

Presented by: The Manager
Introduced: 01/04/99
Drafted by: J.R. Corso

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 1969

A Resolution Confirming the Assessment Roll for Lid No. 84 Fixing the Time and Method of Payment of Assessments; Setting the Day of Levy; and Fixing the Time of Delinquency and the Penalties and Interest Therefore.

WHEREAS, the Assembly of the City and Borough of Juneau by Ordinance Serial No. 97-33, adopted October 20, 1997, created LID No. 84 for the purpose of constructing a gravity sewer main and laterals serving the property within the Trafalgar Avenue LID boundary, and

WHEREAS, the special assessment roll for LID No. 84 has been prepared and notice of hearing on the special assessment roll given in accordance with CBJ 15.10.130, and

WHEREAS, a hearing on the special assessment roll for LID No. 84 was held on January 4, 1999, and all interested persons were given an opportunity at the hearing to present their objections to the Assembly sitting as a Board of Equalization, and

WHEREAS, the Assembly sitting as a Board of Equalization at said hearing approved the special assessment roll with such corrections as it found necessary;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. That the special assessment roll for LID No. 84 as filed with the city and borough treasurer and to the extent corrected by the Assembly sitting as a Board of Equalization is hereby confirmed.

Section 2. The assessments set forth in said confirmed assessment roll are hereby declared to be due and payable and a lien paramount and superior to all liens except for a prior assessment or property taxes.

a. The city and borough treasurer shall cause notice of assessment and time for payment to be published and mailed in accordance with CBJ 15.10.190.

b. Payments made within 45 days of the first date of publication of notice under CBJ 15.10.190 shall be without interest, penalty, discount, or bonding expenses customarily identified as "LID finance charges."

c. Any amount remaining unpaid after the 45-day period allowed for payment of assessment without penalty or interest shall be paid in 10 equal annual principal installments. The initial installment shall be billed as a separately stated charge on the annual property tax bills thereafter. All installments shall include interest on the unpaid balance at the rate of 6.58% percent per annum.

d. Payments shall be made in the same manner and at the same time as property taxes.

e. Installments shall become delinquent the day after they are due. The penalty and interest that apply for delinquent payment of property taxes shall apply to delinquent payment of an annual assessment installment and interest as they appear on the tax bill.

f. The owner of any lot, tract, or parcel of land charged with an LID assessment may pay the entire unpaid amount of the assessment at any time after the 45-day period but before the first installment is due by paying the total remaining balance thereof to the city and borough treasurer with interest thereon prorated to the date of payment.

Section 3. All dwellings within 200 feet of the sewer system must connect to the city sewer system unless each of the following deferral conditions are met:

a. The connection deferral applies to single family and duplex residences only.

b. The dwellings are currently served by a functioning onsite sewer system consisting of treatment plant and drain field at a minimum.

c. Application for connection deferral shall be in writing by the property owner.

d. As part of the application for connection deferral, the owner shall agree to maintain the existing sewage treatment system in good working order. The existing systems may not be rebuilt or replaced upon failure. At the time of failure of the existing system, connection to the city sewer system will be required.

e. The existing onsite sewer system must be inspected and certified by a professional civil engineer that the system is functioning properly, is adequate for the dwelling(s) being served, and meets the requirements of the state of Alaska. The owners shall submit the engineer's report with the application for connection deferral.

f. The connection deferral shall remain in effect as long as the existing onsite sewer system is functioning properly. The deferral will expire upon sale or transfer of ownership of the property and/or upon failure of the onsite sewer system.

g. The deferral may be revoked by the city manager or the Public Works Department director, and connection of any structure to the city sewer system shall be required if the city or the state of Alaska determines it necessary for reasons of public health and/or safety.

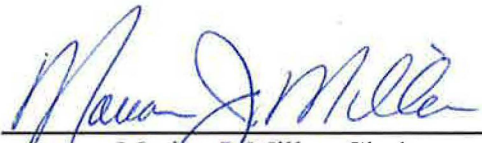
Section 4. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 4th day of January, 1999.



Dennis Egan, Mayor

Attest:



Marian J. Miller, Clerk