

Kenai Peninsula Borough

Roads Department

MEMORANDUM

TO: Kelly Cooper, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Charlie Pierce, Mayor CP

FROM: Dil Uhlin, Roads Director DU

DATE: June 4, 2020

RE: Ordinance 2020-32 Amending KPB 1.24, General Penalty and KPB 12.04, Parking Regulations to Replace Civil Fines with Citations to Improve Enforcement and be Consistent with Other Recent Code Updates (Mayor)

The borough is in the process of updating ordinances relating to the Roads Department. During the review process, the citizens of Lowell Point Subdivision in Seward, Alaska contacted the Roads Department regarding enforcement of the "No Parking" and "Tow Away" zone signs located throughout the neighborhood. The residents submitted a petition, signed by more than 50 percent of the land owners, requesting the borough enforce the signs.

Upon researching the signage issues, the borough could not locate any authorization for placement of the signs. Additionally, a review of the enforcement section of the code, KPB 12.04, indicated a need for revision.

On May 12, 2020, the Road Service Area Board ("Board") passed Resolution 2020-003 officially authorizing the "No Parking" and "Tow Away" zone signs. The Board determined these signs are necessary in order to prevent significant congestion which prevents emergency vehicles from gaining access through the residential streets during an emergency, particularly during the busy summer months.

That same day, the Board approved Resolution 2020-004, recommending amendments to KPB 1.24 and KPB 12.04. The amendments update a violation of the parking regulations from a civil matter to an infraction, allowing the matter to be resolved by a simple citation. The amendment also removes the graduated penalties of first, second, and third offenses since a code enforcement officer would have no way of knowing this information while in the field.

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These changes are consistent with other recent borough code amendments and allow for uniformity in processing violations of borough code.

Your consideration is appreciated.