Introduced by:	Cox, Johnson, Mayor
Date:	02/16/21
Action:	Adopted
Vote:	9 Yes, 0 No, 0 Absent

KENAI PENINSULA BOROUGH
RESOLUTION 2021-015

A RESOLUTION ENCOURAGING ALASKA REPRESENTATIVES AND GOVERNOR DUNLEAVY TO FULLY FUND THE STATE'S BUDGET FOR ABANDONED VEHICLE REMOVAL WITHIN THE KENAI PENINSULA BOROUGH

WHEREAS, on January 7, 2020, the Kenai Peninsula Borough Assembly passed Ordinance 2019-39 repealing Chapter 12.06, abandoned vehicles, and enacting Chapter 12.08, Junk and Abandoned Vehicles; and

WHEREAS, this new chapter is a KPB code update to specifically address junk and abandoned vehicles left along borough rights-of-way; and

WHEREAS, for some time the borough has struggled with junk and abandoned vehicles being left within rights-of-way rather than being brought to the borough-owned landfill or one of several other locations that accepts vehicles free of charge; and

WHEREAS, the abundance of junk and abandoned vehicles on the Kenai Peninsula has created a public nuisance, impeded road maintenance and caused significant road hazards, especially during the winter months; and

WHEREAS, abandoned vehicles attract vandalism, are used for drug drops, accumulate trash and debris (including human feces and drug paraphernalia), and sometimes become shelters for drug users and/or homeless individuals; and

WHEREAS, abandoned and junk vehicles contain hazardous substances like fuel, coolant, and other fluids that often leak onto the right-of-way and into the water table, polluting the surrounding environment causing risk to the health and safety of people and animals; and

WHEREAS, the entire State of Alaska, including the Kenai Peninsula Borough, benefits significantly from visitors and the tourism industry; and

WHEREAS, first impressions should be positive, showcasing Alaska's pristine beauty; not visuals of junk and abandoned vehicles with missing tires, broken windows, and torched interiors littered along our highways; and

WHEREAS, since passage of Ordinance 2019-39 the Kenai Peninsula Borough has successfully towed approximately 28 vehicles to date resulting in 16 citations issued for

abandoned vehicle infractions, with approximately $1,370 collected to date from vehicle owners; and

WHEREAS, Kenai Peninsula Borough's efforts are paying off with a noticeable decrease in the number of junk and abandoned vehicles being left in Borough rights-of-way; and

WHEREAS, even with this reduction in junk and abandoned vehicles on Borough maintained roadways, the problem still exists with the number of junk and abandoned vehicles along the State maintained highways visibly increasing; and

WHEREAS, Alaska Statute 28.11.010 states that it is unlawful for a person to abandon a vehicle upon a highway or vehicular way or area; and

WHEREAS, despite having laws making it unlawful, the State of Alaska has not adequately funded enforcement of AS 28.11.010 in several years allowing junk and abandoned vehicles to remain alongside state highways on the Kenai Peninsula despite the strong efforts of Borough and cities to clean up such nuisances; and

WHEREAS, the State has the ability to recover its fees and costs by issuing citations to vehicle owners and by collecting against the Permanent Fund Dividend of owners for the costs incurred in towing and temporarily storing abandoned and junk vehicles left along the state highways; and

WHEREAS, only when both the State and the Boroughs work together to address this serious problem of junk and abandoned vehicles along our roadways will it finally be properly addressed;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1 That the Kenai Peninsula Borough Assembly hereby urges our Kenai Peninsula State Representatives and Governor Dunleavy to recognize the importance of enforcing its abandoned and junk vehicle laws in order to protect the citizens and visitors of Alaska from dangerous hazards and unsightly nuisances created by abandoned vehicles left in our State rights-of-way.

SECTION 2. That the Kenai Peninsula Borough Assembly Requests Governor Dunleavy's support in providing budget funding for enforcement against junk and abandoned vehicles.

SECTION 3. That the Kenai Peninsula Borough Assembly requests our State Legislature provide budget funding for enforcement against junk and abandoned vehicles.

SECTION 4. That a copy of this resolution be sent to all Kenai Peninsula City Councils for the cities located along state highways, Senator Peter Micciche, Senator Gary Stevens, Representative Ben Carpenter, Representative Sarah Vance, Representative Ronald Gillham, Representative Louise Stutes, and Governor Mike Dunleavy.

SECTION 5. That this resolution shall become effective immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 16TH DAY OF FEBRUARY, 2021.

Brent Hibbert, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

KENAI PENINSULA BOROUGH 1964

Yes:	Bjorkman, Carpenter, Chesley, Cox, Derkevorkian, Dunne, Elam, Johnson, Hibbert
No:	None
Absent:	None