

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Municipal Clerk
Reviewed by: Assembly Counsel
For Reading: December 11, 2007

CLERK'S OFFICE

APPROVED

Date:.....1-8-08.....

ANCHORAGE, ALASKA
AO NO. 2007-163

1 AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS RESIDING IN THE
2 BIRCH TREE/ELMORE LIMITED ROAD SERVICE AREA AT THE REGULAR
3 MUNICIPAL ELECTION APRIL 1, 2008, A BALLOT PROPOSITION APPROVING
4 THE CONTINUATION OF THE LIMITED ROAD SERVICE AREA UNTIL
5 ALTERED OR ABOLISHED BY MAJORITY VOTE OF THOSE VOTING WITHIN
6 THE AFFECTED AREA, AND AMENDING ANCHORAGE MUNICIPAL CODE
7 SECTION 27.30.290 ACCORDINGLY.

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9 WHEREAS the Birch Tree/Elmore Road Limited Road Service Area was created by
10 Anchorage Ordinance 81-117; and

11
12 WHEREAS, a showing of interest by persons residing in the limited road service
13 area (LRSA) to continue the LRSA beyond December 31, 2008, has been made to
14 the Municipality; and

15
16 WHEREAS, at every regular election subsequent to its formation and prior to the
17 next termination date, a majority of the qualified voters residing in this LRSA have
18 answered in the affirmative to a ballot proposition to continue its existence for three
19 more years; and

20
21 WHEREAS, conducting an election to avoid terminating a limited road service area
22 every three years is costly and should be made unnecessary when there is no
23 grassroots citizen initiative to alter or abolish the limited road service area; now,
24 therefore,

25
26 THE ANCHORAGE ASSEMBLY ORDAINS:

27
28 **Section 1.** A ballot proposition in substantially the following form shall be
29 submitted to the qualified voters residing in the Birch Tree/Elmore Road Limited
30 Road Service Area at the regular Municipal election on April 1, 2008:

31
32 Proposition _____

33
34 CONTINUATION OF THE
35 BIRCH TREE/ELMORE ROAD LIMITED ROAD SERVICE AREA

36
37 Shall the existence of the Birch Tree/Elmore Road Limited Road
38 Service Area be continued until altered or abolished by an affirmative
39 vote of the majority of qualified voters in the area affected?
40

[] YES

[] NO

Section 2. Anchorage Municipal Code section 27.30.290 is amended to read as follows:

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 continue in existence until altered or abolished [COMMENCE ON JANUARY 2, 1982, AND SHALL END ON DECEMBER 31, 2008, UNLESS THE SERVICE AREA IS EXTENDED] by an affirmative vote in the area affected at an election held prior to alteration or abolishment of the service area [THE REGULAR ELECTION OF APRIL 2008]. 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. 2006-24, §§ 1, 4, 4-18-06)

Section 3. Except Section 2, this ordinance shall become effective upon passage and approval. Section 2 and the proposition contained in Section 1 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 a majority of the qualified voters voting on the proposition.

PASSED AND APPROVED by the Anchorage Municipal Assembly this 8th day of January, 2008

Dulcie Ossander
vico Chair of the Assembly

ATTEST:

Sarah J. Bennett
Municipal Clerk