

KENAI PENINSULA BOROUGH


Kenai Peninsula Borough Assembly

144 North Binkley Street
Soldotna, AK 99669
Phone 907-714-2160
Fax 907-714-2388

Kelly Cooper, Assembly President
Wayne Ogle, Vice President

MEMORANDUM

TO: Kenai Peninsula Borough Assembly Members

FROM: Kelly Cooper, Assembly President
Mike Navarre, Borough Mayor 

DATE: May 16, 2017

RE: Amendment to Ordinance 2017-09, Creating the Eastern Peninsula Highway Emergency Service Area ("EPHESA")

House Bill 148 currently awaits passage in the legislature. The bill has widespread support and we continue to anticipate approval this legislative session. This amendment to Ordinance 2017-09 makes the effective date contingent upon the passage of this legislation or the completion of the additional requirements required by AS 29.35.490(a)(2):

- Amend **Section 2** by deleting the language in ~~bolded-strikeout~~ and inserting the **bold and underlined** language below.

SECTION 2. ~~That this ordinance takes effect immediately upon its enactment.~~ **That this ordinance shall only take effect after either (a) the State of Alaska enacts enabling legislation or (b) all owners of real property in the service area consent in writing to the exercise of the power as required by AS 29.35.490(a)(2), whichever occurs first.**