING ANCHORAGE MUNICIPAL CODE SECTION
27.30.290 RETROACTIVE TO JANUARY 1, 2006.

WHEREAS, the Birch Tree/Elmore Limited Road Service Area (LRSA) was created by
Anchorage Ordinance 81-117; and

WHEREAS, the Birch Tree/Elmore Limited Road Service Area was not extended in accordance
with Anchorage Municipal Code section 27.30.290 and, as a result, terminated on December 31,
2005; and

WHEREAS, a showing of interest in extending the Birch Tree/Elmore LRSA has been made by
the residents of the LRSA; and

WHEREAS, the Birch Tree/Elmore LRSA Board of Supervisors recommends the extension of the
LRSA for three additional years; now therefore,

THE ANCHORAGE MUNICIPAL ASSEMBLY ORDAINS:

Section 1. Notwithstanding Anchorage Municipal Code section 27.10.015C., section 27.30.290
is amended to read as follows:

Section 27.30.290 Birch Tree/Elmore Limited Road Service Area

A. There is a limited road service area within the municipality known as the Birch
Tree/Elmore Limited Road Service Area to provide limited road maintenance and
repair to the area described on the map located in Section 27.30.700.

B. Limited road maintenance and repair within the service area shall commence on
January 2, 1982, and shall end on June 1, 2006 [DECEMBER 31, 2005], unless
the service area is extended by an affirmative vote in the area affected at the
regular election of April 2006 [2005]. The mill rate for the service area shall not
exceed 1.5 mills in any calendar year.

(AO No. 81-117; AO No. 82-112; AO No. 82-113; AO No. 84-87; AO No. 84-160; AO
No. 86-134, 1-1-87; AO No. 87-48; AO No. 90-59; AO No. 93-15; AO No. 93-48; AO
No. 94-47, § 4, 5-3-94; AO No. 96-1, § 2, 4-30-96; AO 99-33, § 3, 5-4-99; AO No. 2002-
5(S), § 2, 1-29-02)
Section 2. Section 1 of this ordinance shall become effective immediately, retroactive to January 1, 2006. In the event voters within the Birch Tree/Elmore Limited Road Service Area fail to extend the service area after June 1, 2006 and, after all limited road service area financial obligations are paid, including services provided in 2006 prior to termination, any remaining service area taxes collected shall be returned, on a prorated basis, to service area property owners as of the date of the termination of the service area.

Section 3. Pursuant to Anchorage Municipal Charter 9.01(a), a ballot proposition in substantially the following form shall be submitted to the qualified voters residing in the Birch Tree/Elmore LRSA at the regular Municipal election April 4, 2006:

Proposition

APPROVING THE EXTENSION OF THE BIRCH TREE/ELMORE LIMITED ROAD SERVICE AREA FOR THREE ADDITIONAL YEARS.

Shall the Birch Tree/Elmore Limited Road Service Area be extended for three additional years until December 31, 2008?

Yes [ ]  No [ ]

Section 4. Anchorage Municipal Code section 27.30.290 is hereby amended as follows:

Section 27.30.290 Birch Tree/Elmore Limited Road Service Area

A. There is a limited road service area within the municipality known as the Birch Tree/Elmore Limited Road Service Area to provide limited road maintenance and repair to the area described on the map located in Section 27.30.700.

B. Limited road maintenance and repair within the service area shall commence on January 2, 1982, and shall end on December 31, 2008 [JUNE 1, 2006], unless the service area is extended by an affirmative vote in the area affected at the regular election of April 2008 [2006]. The mill rate for the service area shall not exceed 1.5 mills in any calendar year.

(AO No. 81-117; AO No. 82-112; AO No. 82-113; AO No. 84-87; AO No. 84-160; AO No. 86-134, 1-1-87; AO No. 87-48; AO No. 90-59; AO No. 93-15; AO No. 93-48; AO No. 94-47, § 4, 5-3-94; AO No. 96-1, § 2, 4-30-96; AO 99-33, § 3, 5-4-99; AO No. 2002-5(S), § 2, 1-29-02; AO No. 2006- , 2-14-06)

Section 5. Section 4 of this ordinance, and the ballot proposition contained in Section 3 shall become effective upon certification of the regular election on the proposition called for by this ordinance, but only if the proposition is approved by the majority of the qualified voters voting on the proposition.
PASSED AND APPROVED by the Anchorage Assembly this 14th day of

February, 2006.

Chair

ATTEST:

Municipal Clerk

Anna L. Fairclough