

Back-up information for Ordinance 1201

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Chapter 16.05 BUILDING REGULATION

16.05.010 Adoption of codes.

The city, pursuant to Section 2-15 of its Home Rule Charter, adopts by reference the following codes of technical regulation:

- A. Uniform Building Code, current adopted state code;
- B. Uniform Mechanical Code, current adopted state code;
- C. Uniform Plumbing Code, current adopted state code;
- D. National Electrical Code, current adopted state code;
- E. Uniform Sign Code, current adopted state code;
- F. Uniform Fire Code, current adopted state code.
- G. 1997 Uniform Code for Abatement of Dangerous Buildings.

(Ord. 804 § 1, 1998; Ord. 608 (part), 1986; Ord. 606 (part), 1986; Ord. 604 (part), 1985; Ord. 600 (part), 1985; Ord. 532 § 1(part), 1982).

(Ord. No. 1107, § 7, 3-20-2013)

16.05.020 Copies on file.

At least one copy of each code of technical regulation adopted by reference in Section 16.05.010 shall be kept in the office of the clerk.

(Ord. 532 § 1(part), 1982).

Chapter 16.10 BUILDING CODE ADMINISTRATION

16.10.010 Board of building regulations, mechanical, plumbing, electrical and fire examiners and appeals board designated.

- A. The seven member planning commission shall act as the building board and are to pass on matters pertaining to building construction.
- B. Four members of the building board shall constitute a quorum for the transaction of any business. For any affirmative action on quasi-judicial matters by the building board, there must be a concurring vote of four members.
- C. The board shall hear and decide appeals from the actions of administrative officials relating to building, mechanical, plumbing, electrical and fire regulations under Title 16. The board may determine the suitability of alternative materials and methods of construction, mechanical, plumbing, electrical and fire codes, and may recommend to the council legislation as is consistent therewith.
- D. The board shall also determine and recommend such amendments to Title 16 and to all building regulations as may be deemed necessary.
- E. The board shall meet as frequently as necessary, and shall follow the rules and regulations as defined in Chapter 3.40 of the Cordova Municipal Code.

F. The building board is the final appellate board of the city for matters heard by it.
(Ord. 532 § 1(part), 1982).

16.10.015 State license required.

- A. It is unlawful to engage in business in the city as a building contractor without having first complied with the provisions of AS 08.18.011, and it is unlawful to engage in business in the city as an electrical contractor without having first obtained a license and certificate of fitness as required by AS 08.18.026, AS 08.40.090 and AS 18.62.010.
- B. Any person doing business as a subcontractor to any building or electrical contractor shall be construed as engaged in the business being a building or electrical contractor, for which a license is required by this code.
- C. The term "building contractor" as used in this section means and includes anyone engaged in the business of cement or concrete contracting, either flat, form or wallwork, or as a masonry contractor; or as a carpenter contractor; or as a general building contractor; and any person engaged in the construction, alteration or repair of buildings or other structures, or sidewalk or street pavements.

The term "electrical contractor" as used in this section means and includes any person, firm or corporation engaged in the business of installing or altering equipment for the utilization of electricity supplied by light, heat, or power, not including radio apparatus or equipment for wireless reception or sounds and signals, and not installed by or for public utilities, including common carriers.

- D. City building officials shall be given free access during reasonable working hours to any premises where building, contracting, or electrical contracting work, subject to the licensing requirements of AS 08.18.011, AS 08.18.026, AS 08.40.090 and AS 18.62.010 is being performed. It shall be the duty of the licensee or the person in charge of the premises to be inspected to admit thereto for the purpose of making the inspection, the building official who is authorized or directed to make such inspection, and to present to the building official upon request of the official, evidence of compliance with the provisions of this code.

(Ord. 564, 1983).

16.10.020 Violation.

Failure to obey or comply with any provision of this chapter or any rule, order or regulation issued thereunder is a violation. The minimum penalty upon conviction of a single violation of this chapter shall be a fine of three hundred dollars.

(Ord. 688 § 26, 1991).

Chapter 16.15 LOCAL AMENDMENTS TO THE UNIFORM BUILDING CODE, 1985 EDITION

16.15.010 Local amendments to the Uniform Building Code, 1985 Edition.

The amendments to the 1985 edition of the Uniform Building Code are listed hereafter by section. The last digits of the section number (after the title and chapter digits) are the section of the Uniform Building Code to which the amendment refers i.e., 16.15.104(e) refers to amendments to Section 104(e) of the Uniform Building Code, 1985 Edition.

(Ord. 604 (part), 1985; Ord. 532 § I(part), 1982).

16.15.204 Board of appeals.

Amend this section to read as follows:

For the purpose of this section, the building board as designated in Section 16.10.010 of this title shall be constituted as and shall serve as the Board of Appeals.

(Ord. 532 § I(part), 1982).

16.15.301(b) Exempted work.

Amend by adding paragraphs 12, 13 and 14 as follows:

12. Permits will not be required for ordinary maintenance on a building or structure in Groups R-3 and M occupancies. Ordinary maintenance of a building or structure shall not include the cutting away or addition of any wall, partition or portion thereof, the removal of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure; nor shall ordinary maintenance include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste vent or similar piping, electrical wiring, mechanical or other work affecting public health or safety. All ordinary maintenance shall be made only in accordance with the applicable provisions of the building code and other construction or safety codes of the City. No permit will be required for workup to and including \$100.00 total valuation.

13. Permits shall not be required for direct replacement work of value of one thousand dollars or less.

14. Permits shall not be required for new construction in the UR zoning district. Building in the UR District will require compliance with provisions of Chapter 16.17, Site Development Permit Procedures.

(Ord. 755 § 1, 1995; Ord. 604 (part), 1985; Ord. 532 § I(part), 1982).

16.15.302(b) Plans and specifications.

Add the following:

(b) Plans and Specifications. With each application for a building permit, for new construction or substantial changes to an existing structure, there shall be submitted the following documents with the application.

1. Two complete sets of construction drawings for all Group R-3 and M Occupancies.

A. Three complete sets of construction drawings for R-1 Occupancies of not more than four units.

B. Three complete sets of construction drawings prepared and signed by an architect and/or applicable engineers by discipline registered in the State of Alaska, are required for all other building occupancies.

C. Plot or site plans for all Group R-3 and M Occupancies shall indicate proposed or existing upper floor building projections and roof overhangs and shall indicate proposed finished grades at building corners, lot corners and final drainage patterns.

D. Plot or site plans for all other occupancies shall indicate, in addition to the requirements of Group R-3 and M Occupancies, all off-site easements and overhead utility lines adjacent to the property.

2. When required by the Building Official for the enforcement of any provision of this code, the following additional information shall be submitted.

A. Lot survey prepared and signed by a land surveyor registered in the State of Alaska. The lot survey shall be legible scale with drawing scale and north arrow indicated, and shall include dimensions and bearings of the property lines, adjacent streets or rights-of-way, on-site easements and overhead utility lines, existing and proposed structures with overall dimensions and setbacks, and the existing grade elevations at lot corners, existing buildings corners, and within five feet of proposed building corners and other locations to adequately determine the lot drainage.

B. In the field, the land surveyor of record shall accurately place or locate survey field markers at the property rods by 30-inches long, or two-inch square by 18-inch long wooden stakes, driven full depth into the ground.

(Ord. 532 § I(part),1982).

16.15.304(b) Plan review fees.

Amend the last sentence in paragraph one to read as follows:

Said plan review fee shall be 25% of the Building permit fee as shown in Table 3-A for Group R—3 Occupancies and 50% for all other occupancies.

Amend by adding a third paragraph as follows:

A plan review fee for identical plans submitted simultaneously for structures within a design subdivision or planned unit development shall be charged full fee for one original set and thirty (30%) percent of the full fee for all additional plans.

Exception: When it is determined by the building official that the submitted plans need to be reviewed by another agency or organization to determine compliance with the building, electrical, plumbing and mechanical codes, the plan review fee collected by the city shall reflect the actual cost incurred by the city to have the plans reviewed.

(Ord. 591, 1985; Ord. 532 § I(part), 1982).

16.15 Table 3-A Building permit fees.

Delete Table 3-A and insert as follows:

TABLE 3-A BUILDING PERMIT FEES

1. New Construction and Additions

<u>Occupancy Class</u>	<u>Fee Per Square Foot (S/F)*</u>
A	Under 2,000 sq. ft. 2,001 s/f to 5,000 s/f \$0.05 s/f 0.07 " 0.09 "
	5,001 s/f and over
B	Under 2,000 sq. ft. 2,001 s/f to 5,000 s/f \$0.07 s/f 0.09 " 0.12 "
	5,001 s/f and over
E	\$0.09 s/f
H	\$0.12 s/f
I	\$0.09 s/f
M	Under 2,000 sq.ft. 2,001 and over \$0.05 s/f 0.07 "
R	Under 200 sq.ft. 201 s/f to 2,500 s/f \$0.05 s/f 0.07 " 0.09 "
	2,501 and over

* Square footage for new construction shall be determined from the outside dimensions of all portions of a structure encompassing the occupancy determination. In the case of multiple occupancy, the fee shall be the sum of applicable occupancy fees for the structure. The total square footage is the sum of all floors; including finished basements and attics in Residential Occupancies.

2. Alterations, Repairs or Replacements. (Including wood stoves, interior repairs, new furnaces, etc.). The fee for permits for this class of work shall be calculated as follows:

Total Valuation of Work to be Done/Fee	
\$1.00 to \$500.00	\$5.00
\$501.00 to \$2000.00	\$5.00 for the first \$500.00 plus \$1.00 for each additional \$100.00 or fraction thereof, to and including \$2000.00.
\$2001.00 to \$25,000.00	\$20.00 for the first \$2000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$25,000.00.
\$25,001.00 to \$50,000.00	\$89.00 for the first \$25,000.00 plus \$2.50 for each additional thousand or fraction thereof to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$151.50 for the first \$50,000.00 plus \$1.50 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,001.00 and up	\$226.50 for the first \$100,000.00 plus \$1.00 for each additional thousand or fraction thereof.

3. The minimum building permit fee shall be five dollars.
(Ord. 604 (part), 1985; Ord. 532 § I(part), 1982).

16.15.402 A definitions and abbreviations.

Delete the definition of "alley" and insert the following:

ALLEY. An alley is a public space or thoroughfare, 20 feet or less, but not less than 10 feet in width, which has been dedicated for public use.

(Ord. 532 § I(part), 1982).

16.15.403 B definitions and abbreviations.

Add the following definition:

BUILDING, PUBLIC. Shall be any structure which is other than Group R-3 Occupancy or Group M-I Occupancy.

(Ord. 532 § 1(part), 1982).

16.15.408 G definitions and abbreviations.

Amend to read is follows:

GRADE. (Adjacent ground elevation) is the finished ground elevation at any point immediately adjacent to the exterior wall of a building. In case walls are parallel to and within five feet of a public sidewalk, alley or

other public way, the finished ground elevation at any point shall be considered to be the elevation of the sidewalk, alley or public way.

(Ord. 532 § 1(part), 1982).

16.15.413 L definitions and abbreviations.

Add the following definition:

LEANTO. Leanto is any addition to the exterior of a mobile home which exceeds 48 square feet in floor area.

(Ord. 532 § 1(part), 1982).

16.15.417 P definitions and abbreviations.

Add the following definition:

PORCH. A porch is an addition to the exterior of a building which is less than 48 square feet of floor area and is used solely as a protection for the entry way and not used for storage. A porch may not project beyond the exterior of a mobile home in excess of six feet.

(Ord. 532 § 1(part), 1982).

16.15.1204 Exit facilities.

Amend the third paragraph, fourth sentence to read as follows:

Where windows are provided as a means of egress or rescue, they shall have a finished sill height not more than 48 inches above the floor.

(Ord. 532 § 1(part), 1982).

16.15.1707(e) Vapor barriers.

Add paragraph (d) as follows:

(d) Vapor Barriers. All exterior wall, ceiling, roof and floor assemblies which enclose heated spaces and which are exposed to outdoor ambient temperatures shall be protected against water vapor transmission. Assemblies not otherwise of impermeable construction shall have installed, on the heated side of insulation or air spaces, vapor barriers having a perm rating of 0.08° minimum. Vapor barriers shall be metal foil, polyethylene sheeting or other material approved by the Building Official.

(Ord. 532 § 1(part), 1982).

16.15.2305(d) Snow loads.

The minimum snow load shall be one hundred pounds per square foot ground snow load.

(Ord. 828 (part), 1999; Ord. 577, 1984: Ord. 532 § 1(part), 1982).

(Ord. No. 1095, § 1, 7-5-2012; Ord. No. 1131, § 1, 7-1-2015)

16.15.2311(a) General.

Delete the second sentence and substitute the following:

In the wind pressure Table 23-F, the basic 25 psf column shall be used.

(Ord. 532 § I(part), 1982).

16.15.2311(b) Basic wind speed.

Add to the end of paragraph:

Wind pressure as set forth in Table 23-F for a basic wind speed of 100 mph shall be used.

(Ord. 604 (part), 1985).

16.15.2312(c) Symbols and notations.

Amend the exception to read as follows:

Exception: "W" shall be equal to the total dead load plus 25% of the floor live load for storage and warehouse occupancies and shall be equal to the total dead load plus 25% of the snow load for all roofs.

(Ord. 532 § I(part), 1982).

16.15.2907(a) General.

Be amended to read as follows:

Section 2907(a) General. Footings and foundations, unless otherwise specifically provided, shall be constructed of masonry, concrete or treated wood in conformance with UBC Standard No. 29-3 and in all cases shall extend a minimum of 24 inches below grade. Footings of concrete and masonry shall be of solid material. Foundations supporting wood shall extend at least six (6) inches above the adjacent finish grade. Footings shall be of, at least, minimum construction as specified in Table No. 29-A except as follows:

Exception: The Building Official may upon presentation of a footing design prepared and signed by an engineer licensed to practice in the State of Alaska waive or modify the 24 inches minimum footing depth design criteria.

(Ord. 575, 1984; Ord. 532 § I(part), 1982).

16.15.2907(b) Bearing walls.

Amend Exception 1 to read as follows:

EXCEPTIONS: 1. A one-story wood or metal frame building not used for human occupancy and not over 1,000 sq. ft. in floor area may be constructed on grade on a wood or concrete foundation when approved by the Building Official.

(Ord. 532 § I(part), 1982).

16.15.4507 Doors.

Delete and substitute the following:

Doors, either fully opened or when opening, shall not project beyond the property line. No operating sash or windows eight feet or less above the sidewalk shall be allowed to project over public property.

(Ord. 532 § I(part), 1982).

16.15 App. 12 Requirements for Group R, Division 3, Occupancies.

Delete in entirety.

(Ord. 604 (part), 1985).

16.15 App. 70 Table 70-A Grading Plan Review Fees.

Delete Table 70-A and insert the following in lieu thereof:

Table 70-A GRADING PLAN REVIEW FEES

50 cubic yards or less	No fee
51 to 100 cubic yards	\$ 5.00
101 to 1000 cubic yards	\$ 7.50
1001 to 10,000 cubic yards	\$10.00
10,001 to 100,000 cubic yards — \$10.00 for the first 10,000 cubic yards, plus \$5.00 for each additional 10,000 cubic yards or fraction thereof.	
100,001 to 200,000 cubic yards — \$55.00 for the first 100,000 cubic yards, plus \$3.00 for each additional 10,000 cubic yards or fraction thereof.	
200,001 cubic yards or more - \$85.00 for the first 200,000 cubic yards, plus \$1.00 for each additional 10,000 cubic yards or fraction thereof.	
OTHER FEES:	
Additional plan review required by changes, additions or revisions to approve plans (minimum charge — one—half hour)	\$30.00/hour ¹
Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	

(Ord. 604 (part), 1985).

16.15 App. 70 Table 70-B Grading Permit Fees.

Delete Table 70-B and insert the following in lieu thereof:

¹ The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.

TABLE NO. 70-B GRADING PERMIT FEES²

50 cubic yards or less	\$5.00
51 to 100 cubic yards	\$7.50
101 to 1000 cubic yards—\$7.50 for the first 100 cubic yards plus \$3.50 for each additional 100 cubic yards or fraction thereof.	
1001 to 10,000 cubic yards—\$39.00 for the first 1000 cubic yards, plus \$3.00 for each additional 1,000 cubic yards or fraction thereof.	
10,001 to 100,000 cubic yards—\$66.00 for the first 10,000 cubic yards plus \$13.50 for each additional 10,000 cubic yards or fraction thereof.	
100,001 cubic yards or more—\$187.50 for the first 100,000 cubic yards, plus \$7.50 for each additional 10,000 cubic yards or fraction thereof.	
OTHER INSPECTION AND FEES:	
1. Inspections outside of normal business hours(minimum charge — 2 hours)	\$30.00/hr ²
2. Reinspection fees assessed under provisions of Section 305(g)	\$30.00/hr ²
3. Inspections for which no fee is specifically indicated(minimum charge, one-half hour)	\$30.00/hr ²

(Ord. 604 (part), 1985).

Chapter 16.17 SITE DEVELOPMENT PERMIT PROCEDURES

16.17.010 Administration.

The city planning department shall be responsible for the administration of the site development procedure, under the authority of the planning commission.

(Ord. 755 § 2(part), 1995).

16.17.020 Application and fee.

Application for site plan review shall be filed with the city planning department. The application shall include the following, on a form provided by the planning department:

- A. Name and address of owner and applicant;
- B. Address and legal description of property;
- C. If the applicant is not the legal owner of the property, a statement that the applicant is the authorized agent of the owner;

²The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.

Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

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- D. A brief description of the proposed use, including information pertinent to Chapter 18.18, UR district regulations;
 - E. Identification of present zoning district;
 - F. A site plan, drawn to scale and sufficiently dimensioned as required to show the following:
 - 1. The date, scale, north arrow, title, name of owner and name of person preparing the site plan; need not be an engineer, architect or other professional,
 - 2. The location and dimensions of boundary lines, easements and required yards and setbacks identified in Chapter 18.18,
 - 3. The location, height and intended use of existing and proposed buildings or structures on the site,
 - 4. Location of existing and/or proposed sewage disposal system and potable water supply;
 - G. Notwithstanding other fee schedules, a nonrefundable site development permit fee of twenty-five dollars shall be required.

(Ord. 755 § 2(part), 1995).

16.17.030 Standards for evaluating the application.

- A. The planning department shall review and evaluate the site plan permit application based on the following criteria:
 - A. Conformance with the "UR Unrestricted District" regulations;
 - B. Compatibility with adjacent sites, in terms of setbacks, open spaces, drainage, site development and access and circulation features.

(Ord. 755 § 2(part), 1995).

16.17.040 Action on application.

- A. Within ten days of receipt of the application, the planning department shall act upon the application. Action may be to approve, to approve subject to modification, or to disapprove the site plan.
- B. If approved, the permit will be issued.
- C. If approved subject to modifications, the applicant shall be notified in writing and by telephone, when possible, of the modifications required. The permit shall be issued after the applicant has agreed, in writing, to the modifications.
- D. If denied, the applicant shall be notified in writing and by telephone, when possible, of the denial and the reasons thereof.
- E. If denied, the applicant may appeal pursuant to the provisions of Section 16.17.070.

(Ord. 758, 1995; Ord. 755 § 2(part), 1995).

16.17.050 Modifications.

- A. Once the site plan is approved, no modifications may take place without written consent of the planning department. The applicant shall submit an application for modification of the approved site plan. Minor

revisions or modifications may be approved by the planning director if it is determined that the circumstances or conditions applicable at the time of the original approval remain valid, and the changes would not affect the findings described in Section 16.17.030.

- B. Major modifications will require the filing of an additional application, and will be subject to the process outlines in Chapter 16.17.

(Ord. 755 § 2(part), 1995).

16.17.060 Lapse of permit.

- A. Unless a longer time shall be specifically established as a condition of approval, a site plan approval shall lapse and shall become void eighteen months following the date on which such approval becomes effective.
- B. A site plan approval subject to lapse may be renewed by the planning director for an additional period of one year; provided, that prior to the expiration date, a written request for renewal is filed with the planning department by the applicant.

(Ord. 755 § 2(part), 1995).

16.17.070 Suspension and revocation of permits.

- A. Upon violation of any applicable provisions of this title, or if granted subject to conditions, upon failure to comply with the conditions, the site plan approval shall be suspended.
- B. The applicant may appeal the decision to suspend site plan approval to the planning and zoning commission. The planning and zoning commission shall hold a public hearing within forty days of filing of the notice. If not satisfied that the provisions of the approval of this title are being complied with by the applicant, the planning and zoning commission may revoke the site plan approval or take such action as may be necessary to ensure compliance with this title.
- C. The applicant may appeal the decision of the planning and zoning commission to the city council. The city council shall hold a public hearing within forty days of the filing of the public notice. The city council shall take such action as may be necessary to ensure compliance with this title. The city council decision is final, and shall take effect immediately.
- D. Suspension of site plan approval shall remain in effect during the appeal process. Any site improvements made while suspension is in effect shall be subject to the penalties set forth in Section 16.10.020.

(Ord. 755 § 2(part), 1995).

16.17.080 Approval to run with land.

Site plan approval pursuant to these provisions shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the application.

(Ord. 755 § 2(part), 1995).

Chapter 16.20 LOCAL AMENDMENTS TO THE UNIFORM MECHANICAL CODE 1985 EDITION

16.20.010 Local amendments to the Uniform Mechanical Code, 1985 Edition.

The amendments to the 1985 edition of the Uniform Mechanical Code are listed hereafter by section. The last digits of the section number (after the title and chapter digits) are the section of the Uniform Mechanical Code to which the amendment refers, i.e., 16.20.202 refers to amendments to Section 202 of the Uniform Mechanical Code, 1985 edition.

(Ord. 608 (part), 1986).

16.20.203 Board of appeals.

Amend by adding the following:

For the purposes of this section, the Building Board designated by Section 16.10.010 of the title shall be constituted as, and shall serve as, the Board of Appeals.

(Ord. 608 (part), 1986).

16.20.204 Violation.

Failure to obey or comply with any provision of this chapter or any rule, order or regulation issued thereunder is a violation. The minimum penalty upon conviction of a single violation of this chapter shall be a fine of three hundred dollars.

(Ord. 688 § 27, 1991).

16.20.304(a) Permit fee.

Delete and replace with the following:

The fee for any work covered by this code shall be included within the fee as set forth in Table 3-A of the Uniform Building Code.

(Ord. 608 (part), 1986).

16.20.404 B definitions and abbreviations.

Amend by inserting after the definition of "building official" the following definition:

BUILDING PUBLIC shall be any structure which is other than Group R-3 occupancy or Group M occupancy, as defined in the current Uniform Building Code.

(Ord. 608 (part), 1986).

16.20.704 Prohibited installations.

Amend by adding the following:

8. Under stairways, landings or egress passageways

Exception: Where one-hour fire resistive construction is used.

(Ord. 608 (part), 1986).

16.20.1404(5) Exception 1.

Amend to read as follows:

Boilers, central heating plants or hot—water supply boilers where the combined pieces of fuel equipment do not exceed 400,000 Btu per hour input.

(Ord. 608 (part), 1986).

Chapter 16.25 LOCAL AMENDMENTS TO THE UNIFORM PLUMBING CODE, 1979 EDITION

16.25.010 Local amendments to the Uniform Plumbing Code, 1979 Edition.

Amendments to the 1979 Uniform Plumbing Code are listed hereafter by section. The last digits after the title and chapter digits of the section number are the section number of the Uniform Plumbing Code to which use amendment refers, i.e., 16.25.409(a) refers to Section 409(a) of the Uniform Plumbing Code.

(Ord. 532 § 1 (part), 1982).

16.25.20.3 Violations and penalties.

Delete in its entirety and substitute 16.10.020.

(Ord. 532 § 1 (part), 1982).

16.25.20.7 Cost of permit—Schedule of fees.

Amend Schedule of Fees as follows:

The fee for any work covered by this code shall be included within the fee as set in Table 3-A as amended.

(Ord. 532 § 1(part), 1982).

16.25.20.14 Board of plumber examiners.

Amend to read as follows:

For the purpose of this section, the Board of Plumber Examiners as designated by Section 16.25.010 of this title shall be constituted as and shall serve as the Board of Appeals.

(Ord. 532 § 1(part), 1982).

16.25.203(d) Use of copper tubing.

Amend to delete the words "or underground outside of structures."

(Ord. 532 § 1(part), 1982).

16.25. Table A. Table A—Plumbing material standards.

Delete from Table A, page 23, the following:

"Homogenous bituminized fiber drain and sewer pipe."

(Ord. 532 § I(part), 1982).

16.25.401(a) Materials.

Add the following exception:

(3) That no ABS or PVC pipe shall be used underground without prior approval of the Building Official.

(Ord. 532 § I(part), 1982).

16.25.612(h) Chemical wastes.

Amend paragraph (h) by adding a clause to the last sentence as follows:

(h)... except that copper piping material for drainage shall be prohibited to the point of dilution.

(Ord. 532 § I(part), 1982).

16.25.612(i) Chemical wastes.

Add paragraph (i) as follows:

(i) Vacuum dental systems may be installed with schedule 40 PVC pipe and fittings, above grade.
Protection of this piping shall conform to City code.

(Ord. 532 § I(part), 1982).

16.25.1003(k) Water-cooled compressors, degreasers of any other water-cooled equipment.

Amend by adding a third paragraph before the exception to read as follows:

Installation, operation or use of air conditioning or cooling unit employing water or other fluids as a cooling agent without a recovery and recirculation unit is prohibited.

(Ord. 532 § I(part), 1982).

16.25.1004(a) Materials.

Amend by deleting the second sentence.

(Ord. 532 § I(part), 1982).

16.25.1309 Prohibited locations.

Delete exception and last sentence. Add a sentence as follows:

Fuel-burning appliances shall not be allowed under a stairway, landing or egress passageway.
(Ord. 532 § I(part), 1982).

16.25.1326 Check valves.

Amend Chapter 13 by adding Section 1326 to read as follows:

Check valves shall not be installed on any domestic water heater installation on the cold water supply branch, unless approved by the administrative authority.

(Ord. 532 § I(part), 1982).

16.25 App.D. Rainwater systems.

Amend Appendix D, Part A. DI,O. Materials, subsection (c) by deleting the subsection and inserting as follows:

- (c) Rainwater piping located underground within a building shall be of service weight cast iron soil pipe, type DVW copper tube or other approved materials.

(Ord. 532 § I(part), 1982).

Chapter 16.30 LOCAL AMENDMENTS TO THE NATIONAL ELECTRICAL CODE, 1984 EDITION

I. ADMINISTRATION

16.30.010 Prohibited acts.

- A. It shall be unlawful for any person, firm, association or corporation to install, alter, modify, repair or maintain electrical equipment within or on any building, structure or premises, whether publicly or privately owned, except in compliance with the provisions of this title and the 1984 edition of the National Electrical Code, adopted by reference in this title.
- B. Any person, firm, association or corporation who violates this section shall be guilty of a misdemeanor and shall be subject to the penalties and remedies set forth in Section 16.10.020 of this title.

(Ord. 600 (part), 1985; Ord. 532 § I(part), 1982).

16.30.015 Permits—Required—Exceptions.

No electrical equipment shall be installed within or on any building, structure, premises, publicly or privately nor shall any alteration or addition be made in any such existing equipment without a permit therefor first being secured from the building official.

Exceptions.

- A. Minor repair work, the replacement of lamps or the connection of portable electrical equipment to suitable permanent installed receptacles;

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- B. The installation, alteration, or repair of electrical equipment for the operation of signals or electrical transmission under the exclusive control of public utilities;
 - C. The installation, alteration or repair of electrical equipment installed by or for an electricity supply agency for the use of such agency in the generation, transmission, distribution or metering of electricity;
 - D. Any work involved in the manufacturing, testing, servicing, altering or repairing of electrical equipment or apparatus, except that this exemption shall not include any permanent wiring other than that required for testing purposes.

(Ord. 532 § 1(part), 1982),

16.30.020 Permit—Application—Plans to accompany issuance.

Applications for such permit, describing the work to be done, shall be made in writing to the building official by the person installing the work. The application shall be accompanied by two sets of plans, specifications and schedules as may be necessary to determine whether the installation as described will be in conformity with the requirements of this chapter. If it is found that the installation as described will conform with all legal requirements, and if the applicant has complied with all provisions of this chapter, a permit for such installation shall be issued.

(Ord. 532 § 1 (part), 1982).

16.30.025 Permits—Approval or rejection—Keeping on job—Deviations.

- A. As soon as reasonably possible after the submission of the plans and specifications, the building official shall approve or reject them in accordance with the standards herein set forth. If approved, the plans and specifications shall be stamped "approved" and dated and initialed by the building official who shall file one copy. It shall thereafter be unlawful to change the plans and specifications. If the plans and specifications are rejected, the building official shall give the applicant a concise statement in writing, including reference to paragraphs or sections of the national code involved, of his reason for rejecting the same. No plans and specifications shall be approved following rejection thereof until the necessary changes have been made therein. All approved plans and specifications shall be kept on the job by the applicant during the period of installation and shall be available to the building official at all times.
- B. No deviation may be made from the installation described in the permit without the written approval of the building official.

(Ord. 532 § 1(part), 1982).

16.30.030 Permit—Fees—When paid.

Before any permit is granted for the installation or alteration of electrical equipment, the person making application for such permit shall pay to the building official a fee in such amount as is prescribed by ordinance and set out in the schedule of fees contained in Chapter 16.15 of this title.

(Ord. 532 § 1(part), 1982).

16.30.035 Inspections—Notices—Time.

Upon completion of the work which has been authorized by the issuance of any permit, it shall be the duty of the permittee installing the same to notify the building official who shall inspect installations as soon thereafter as is practicable, exclusive of Saturdays, Sundays and holidays.

(Ord. 532 § 1 (part), 1982).

16.30.040 Inspections—Installation authorization.

Where the building official finds installations to be in conformity with this title, he shall authorize the use of the installations and connections to the source of supply and shall send notice of such authorization to the electrical utility furnishing the electrical service.

(Ord. 532 § 1(part), 1982).

16.30.045 Inspections—Defects found—Notice—Correction—Time.

Any electrical system deemed unsafe by the building official because of wear, damage, neglect, defects or hazardous location shall upon written notice from the building official be repaired, replaced or altered in accordance with this chapter upon receipt of said notice.

(Ord. 600 (part), 1985).

16.30.050 Suspension of work—Notice—Causes—Continuing after building.

The building official shall have authority to order the immediate suspension of all or any portion of the work of installing, altering, repairing or removing of electrical equipment, by attaching notice to that effect on the premises wherever it is found by him that such work is being performed without a lawful permit or that the drawing or specifications bearing the approval stamp of his office is not on the premises and available for examination, or that the work is not being installed as per plans and specifications, or that the materials and workmanship are not in compliance with the provisions of this chapter or that they are not in compliance with the permit, or that such suspension is necessary for the proper inspection of work previously performed. It is unlawful for any person to continue the work of installing, altering, repairing or removing such electrical equipment after the suspension of the work has been ordered herein provided.

(Ord. 532 § 1(part), 1982).

16.30 055 Permit—Expiration when work not commenced or abandoned—New permit.

Unless otherwise particularly stated in this code, every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within ninety days from date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty days. Before such work is recommenced, a new permit shall be first obtained, and the fee shall be one-half the amount required for the initial permit.

(Ord. 532 § 1(part), 1982).

16.30.060 Temporary installations—Permit—Time—Cancellation.

If the building official finds that the safety of life and property will not be jeopardized, he shall issue permits for temporary electrical installations for use during the construction of buildings or for carnivals, conventions, festivals, fairs, holding of religious services, temporary lighting of streets and events of a similar nature. Permission to use such temporary installation shall not be granted for a greater length of time than thirty days, except that a permit for a temporary installation to be used for the construction of a building may be issued for the period of construction. Should such temporary lighting be over the street area, the proper authority for such use of the street must first be obtained. All such temporary installations shall be made in a manner as nearly as practicable in conformance with the requirements of this code for permanent work, provided that the building official may permit deviations which will not permit hazards to life and property, and provided whenever such hazards are deemed by the building official to exist, he may at once cancel the permit covering such installation and disconnect, or order the disconnection of, all energy to such equipment.

(Ord. 532 § 1 (part), 1982).

16.30.065 Fee designated.

Any person desiring an electrical permit required by Sections 16.30.015 through 16.30.060, at the time of filing the application for such permit, shall pay to the building official the amount prescribed in the fee schedule listed in Chapter 16.15.

(Ord. 532 § I(part), 1982).

II. LOCAL AMENDMENTS

16.30.070 Local amendments to the National Electrical Code, 1984 Edition.

The amendments to the 1984 edition to the National Electrical Code are listed hereafter by section. The last digits of the section number (following the title and chapter digits) are the section of the National Electrical Code to which the amendment refers, i.e., Section 16.30.210-5 refers to Section 210-5 of the National Electrical Code, 1984 Edition.

(Ord. 600 (part), 1985; Ord. 532 § I(part), 1982).

16.30.210-5 Color code for branch circuits.

Amend by addition of a new subsection (c) to read as follows:

- (c) Ungrounded Conductor. Where installed in raceways, as open work or as concealed knob-and-tube work, the unground conductor shall be identified by any color other than as specified in (a) and (b) above. Unground conductors of a 3-phase, 4-wire 120/208 system shall be colored black, red, blue. Ungrounded conductors of a 3-phase, 4-wire 277/480 system shall be yellow, brown, orange.

(Ord. 532 § I(part), 1982).

16.30.210-19 Conductors—Minimum ampacity and size.

Add the following subsections (d) and (e):

-
- (d) Storage-type Electric Water Heaters. For each storage—type electric water heater, a minimum of No. 10 copper conductors shall be provided.
 - (e) Minimum Conductor. No conductor less than No. 14 copper shall be used on control circuits carrying line voltage.

(Ord. 532 § 1(part), 1982).

16.30.210-23 Permissible loads.

Add the following subsection (d):

- (d) Outlets Per Circuits. No more than eight duplex outlets are allowed on one branch circuit. Appliance branch circuits are limited to four duplex outlets.

(Ord. 532 § 1(part), 1982).

16.30.210-52(a) Dwelling unit.

Add the following subparagraphs to Section 210-52(a):

- (1) There shall be one outlet in each hallway of 10 or more lineal feet.

(Ord. 532 § 1(part), 1982).

16.30.210-70 Lighting outlets required.

Add the following subsection (c):

- (c) Basements or Attics for Occupancy. All basements or attics suitable for occupancy and with unfinished partitions installed shall be wired completely.

(Ord. 637 (part), 1988; Ord. 600 (part), 1985; Ord. 532 § 1(part), 1982).

16.30.220-3 Branch circuits required.

Add the following subsections (e) and (f) to read as follows:

- (e) Dishwashers. A separate 20-ampere circuits shall be installed for each dishwasher.
- (f) Central Heating System Appliances. All central heating systems appliances using electrical controls shall be permanently connected into a separate circuit(s) for the heating system only.

(Ord. 532 § 1(part), 1982).

16.30.230-28 Service masts as supports.

Add the following subsections (a) through (d):

- (a) Service Mast—When Required. When it is necessary to locate a meter loop on the low side of a structure with a pitched roof, a service mast shall be installed to protect the wiring from ice and snow. Only rigid street conduit shall be used for service masts.

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- (b) Conduit Size. Rigid conduit used for penscope shall be a minimum size of two inches and must extend at least three feet above the surface of the roof. An extension higher than three feet must be braced or guyed.
 - (c) Protection for Meter. If a meter is subject to damage from rain, ice or snow, it shall be protected.
 - (d) Location of Meter. Subject to utility approval.

(Ord. 532 § I(part), 1982).

16.30.230-4I Sizing and rating.

Add subsection (d) to read:

- (d) Service Entrance. The service entrance shall be sized not less than 200 amperes for duplexes.

(Ord. 532 § I(part), 1982).

16.30.230-70(a) Service equipment—Disconnecting means location.

Add subsection (a) as follows:

- (a) All service equipment main disconnects for all occupancies other than single family dwelling, duplex, triplex and private garages which are not readily accessible on the ground floor of a structure or building shall have either the main disconnect or a shunt-trip device located in the exterior of the structure a minimum of eight (8) feet and a maximum of ten (10) feet above the ground. The location of the main disconnect or shunt-trip device for all occupancies other than R-3 and M shall be approved by the Building Official.

(Ord. 600 (part), 1985).

16.30.310-2(b) Conductor material.

Amend by adding the following paragraph:

Aluminum and copper clad aluminum conductors shall not be used in any structure beyond the service entrance equipment.

(Ord. 532 § I(part), 1982).

16.30.336-3(c) Uses permitted or not permitted.

Amend subsection (c) by the addition of subparagraph (9) as follows:

- (9) Exposed work in habitable areas.

16.30.700(12)(f) Unit equipment.

Amend by adding the following sentence to the second paragraph:

Receptacle outlets for emergency illumination equipment shall not be readily accessible to the general public.

(Ord. 532 § 1(part), 1982).

Chapter 16.40 LOCAL AMENDMENTS TO THE UNIFORM SIGN CODE, 1985 EDITION

16.40.010 Local amendments to the Uniform Sign Code, 1985 Edition.

The amendments to the 1985 edition of the Uniform Sign Code are listed hereafter by section. The last digits of the section number (after the title and chapter digits) are the section of the Uniform Sign Code to which the amendment refers, i.e., 16.40.103(d) refers to amendment to Section 103(d) of the Uniform Sign Code, 1985 Edition.

(Ord. 606 (part), 1986; Ord. 532 § I(part), 1982).

16.40.103(d) Violations.

Amend by deleting the second paragraph and substitution as follows:

Any person, firm or corporation violating any of the provisions of this code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued or permitted, and shall be subject to the penalties and remedies provided in Section 15.10.020 of this title.

(Ord. 532 § I(part), 1982).

16.40.301 Permits required.

Amend by adding the following:

No permit for the erection of a permanent sign shall be issued unless the proposed sign fully conforms to all requirements of the zoning ordinance.

(Ord. 532 § 1(part), 1982).

16.40.302 Application for permit.

Amend by adding the following paragraph:

Submission Requirements. Any application for a sign permit must contain the following material:

1. A drawing to scale showing design of the sign including dimensions, sign size, method of attachment, structural specifications, source of illumination and showing the relationship to any building or structure to which it is or is proposed to be installed or affixed or to which it relates.
2. A plot plan to scale indicating the location of the sign relative to property lines, streets and sidewalks, buildings and other signs or structures.
3. A photograph showing the proposed location of the sign.

(Ord. 532 § I(part), 1982).

16.40.303 Exemptions.

Amend by adding the following:

4. Building construction signs. One (1) on-site building construction sign on each construction site in any zoning district provided that:

A. Maximum display surface area:

8 square feet in all R Districts

32 square feet in all other Districts,

5. Real estate signs,

6. Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other non-combustible material,

7. Municipal signs, as approved by the Planning Commission,

8. Signs, painted on, or affixed to glass surfaces of windows or doors and pertaining to the lawful business conducted therein, and

9. All signs located within a building that are not visible to the public outside said building.

(Ord. 606 (part), 1986).

Chapter 16.45 LOCAL AMENDMENTS TO THE UNIFORM FIRE CODE, 1985 EDITION

16.45.010 Local amendments to the Uniform Fire Code, 1985 Edition.

The amendments to the 1985 edition of the Uniform Fire Code are listed hereafter by section. The last digits of the section number (after the title and chapter digits) are the section of the Uniform Fire Code to which the amendment refers, i.e. Section 16.45.2.201 refers to § 2.201 of the Uniform Fire Code, 1985 Edition.

(Ord. 635 (part), 1988).

16.45.2.201 Inspections and unsafe buildings.

Amend by adding a subsection (c) to read as follows:

(c) The chief or his authorized representative may issue a closure and vacate order without prior notice or hearing where there is imminent danger to life from faulty equipment and appliances, blocked or inadequate exits, disaster damage or extremely hazardous, solid and liquid materials.

(Ord. 635 (part), 1988).

16.45.2.302 Board of appeals.

Amend the first sentence by substituting "seven" for "five" members. Add a second paragraph as follows:

For the purpose of this section, the Building Board created under § 16.10.010 of this title shall be constituted as and shall serve as the Board of Appeals.

(Ord. 635 (part), 1988).

16.45.10.206 Obstruction of fire-protection equipment.

Amend to read as follows:

No vehicle shall be parked within 15 feet of the front and 10 feet of the sides of a fire hydrant, Fire Department connection or fire protection control valve on private or public property. Fire Department connections and fire protection system control valves will be posted with an approved City "no parking" sign. The cost of such signs shall be borne by the property owner.

(Ord. 635 (part), 1988).

16.45.10.207(f) Vertical clearance.

Amended to read as follows:

All fire apparatus access roads shall have an unobstructed vertical clearance of not less than 14 feet.

(Ord. 635 (part), 1988).

16.45.10.207(l) Signs.

Amend by adding the following sentence:

"No Parking" signs shall be City approved signs and the cost of such signs shall be borne by the property owner.

(Ord. 635 (part), 1988).

16.45.10.307(a).

Delete the first paragraph (a) and insert the following:

(a) Every apartment house and every hotel shall have installed therein an approved automatic or manually operated fire alarm system designed to warn the occupants of the building in the event of fire. Such fire alarm system shall be so designed that all occupants of the building may be warned simultaneously. The alarm system shall include provisions for smoke detection and manual operation in interior corridors and automatic detection in storage rooms, laundry rooms, furnace rooms and similar common areas.

(Ord. 635 (part), 1988).

Chapter 16.50 PRIVATE FIRE ALARM SYSTEMS

16.50.010 Connection to municipal circuit—Permit required.

A person having a private fire alarm system may connect the system to the city fire alarm circuit or directly connect the system to the fire alarm headquarters, after obtaining a permit for the connection from the fire chief.

(Ord. 532 § I(part), 1982).

16.50.020 Permit—Standards.

The fire chief shall issue a permit for the connection if the fire chief finds that the connection:

- A. Will be compatible with the city fire alarm circuit or system;
- B. Will connect an adequate, properly installed and maintained private alarm system; and
- C. Will substantially benefit the city fire prevention system.

(Ord. 532 § 1(part), 1982).

16.50.030 Permit—Restriction.

The permit required by Section 16.50.010 will be issued subject to the fire department rules and regulations and shall be conditioned upon such reasonable requirements, terms and conditions as the fire chief may require.

(Ord. 532 § 1(part), 1982).

16.50.040 Permit—Revocation.

A permit may be revoked by the fire chief for noncompliance with the permit standards, rules, regulations, conditions or restrictions. The permit may be revoked by the fire chief if the chief, in his discretion, finds that the disconnection of the private alarm system is in the best interests of the city. The permit holder may appeal a decision to revoke a permit to the city manager, who shall conduct an administrative hearing pursuant to Chapter 3.60 of this code within fifteen days to review the wisdom, legality and appropriateness of that decision. The prior granting of a permit or the expenditure of moneys by the permit holder will not create any vested right in the permit holder or act to estop the city from taking any action authorized by law to enforce the provisions of this chapter.

(Ord. 532 § 1 (part), 1982).

16.50.050 Radio fire alarm box—Payment of costs—Maintenance of system.

The permit holder shall pay the city for the cost of a radio fire alarm box or for the converting of the initial hookup. The permit holder shall pay the cost of providing, installing and maintaining the private system up to the radio fire alarm box. The maintenance of the private system must be by a qualified person engaged in the business of installing and maintaining a supervisory fire alarm system, who shall use the insurance services office's and National Fire Protection Association's standards that are approved by the fire chief. After the private alarm system is properly connected, it shall be deemed part of the city fire alarm system.

(Ord. 532 § 1(part), 1982).

16.50.060 Unauthorized connection or disconnection unlawful.

It is unlawful for a person not authorized by the fire chief to connect or disconnect, temporarily or otherwise, a private fire alarm system, or other wires or conduits leading to a city fire alarm circuit or city fire system. The fire chief shall authorize specific connection or disconnection by written permit.

(Ord. 532 § 1(part), 1982).

16.50.070 Connection, inspection and permit fees.

The permit holder shall pay the following fees for the connection of the private fire alarm system to the city fire system:

- A. Permit fee;
- B. Initial connection fee;
- C. Cost to convert existing radio alarm box to accept private fire alarm system;
- D. New radio alarm box;
- E. Monthly inspection fee.

(Ord. 532 § 1(part), 1982).

16.50.080 Prohibited acts.

It shall be unlawful for any person, firm, association or corporation to do any act required under this chapter or to fail to do any act required under this chapter. Any person, firm, association or corporation who violates this section shall be guilty of a misdemeanor and shall be subject to the penalties and remedies set forth in Section 16.10.020 of this title.

(Ord. 532 § 1 (part), 1982).

Chapter 16.70 LOCAL AMENDMENTS TO THE UNIFORM HOUSING CODE, 1979 EDITION

16.70.010 Local amendments to the Uniform Housing Code, 1979 Edition.

The amendments to the 1979 edition of the Uniform Housing Code are listed hereafter by section. The last digits of the section number (after the title and chapter digits) are the section of the Uniform Housing Code to which the amendment refers, i.e. 16.70.202 refers to amendments to Section 202 of the Uniform Housing Code, 1979 Edition. (Chapter 10 through 16 not adopted by this chapter.)

(Ord. 532 § 1(part), 1982).

16.70.202 Section 202 deleted.

Delete in entirety.

(Ord. 532 § 1(part), 1982).

16.70.203 Housing advisory and appeals board.

Amend to read as follows:

Section 203. For the purpose of this section, the Building Board designated in Section 10.10.010 of this title shall be constituted as and shall serve as the Housing Advisory and Board of Appeals.

(Ord. 532 § 1(part), 1982).

16.70.801 Exits.

Amend the third paragraph, fourth sentence to read as follows:

Where windows are provided as a means of egress or rescue, they shall have a finished sill height not more than forty-eight inches above the floor.

(Ord. 532 § 1(part), 1982).

Chapter 16.75 HOUSING AND URBAN DEVELOPMENT

16.75.010 Powers—Adopted.

Housing and urban development powers are adopted and assumed by the city.

(Ord. 32 § 1(part), 1982).

16.75.020 Powers—Limitations.

Housing and urban development powers are limited to development of a senior citizens housing project.

(Ord. 532 § 1(part), 1982).

16.75.030 Contract and implementation authority.

The city manager of the city is authorized to enter into such contracts and agreements necessary to implement and carry out the powers assumed in Sections 16.75.010 and 16.75.020 above.

(Ord. 532 § 1(part), 1982).

Chapter 16.80 MOBILE HOME PARKS

16.80.010 Definitions.

For the purposes of this chapter, the following terms shall be defined as follows:

- A. "Lean to" means a portable, demountable, or permanent room enclosure adjoining a mobile home and used for human occupancy, storage or entryway.
- B. "Mobile home" means a detached residential dwelling unit designed for transportation after fabrication on streets or highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks, or other temporary or permanent foundation, connection to utilities, and the like.
 - 1. "Single-wide mobile home" means a transportable single-family dwelling which may be towed on its own running gear, and which may be temporarily or permanently affixed to real estate, used

for nontransient residential purposes and constructed with the same or similar electrical, plumbing, and sanitary facilities as immobile housing.

2. "Double-wide mobile home" means two portable units designed and built to be towed on their own separate chassis and permanently combined on-site to form a single immobile dwelling unit.
- C. "Mobile home park" means a parcel of land under single ownership which has been planned and improved for the placement of two or more mobile homes for nontransient use.
- D. "Habitable room" means a room or enclosed floor space arranged for living, eating, food preparation, or sleeping purposes that does not include bathrooms, toilet compartments, laundries, pantries, artic entries, foyers, hallways, and other accessory floor space.
- E. "Rafted roof" means any freestanding roof or shade structure, installed or erected above a mobile home or any portion thereof.
- F. "Trailer" means a mobile home.
- G. "Building board" means the building board created pursuant to Section 16.10.010.

(Ord. 869 (part), 2000: Ord. 680 § 1(part), 1991).

16.80.020 License—Required—Term—Transferability.

It is unlawful for any person, persons, firm or corporation to establish, operate, manage or maintain or begin the operation of any mobile home park within the city without first having obtained an annual license therefor from the city building inspector authorizing the operation of such mobile home park. A mobile home park license shall cover the period from January 1st to December 31st. Such annual license shall not be transferable.

(Ord. 869 (part), 2000: Ord. 680 § 1(part), 1991).

16.80.030 License—Applications fees—Site plan.

Each application for a mobile home park license shall be submitted to the city building inspector on a form provided by the city and containing such information as is requested on the form, and shall be accompanied by (1) a nonrefundable fee of thirty-five dollars or three dollars per space in the mobile home park, whichever is greater, and (2) a plan drawn to scale showing the external boundaries of the park, the size and locations of all mobile home spaces, buildings and structures, sewer lines and their connections, electric lines and their connections, water lines and their connections, power poles and meter locations. All water and sewer lines must also have complete engineered drawings. All electrical services supplying mobile homes shall be maintained in a serviceable condition and conform to the provisions of the National Electrical Code under which they were installed. Any electrical services that are replaced or newly installed shall conform to the edition of the National Electrical Code in effect at the time of replacement or installation. Each mobile home space shall be given a number on the plan.

(Ord. 869 (part), 2000: Ord. 680 § 1(part), 1991).

16.80.040 License—Denial—Fees—Revocation—Reinstatement.

- A. The city building inspector may deny a license for good cause. Denial of a license may be appealed to the building board.
- B. The city council may revoke a license issued under this chapter or Chapter 18.60 upon a determination of the city building inspector that a violation or violations of this chapter have occurred in connection with the licensee's mobile home park and such violations have not been cured within thirty days after the licensee

receives notice thereof, including the payment of fines for such violations. Revocation of a license shall not be appealable, but a revoked license may be reinstated in accordance with subsection C of this section. Upon revocation, in addition to any other remedy or penalty provided by this chapter, the city may seek injunctive relief to restrain the operation, management or maintenance of the mobile home park in violation of this chapter. Upon application for injunctive relief and a finding that a person, persons, firm or corporation is operating, managing, or maintaining a mobile home park in violation of this chapter, the superior court shall grant injunctive relief to restrain the violation or violations.

- C. The city building inspector may reinstate a license revoked under subsection B upon receiving (1) a written request for reinstatement, (2) satisfactory evidence that the violation or violations upon which the license revocation was based have been cured, and the licensee and the mobile home park are otherwise in full compliance with the provisions of this chapter, and (3) full payment of any outstanding and unpaid fines, and payment of a reinstatement fee. A reinstated license shall expire on the license's original expiration date. Denial of a request for reinstatement of a revoked license may be appealed to the building board.

(Ord. 869 (part), 2000; Ord. 680 § 1(part), 1991).

16.80.045 License—Renewals.

The city building inspector may renew a license issued under this chapter, or a renewal thereof, for an additional one-year period upon the expiration of such license or renewal period upon (1) receiving a written request for renewal from the licensee not less than thirty days prior to the expiration of the license or renewal period, accompanied by payment of a nonrefundable renewal fee of thirty-five dollars or three dollars per space in the mobile home park, whichever is greater, and (2) determining that the mobile home park is being operated, managed and maintained in full compliance with the provisions of this chapter, and that there are no outstanding and unpaid fines or fees. A decision not to renew a license or renewal may be appealed to the building board.

(Ord. 869 (part), 2000).

16.80.050 Conditional use permit.

Mobile home parks may be permitted in any zoning district as a conditional use. Conditional use permits must be obtained as required in Chapter 18.60 of this code.

(Ord. 680 § 1(part), 1991).

16.80.055 Inspections—Changed conditions.

- A. Mobile home parks may be inspected by the city building inspector or his designee periodically for compliance with this chapter.
- B. Changes in the boundaries or design of, or the addition of a mobile home or homes to, a mobile home park shall not be performed without the licensee first submitting to and having approved by the city building inspector or his designee a revised site plan specifying the changes or additions. The city building inspector or his designee shall approve or disapprove any proposed changes or additions within thirty days of receiving the revised site plan. A decision not to approve of a change or addition may be appealed to the building board.

(Ord. 869 (part), 2000).

16.80.060 Specifications.

- A. The management of every mobile home park shall maintain in good repair and appearance all sanitary facilities, utilities, and appliances which are owned and operated by the park owners. Supervision and equipment sufficient to prevent littering of the premises with rubbish, garbage, or other refuse shall be provided and maintained at all times.
- B. Each mobile home park shall provide not less than one thousand nine hundred fifty square feet of space (sixty-five feet by thirty feet minimum) for each mobile home space. Except as specified in Section 16.80.060(M), there shall be a five-foot setback from all exterior park boundaries or property lines. Any portion of the mobile home (excluding the tongue), lean-to or rafted roof shall not be located closer than ten feet side-to-side, ten feet end-to-side, or ten feet end-to-end horizontally from any other trailer, lean-to or rafted roof unless the exposed composite walls and roofs of both structures are without openings and constructed of materials that will provide a one-hour fire rating or the structures are separated by a one-hour fire-rated barrier. At no time shall the distance be less than six feet. The distance shall be measured wall-to-wall; eaves shall not extend into the setback more than sixteen inches.
- C. Mobile home parks shall establish and maintain a fire apparatus access roadway not less than twenty feet wide and an unobstructed vertical clearance of not less than fifteen feet between rows of mobile homes that are not situated end-to-end. Roadways shall be well maintained in summer and winter, and shall remain free and clear of all obstacles including parked vehicles at all times. Roadways and mobile home spaces shall be well marked in daylight and well lighted at night so that space numbers and addresses can be easily read from the road, and walking along road and pathways is not hazardous.
- D. Mobile home parks shall be well drained and free from insect breeding places. Fires in parks shall be made only in stoves or other equipment provided for that purpose, and open, unattended fire shall not be permitted.
- E. An adequate supply of safe water for drinking and domestic purposes shall be provided. The water supply shall be easily obtainable from a pipe distribution system. Individual water distribution pipes shall be conveniently located on each mobile home space. Effective with the passage of the ordinance codified in this chapter the following shall also apply:
 - 1. Individual water shutoff valves shall be provided and conveniently located on each mobile home space in all new installations;
 - 2. Private water systems must be DEC approved; and
 - 3. The water system must be connected to the public water system when the public water system is within one hundred fifty feet of the exterior property on any side of the mobile trailer park.
- F. All mobile homes shall be connected to a private or public sewer system and all sewage shall be disposed of through same. Effective with the passage of the ordinance codified in this chapter the following shall also apply:
 - 1. Where the public sewer system is within one hundred fifty feet of the exterior property line on any side of the mobile home park, the park shall be connected to the public sewer system and all sewage shall be disposed of through same; and
 - 2. Private sewer systems must be DEC approved.
- G. Wastewater from sinks, showers, toilets, and other plumbing fixtures in the mobile home park shall not be deposited on the surface of the ground and all fixtures shall be connected to the private or public sewer system in an approved manner.

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- H. The park manager shall provide or require that park residents provide garbage containers with close-fitting covers in convenient locations and ample numbers. The containers shall not be permitted to become foul smelling, unsightly, or breeding places for flies. All garbage, trash, and rubbish shall be disposed of in such manner as is provided by ordinances of the city.
 - I. Each mobile home space shall have an individual electrical hookup installed by a registered electrician and inspected by the city building inspector before a mobile home is connected to the hookup. No mobile home shall be connected to the electric system of the mobile home park if the building inspector finds the hookup to be hazardous. In the event a mobile home is removed and replaced with another, the replacement mobile home shall not be connected to an existing hookup until it is reinspected by the city building inspector.
 - J. Mobile home parks shall have adequate fire protection. No mobile home shall be more than five hundred feet from the nearest fire hydrant and hydrant spacing shall not exceed eight hundred feet between hydrants. In closely built areas these requirements may be tightened if that is determined to be necessary by the fire chief to ensure the public safety.
 - K. Mobile home parks shall provide adequate snow dumps or otherwise provide for the adequate disposal of snow.
 - L. Each mobile home, except any located in temporary spaces as provided in Section 16.80.065, placed in a mobile home subsequent to the passage of the ordinance codified in this chapter must be certified as a manufactured mobile home.
 - M. All mobile homes placed in a mobile home park subsequent to the passage of the ordinance codified in this chapter shall be required to maintain a minimum setback of twenty feet from any part of the mobile home and/or lean-to from any lake, stream waters or wetlands. Any additional requirements of the Cordova coastal management plan shall also apply.
 - N. A site development permit must be issued by the city prior to the placement or replacement of any mobile home.

(Ord. 869 (part), 2000; Ord. 680 § 1(part), 1991).

16.80.065 Temporary placement of travel trailers.

Travel trailers that are not classified as manufactured mobile homes as defined in Section 16.80.010 (B) may be temporarily placed in a mobile home park between April 1st and October 31st. All specifications as given in Section 16.80.060 shall apply.

(Ord. 869 (part), 2000).

16.80.070 Supervision.

Each mobile home park, while occupied, shall be under the supervision and control of a responsible attendant or caretaker who shall be responsible, together with the licensee, for full compliance with the provisions of this chapter.

(Ord. 680 § 1(part), 1991).

16.80.080 Accessory structures.

Lean-tos and rafted roofs must be designed to meet the minimum wind and snow loads. Lean-tos, rafted roofs and outbuildings may be constructed only after obtaining a building permit from the city building inspector, and then only in accordance with the city's construction rules relating to temporary structures.

- A. Lean-tos. Every habitable room in a lean-to shall have access to at least one exterior opening suitable for exiting directly to the outside without passing through the trailer. Where a lean-to encloses two doors of a trailer or an emergency exit window, an additional exterior door shall be installed. This exterior door shall not be less than twenty-eight inches in width and six feet two inches in height. All lean-tos shall be of finished construction and if sealed, sheetrock or other fire resistant material shall be used.
- B. Rafted Roofs. A rafted roof may exceed the height and extend over the mobile home to which it is attached provided that the roof free-spans the mobile home over which it is constructed.
- C. Outbuildings. Any building not directly attached to the mobile home is considered an "outbuilding." There shall be a setback of five feet from the exterior property line for all outbuildings. Outbuildings constructed entirely of materials that do not support combustion shall not be placed closer than five feet to a mobile home and/or lean-to. Outbuildings constructed of combustible materials shall not be placed closer than ten feet to a mobile home and/or lean-to.

(Ord. 869 (part), 2000; Ord. 680 § 1(part), 1991).

16.80.090 Certain violations designated.

- A. Failure to operate, manage or maintain a mobile home park in accordance with this chapter or in compliance with provisions, terms, conditions, and specifications of an application or site plan approved, or a license issued, under this chapter shall be a violation of this chapter.

(Ord. 869 (part), 2000; Ord. 680 § 1(part), 1991).

16.80.100 Fine—Liability for violations.

- A. There shall be a fine of one hundred dollars per day for each violation of this chapter after notice thereof.
- B. The mobile home park owner shall be liable, individually and jointly with any other responsible person or entity, for any violation of this chapter associated with the owner's mobile home park, whether such violation occurs on or off the mobile home park premises, and for payment of the fines for such violation or violations. For the purposes of this chapter, "other responsible person or entity" includes, without limitation, a park manager, caretaker, attendant, supervisor, mobile home owner, mobile home renter, or park resident, whether residing within or outside the authorized park boundaries, who the city building inspector determines was responsible for or substantially contributed to a violation of this chapter.

(Ord. 869 (part), 2000).

Chapter 16.90 TRAILERS AND TRAILER CAMPS

16.90.010 Definitions.

For the purposes of this chapter, the following terms shall be defined as follows:

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- A. "Automobile trailer" means any vehicle used for sleeping or living quarters and propelled either by its own power or by other power-driven vehicles to which it may be attached. This includes travel trailers, recreational vehicles, camper units on pickups, and the like.
 - B. "Automobile trailer camp" means any lot or parcel of ground arranged for the parking of automobile trailers, referred to in this chapter as "camp." Automobile trailer camps are primarily for recreational vehicles whose stay will be short term or seasonal.

(Ord. 681 (part), 1991).

16.90.020 License—Required—Term—Transferability.

It is unlawful for any person, persons, firm or corporation to establish, operate, manage, or maintain or begin the operation of any automobile trailer camp within the city without first having obtained a license therefor from the city building inspector authorizing the operation of such automobile trailer camp. An automobile trailer camp license shall cover the period from January 1st to December 31st. Such automobile trailer camp license shall not be transferable.

(Ord. 681 (part), 1991).

16.90.030 License—Applications.

Each application for a trailer camp license shall be accompanied by a plan drawn to scale showing the external boundaries of the camp, the size and location of all trailer spaces, buildings and structures, sewer lines and their connections, electric lines and their connections, water lines and their connections, power poles and meter locations. The clearance of all electric connections must conform to city codes and the latest edition of the National Electrical Code. Each trailer space shall be given a number on the plan.

(Ord. 681 (part), 1991).

16.90.040 License—Fees—Revocation.

The fee to be paid for a license for an automobile trailer camp shall be a minimum fee of thirty-five dollars per year or three dollars per space per year, whichever is greater. Any failure on the part of management to maintain the automobile trailer camp in an orderly, safe, and sanitary condition shall be grounds for revocation of the license by the city council.

(Ord. 681 (part), 1991).

16.90.050 Conditional use permit.

Automobile trailer camps may be permitted in any zoning district as a conditional use. Conditional use permits must be obtained as required in Chapter 18.60 of this code.

(Ord. 681 (part), 1991).

16.90.060 Specifications.

- A. The management of every automobile trailer camp shall maintain in good repair and appearance all sanitary facilities and appliances. Supervision and equipment sufficient to prevent littering of the premises with rubbish, garbage, or other refuse shall be provided and maintained at all times.

(Supp. No. 80)

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- B. No trailer shall be placed closer than ten feet to the next adjoining trailer on the side and ten feet on the end. There shall be a fifteen-foot setback from all exterior camp boundaries or property lines. This setback cannot be used as a roadway. A minimum of ten percent of the total camp area shall be provided as an open green area for recreation, picnics and other activities. The exterior boundary setback may be used to fulfill this requirement. Camps shall have roadways at least twenty feet wide between rows of shall have roadways at least twenty feet wide between rows of trailers. Roadways shall be well maintained. Roadways and trailer spaces shall be well marked in day-light and well lighted at night.
 - C. Automobile trailer camp areas shall be well drained and free from insect breeding places. Fires in such areas shall be made only in stoves, fireplaces, or pits provided for that purposes, and open, unattended fire shall not be permitted.
 - D. An adequate supply of safe water for drinking and domestic purposes shall be provided. The water supply shall be easily obtainable from a pipe distribution system. Water faucets shall not be more than seventy-five feet from any trailer space.
 - E. The premises occupied by the trailer camp shall be connected with the public sewer in an approved manner and all sewage shall be discharged through the same. In limited cases, other disposal systems may be acceptable if they are approved by the city and the Department of Environmental Conservation.
 - F. Wastewater from sinks, showers, toilets, and other plumbing fixtures in the automobile trailer shall be deposited in a plumbing fixture connected to the public sewer system and not on the surface of the ground.
 - G. The trailer camp manager shall provide garbage containers with close-fitting covers in convenient locations and in ample numbers. The containers shall not be permitted to become foul smelling, unsightly, or breeding places for flies. All garbage, rubbish, and trash shall be disposed of in such manner as is provided by ordinances of the city.
 - H. No trailer shall be connected to the electric system of the city if the building inspector finds the wiring of any such trailer to be hazardous.

(Ord. 681 (part), 1991).

16.90.070 Supervision.

Each trailer camp, while occupied, shall be under the supervision and control of a responsible attendant or caretaker who shall be responsible, together with the licensee, for full compliance with the provisions of this chapter.

(Ord. 681 (part) , 1991).

16.90.080 Violations designated.

- A. There shall be a fine of one hundred dollars for each violation of this chapter.
- B. It is unlawful for any person to own or maintain any automobile trailer when it is being used as a dwelling place at any place other than the licensed trailer camp. Automobile trailers operated by tourists or visitors who are visiting Cordova or Cordova residents, are staying less than thirty days, and are parked on private land or another lawful location, are exempt. Exceptions to this section may be made on a case by case basis for people using auto-mobile trailers as a primary residence for a period longer than thirty days provided that:
 - 1. A permit to camp outside of a trailer camp has been obtained from the city. The fee for such permit shall be thirty-five dollars per month and permits shall be is-sued for the duration of the stay. Permits

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- for camping outside of automobile trailer camps shall be issued for the period April 1st through October 31st;
2. The trailer is parked on private land with the permission of the landowner. Landowners may not charge a fee for this service nor operate a trailer camp without obtaining a license to do so from the city. Automobile trailers shall be limited to one per lot in residential areas;
 3. The camp situation is not an unreasonable in-convenience or nuisance to neighboring landowners;
 4. Adequate arrangements have been made for garbage and sewage disposal;
 5. The trailer has access to an adequate supply of safe drinking water;
 6. The trailer is not parked on the right-of-way of any city street or alley, on public lands such as parks unless otherwise authorized, on unoccupied city-owned commercial or industrial lands, or any other areas which are inappropriate for this use as determined by the planning commission;
 7. Adequate off-street parking must be provided for the automobile trailer. The space provided shall be in addition to the spaces required in Chapter 18.48 of this code. The parking of trailers shall not result in the displacement of other vehicles such that they must then park in the street.
- C. The administration of this section shall be determined by the city manager. These permitting provisions may be revoked by ordinance if the council finds that to be in the best interest of the city.
- D. It is unlawful for any person to remove the wheels or other transportation device from any automobile trailer or otherwise affix said trailer permanently to the ground so as to prevent ready removal, unless a permit to do so is obtained as required for the construction of a new building. Any alterations of an automobile trailer which converts the same into a permanent dwelling shall be subject to the requirements of the building code and zoning ordinances of the city.
- E. It is unlawful to occupy for sleeping or other residence purposes any automobile trailer which has been rendered immobile by the removal of the wheels or placing the same on foundations or the ground unless such trailer is connected to water, electric, and sewer facilities above mentioned, and the construction and location of the same complies with the ordinances applicable to single-family dwellings.
- F. The building board may grant an exception from subsections A, B and C of this section for up to twelve months to allow a lot owner to place temporary living quarters on a lot provided that:
1. A building permit has been issued;
 2. Water, sewer, and electric utilities have been installed;
 3. A foundation has been constructed and approved;
 4. Only the lot owner may be allowed to occupy the temporary residence, and that such temporary residence may not be inhabited by other than the lot owner's immediate family;
 5. The temporary living quarters must be removed from the lot or vacated prior to the issuance of a certificate of occupancy for the residence or at the end of the twelve-month period.

(Ord. 713, 1993; Ord. 681 (part), 1991).

Title 18

ZONING

Chapter 18.04 GENERAL PROVISIONS

18.04.010 Purpose.

The zones and regulations pertaining thereto as set forth in this title are made for the purpose of promoting health, safety, morals and general welfare of the community. They are designed to lessen congestion in streets, to secure safety from fire, panic and other dangers, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, to facilitate adequate provision of transportation, water, sewerage, schools, parks and other public requirements. They are made with reasonable consideration, among other things as to the character of each district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city. This title is based on a comprehensive study of the area and becomes one part of the complementation of the general plan.

(Prior code Ch. 15 Art. II(part)).

18.04.020 Title—Term.

A. The ordinance codified in this title may be cited as the "zoning ordinance of the city of Cordova, Alaska."

B. This zoning ordinance shall remain in force until repealed.

(Prior code Ch. 15 Art. II(part)).

18.04.030 Application of regulations.

The regulations set by this title within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land and, particularly, except as hereinafter provided:

- A. No building or land shall hereafter be used or occupied and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations specified for the district in which it is located.
- B. No structure shall hereafter be erected or altered:
 - 1. To exceed the height;
 - 2. To accommodate or house a greater number of Families;
 - 3. To occupy a greater percentage of lot area; or
 - 4. To have narrower or smaller rear yard, front yard or side yard than is specified in this title for the district in which such building is located.
- C. No yard or other open space provided about any building for the purpose of complying with the provisions of this title shall be considered as providing a yard or open space for any other building, and no yard or open space on one lot shall be considered as providing a yard or open space on any other lot.

(Prior code Ch. 15 Art. II(part)).

18.04.040 Uses—Generally.

- A. The express enumeration and authorization of a particular class of building, structure, premise or use in a designated district shall be deemed a prohibition of such building, structure, premises or use in all other districts unless otherwise specified.

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- B. Uses other than those specifically permitted in each of the districts may be permitted therein; provided, that such uses are similar to those mentioned and are determined by the planning commission to be not more obnoxious or detrimental to the welfare of the community than the permitted uses.
 - C. Uses other than those specifically excluded from each of the districts may be excluded therefrom; provided, that such uses are determined by the planning commission to be not less obnoxious or detrimental to the welfare of the community than those uses specifically excluded.
 - D. The use of buildings and property publicly owned and engaged in the performance of a public function may be permitted in any district; provided, that such use is not, in the opinion of the planning commission, obnoxious or detrimental to the welfare of the community.

(Prior code § 15.209(B)).

18.04.050 Uses—Public.

To insure that public uses and structures conform to the general community pattern and, insofar as practical, to regulations governing private uses and development, agencies of the Federal Government, the state and the borough should submit plans and receive approvals in conformance with the regulations outlined in this title.

(Prior code § 15.211).

18.04.060 Uses—Private.

Whenever private use is made of any public land or public structures, such private use shall fully conform to the regulations set forth in this title.

(Prior code § 15.212).

Chapter 18.08 DEFINITIONS³

18.08.010 Definitions.

For the purpose of this title, the words and terms set forth in this chapter shall have the following meanings:

"Alley" means a public way designed and intended to provide only a secondary means of access to any property abutting thereon.

"Alteration" means any change, addition or modification in the construction, location or use classification.

"Amateur radio antenna" means a structure or device designed to collect or radiate electromagnetic waves for noncommercial amateur radio equipment including without limitation ham, citizen band radio, VHF and single side-band antennas.

³Editor's note(s)—Ord. No. 1134, § 1, adopted October 7, 2015, repealed ch. 18.08, §§ 18.08.010—18.08.630, in its entirety; and enacted a new ch. 18.08 to read as set out herein. Former ch. 18.08 pertained to similar subject matter, and was derived from Prior code §§ 15.208(part), 15.208(A), 15.208(B); Ord. No. 585 (part), adopted 1984; Ord. No. 695 § 1, adopted 1992; Ord. No. 805 § 1, adopted 1998; Ord. No. 1070, §§ 1—8, adopted July 21, 2010 and Ord. No. 1073, adopted July 7, 2010.

"Antenna" means a structure or device designed to collect or radiate electromagnetic waves, including, without limitation, directional antennas such as panels, microwave dishes, satellite dishes; and omni-directional antennas such as whip antennas.

"Automobile wrecking" means the dismantling of used motor vehicles or trailers or the storage or sale of parts from dismantled or partially dismantled, obsolete or wrecked vehicles.

"Boardinghouse" means a building other than a hotel with not more than five sleeping rooms where lodging, with or without meals, is provided for compensation for three or more persons, but not exceeding fifteen persons, on other than day-to-day basis and which is not open to transient guests.

"Building" means any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

"Building, accessory" means a detached building, the use of which is appropriate, subordinate and customarily incidental to that of the main building or to the main use of the land and which is located on the same lot as the main building or use. An accessory building shall be considered to be a part of the main building when joined to the main building by a common wall not less than four feet long or when any accessory building and the main building are connected by a breezeway which shall not be less than eight feet in width.

"Building, agricultural" means a building located in the unclassified district and used to shelter farm implements, hay, grain, poultry, livestock or other farm produce, in which there is no human habitation and which is not used by the public.

"Building area" means the total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of steps.

"Building code" means the building code and/or other building regulations applicable to the city.

"Building, existing" means a building erected prior to the adoption of the ordinance codified in this chapter or one for which a legal building permit has been issued.

"Building height" means the vertical distance from the grade to the highest point of the roof.

"Building official" means the officer charged with the administration and enforcement of this title. The public works director shall act as building official until the city council otherwise designates.

"Building, principal" or "main building" means a building in which is conducted the principal or main use of the lot on which said building is situated.

"Children's nursery" means any home or institution used and maintained to provide day care for more than four children not more than seven years of age.

"Collocation" means the use of a telecommunication tower by more than one provider of telecommunication service.

"Coverage" means that percentage of the total lot area covered by the building area.

"Cultural center" means a building used for the promotion of culture, arts, science, education, and/or research.

"Dwelling" means a building or any portion thereof designed or used exclusively for residential occupancy including one-family, two-family and multiple-family dwellings, but not including any other building wherein human beings may be housed.

"Dwelling, multiple-family" means any building containing three or more dwelling units.

"Dwelling, one-family" means any detached building containing only one dwelling unit.

"Dwelling, two-family" means any building containing only two dwelling units.

"Dwelling unit" means one or more rooms and a single kitchen in a dwelling designed as a unit for occupancy by not more than one family for living or sleeping purposes, and in which not more than two persons are lodged for hire.

"Family" means any number of individuals related by blood or marriage or an unrelated group of not more than five persons living together as a single housekeeping unit in a dwelling unit.

"Fence height" means the vertical distance between the ground, either natural or filled, directly under the fence and the highest point of the fence.

"Floor area" means the total of each floor of a building within the surrounding outer walls but excluding vent shafts and courts.

"Frontage" means all the property fronting on one side a street between intersecting streets or between a street and right-of-way, end of street or city boundary.

"Garage, private" means an accessory building or any portion of a main building used in connection with residential purposes for the storage of passenger motor vehicles.

"Garage, public" means any garage, other than a private garage, available to the public, operated for gain, and which is used for storage, repair, rental, greasing, washing, servicing, or adjusting or equipping of automobiles or other vehicles.

"Garage, storage" means any building or portion thereof, other than a private garage, used for the storage of motor vehicles and the incidental service of vehicles stored therein.

"Grade" or "ground level" means the average level of the finished ground at the center of all walls to a building. In case walls are parallel to and within five feet of a public sidewalk, the ground level shall be measured at the sidewalk.

"Guest room" means any room in a hotel, dormitory, boarding house or lodging house used and maintained to provide sleeping accommodations for not more than two persons. Each one hundred square feet or fraction thereof of floor area used for sleeping purposes shall be considered to be a separate guest room.

"Home occupation" means an accessory use of a service character customarily conducted within a dwelling by the residents thereof, which is clearly secondary to the use of the dwelling for living purposes and does not change the character thereof and does not involve more than one paid assistant.

"Hotel" means any building or group of buildings in which there are rooms used, designed or intended to be used for the purpose of offering to the general public food or lodging, or both, on a day-to-day basis.

"Junkyard" means any space one hundred square feet or more of any lot or parcel of land used for the storage, keeping or abandonment of junk or waste material including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles, other vehicles, machinery or any parts thereof.

"Loading space" means an off-street space or berth on the same lot within a building or structure to be used for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

"Lot" means a parcel of land occupied or to be occupied by a use, building or unit group of buildings, and accessory buildings and uses, together with such yards, open spaces, lot widths and lot area as are required by this title and having frontage on a public street.

"Lot, corner" means a lot situated at the junction of, and bordering on, two intersecting streets.

"Lot depth" means the horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

"Lot line, corner lot front" means the shortest street line of a corner lot.

"Lot line, interior lot front" means a line separating the lot from the street.

"Lot line, rear" means the line that is opposite and most distant from the front lot line, and in the case of irregular, triangular or gore-shaped lot, a line not less than ten feet in length, within a lot, parallel to and at the maximum distance from the front lot line.

"Lot line, side" means any lot boundary line not a front lot line or a rear lot line.

"Lot width" means the mean horizontal distance separating the side lines of a lot and at right angles to its depth.

"Mobile home, double-wide" means two portable units designed and built to be towed on their own separate chassis and permanently combined on-site to form a single immobile dwelling unit.

"Mobile home, single-wide " means a transportable single-family dwelling which may be towed on its own running gear, and which may be temporarily or permanently affixed to real estate, used for nontransient residential purposes and constructed with the same or similar electrical, plumbing and sanitary facilities as immobile housing.

"Mobile home park" means a parcel of land under single ownership which has been planned and improved for the placement of two or more mobile homes for nontransient use.

"Mobile home subdivision" means a parcel of land planned and improved for the placement of two or more mobile homes on individually owned lots.

"Modular home" means a factory-built dwelling unit designed to be transported from factory to the site and set on a permanent foundation. The complete unit meets all the requirements of the Uniform Building Code as adopted by the city and is eligible for conventional bank financing.

"Monopole" means a support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.

"Person" means a natural person, his heirs, executors, administrators or assigns, and also including firm, partnership or corporation, it's or their successors or assigns, or the agent of any of the aforesaid.

"Private parking space" means any automobile parking space not less than ten feet wide and twenty feet long.

"Public parking space" means an area of not less than two hundred fifty square feet inclusive of drives or aisles giving access thereof, accessible from streets and alleys or from private driveways leading to streets and alleys and being designed and arranged so as to be usable, practicable and safe for the storage of passenger motor vehicles operated by individual drivers.

"Service station" means any building, structure, premises or other space used primarily for the retail sale and dispensing of motor fuels, tires, batteries and other small accessories; the installation and servicing of such lubricants, tires, batteries and other small accessories, and such other services which do not customarily or usually require the services of a qualified automotive mechanic. When the retail sale and dispensing of motor fuels, lubricants and accessories is incidental to the conduct of a public garage, the premises shall be classified as a public garage.

"Services, business" means services that support a business or commercial enterprise, including but not limited to accounting, consulting, legal, and management services.

"Services, retail" means the selling of goods, wares, or merchandise directly to the consumer or persons without a resale license.

"Sign" means any words, letters, parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names or trademarks by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business or a commodity or product, which are visible from any public street or highway and used to attract attention.

"State highway" means a right-of-way classified by the state as a primary, secondary A or secondary B highway.

"Street" means a public right-of-way used as a thoroughfare and which is designed and intended to provide the primary means of access to property abutting thereon.

"Street line" means the line of demarcation between a street and the lot or land abutting thereon.

"Structure" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

"Telecommunication" means the transmission and reception of messages, impressions, pictures, and signals by means of electricity, electromagnetic waves, and any other kind of energy, force variations, or impulses whether conveyed by cable, wire, radiated through space, or transmitted through other media within a specified area or between designated points.

"Telecommunication antenna" means an antenna used in telecommunication, and whose operation is subject to licensing by the Federal Communications Commission.

"Telecommunication tower" means a structure intended to support equipment used to transmit and/or receive telecommunication signals including monopoles, guyed and lattice steel structures. This definition does not include a tower that supports only one or more amateur radio antennas.

"Tower height" means the vertical distance from the grade to the top of the telecommunication tower, including any antenna or other equipment thereon.

"Trailer" means any vehicle used or intended to be used as living or sleeping quarters for humans and which may be driven, towed or propelled from one location to another without change in structure or design, whether or not the same is supported by wheels and including trailers, trailer coaches and house cars.

"Trailer camp," "trailer park" or "trailer lot" means any area or premises where space for two or more trailers is rented, held out for rent or for which free occupancy or camping for such number is permitted to trailers or users for the purpose of securing their trade, herein referred to as a trailer camp but not including automobile or trailer sales lots on which unoccupied house trailers are parked for inspection and sales.

"Use" means the purpose for which land or building is arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

"Use, accessory" means a use customarily incidental and subordinate to the principal use of the land, building or structures and located on the same lot or parcel of land.

"Watchman or caretaker dwelling" means an accessory dwelling located within a commercial or industrial building for the purpose of housing a watchman or caretaker employed on the premises or the owner operator in conjunction with a permitted principal use. The maximum size of a watchman's dwelling shall be up to twenty percent of the total square footage of the building not to exceed seven hundred fifty square feet. Watchman's quarters will not be considered a residential use.

"Yard" means an open unoccupied space, other than a court, unobstructed from the ground to the sky, except where specifically provided by this title, on the same lot on which a building is situated.

"Yard, front" means a yard extending across the full width of a lot measured between the front lot line of the lot or a future street width line and the nearest exterior wall of the building, front of a bay window or the front of a covered porch or other similar projection, whichever is the nearest to the front lot line.

"Yard, rear" means a yard extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest part of a main building toward the nearest point of the rear lot lines.

"Yard, side" means a yard on each side of a main building and extending from the front yard, or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of a side lot line to the nearest part of the main building.

(Ord. No. 1134, § 1, 10-7-2015; Ord. No. 1148, § 1, 12-7-2016)

Chapter 18.12 DISTRICT ESTABLISHMENT—BOUNDARIES—ZONING MAP

18.12.010 Districts—Established.

The city is divided into the following use districts:

Conservation (C districts)

Residential (R-Low density districts)

Residential (R-Medium density districts)

Business (B districts)

Industrial (I districts)

Industrial Reserve (IR districts)

(Prior code § 15.201(A)).

18.12.020 Districts—Boundaries—Interpretation.

Where uncertainty exists as to the boundaries of districts as shown on the official zoning map, the following rules shall apply:

- A. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such lines.
- B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- C. Boundaries indicated as approximately following city limits shall be construed as following city limits.
- D. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shoreline. Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines.
- E. Boundaries indicated as parallel to or extensions of features indicated in subsections A through D above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.
- F. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections A through E above, the planning commission shall interpret the district boundaries.

(Prior code § 15.201(E)).

18.12.030 Districts—Boundaries—Determination.

- A. Where uncertainty exists as to the boundaries of districts as shown on the zoning map, the following rules shall apply:
 - 1. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines;
 - 2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
 - 3. Boundaries indicated as approximately following section or section subdivision lines shall be construed as following such section or such section subdivision lines;
 - 4. Boundaries indicated as following shorelines or approximately following the centerlines of streams shall be construed to follow such shorelines or such centerlines of streams, and any such line shall be construed as moving with the actual shoreline or centerline of the stream;
 - 5. In unsubdivided property the location of any district boundary, unless the same is indicated by dimensions shown on same map, shall be determined by the use of the scale appearing thereon;
 - 6. Where physical or cultural features existing on the ground are at variance with those shown on the zoning map, or in other circumstances not covered by subdivisions 1 through 5 above, the board of adjustment shall interpret the district boundaries.
- B. Where any public street or alley is officially vacated or abandoned, the regulations applicable to each parcel abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.
- C. Any land included within the corporate boundaries of the city subsequent to the adoption of the ordinance codified in this title shall be classified by the planning commission.

(Prior code § 15.201(A)).

18.12.040 Map—Designated.

- A. The use districts are bounded and defined as shown on a map entitled " Zoning Map of the City of Cordova," a certified copy of which is on file in the office of the city clerk and which, with all explanatory matter thereon, is made a part of this title.
- B. The official zoning map of the city is amended to include zoning for certain areas included in the 1972 annexation. The use districts are bounded and defined as shown on a map entitled "Zoning Map #2 of the City of Cordova," a certified copy of which is on file in the office of the city clerk and which, with all explanatory matter therein, is made a part of this title.

(Prior code § 15.201(B)).

18.12.050 Map—Changes.

- A. No changes of any nature shall be made in the official zoning map or matter shown thereon except in conformity with the procedures set forth in this title. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this title and punishable as provided under Chapter 18.80.

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- B. Regardless of the existence of purported copies of the official zoning map which may from time to time be made or published, the official zoning map which shall be located in the office of the city clerk shall be the final authority as the current zoning status of land and water areas, buildings and other structures in the city.

(Prior code § 15.201(C)).

18.12.060 Map—Replacement.

In the event that the official zoning map becomes damaged, destroyed or difficult to interpret because of the nature or number of changes and additions, the city planning commission may by resolution adopt a new official zoning map which shall supersede the prior official zoning map. The new official zoning map may correct drafting or other errors or omissions in the prior official zoning map, but no such correction shall have the effect of amending the original zoning ordinance or any subsequent amendment thereof. The new official zoning map shall be identified by the signature of the mayor attested by the city clerk, and bearing the seal of the city under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of map being replaced) as part of the Cordova City Code of the City of Cordova, Alaska."

(Prior code § 15.201(D)).

18.12.070 Coastal zone district and management classification.

- A. Coastal Zone Overlay. A coastal zone overlay to the official zoning map is authorized. Areas incorporated within this coastal zone are required to conform to the coastal management program including the list of proper and improper uses and activities and related policies.
- B. Management Districts. Districts shall be designated within the coastal zone. Different uses and activities shall be prescribed as proper or improper within each management district. Management districts shall be divided into the following classifications: preservation, conservation, development I and development II.
- C. Boundaries. The boundaries of the coastal zone and the management districts shall be shown on the zoning map of the city of Cordova, a certified copy of which is on file in the office of the city clerk, and which, with all explanatory matter thereon is made a part of this section.
- D. Cordova Coastal Management Program. A certified copy of the reprinted Cordova Coastal Management Program, with the significant amendments as approved by the Alaska Coastal Policy Council on May 22, 1986, shall be kept on file in the office of the city clerk, and which, with all explanatory matters thereon, is made a part of this title.

(Ord. 614, 1986; Ord. 530(part), 1981).

Chapter 18.16 C CONSERVATION DISTRICT

18.16.010 Permitted uses.

The following uses are permitted in the C district:

- A. General gardening and farming, including all types of agriculture and horticulture, kennels, small animal farming, poultry raising and similar uses;
- B. Accessory buildings and uses;
- C. Private park or open—space recreation use;

-
- D. Off-street parking;
 - E. Churches; provided, that no part of any building is located nearer than fifty feet to any adjoining street or property line;
 - F. The city planning commission may, after proper notice and public hearing, permit additional uses as exceptions in this district where such uses are deemed essential or desirable to the public convenience or welfare and are in harmony with the various elements or objectives of the comprehensive city plan and zoning ordinance.

(Prior code § 15.203(A)).

18.16.020 Building height limit.

The maximum building height in the C district shall be two and one-half stories but shall not exceed thirty-five feet; provided, that agricultural buildings may be erected to a height not to exceed fifty feet.

(Prior code § 15.203(B)).

18.16.030 Lot area.

The minimum lot area in the C district for each one-family dwelling shall be forty thousand square feet and the minimum lot width shall be one hundred twenty feet.

(Prior code § 15.203(C)).

Chapter 18.17 PARKS AND OPEN SPACE DISTRICT

18.17.010 Purpose and intent.

The parks and open space district is intended to provide for the preservation and protection of the community's scenic resources, parks, recreation, and subsistence activities.

(Ord. 832 (part), 1999).

18.17.020 Permitted uses.

In the parks and open space district, no building or structure or land shall be used, and no building or structure shall be erected which is arranged, intended, or designated to be used for other than one or more of the following uses:

- A. Recreational areas, ski areas, parks, playgrounds, wildlife preserves, hiking trails, golf courses, and such buildings and structures as are related thereto;
- B. Traditional subsistence uses, defined as the gathering of fish, shellfish, berries, roots, and other edible plant species;
- C. Temporary and casual recreation uses such as hiking, camping, picnicking, and sport fishing;
- D. Scenic, historical, or botanical areas;
- E. Agricultural and grazing uses;

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- F. Other similar uses not listed above which meet the "Purpose and intent" provisions of this section of the ordinance and would be no more objectionable than those uses listed above. The director of planning shall make an "administrative determination" in this matter subject to appeal to the planning commission.

(Ord. 832 (part), 1999).

18.17.030 Permitted accessory uses and structures.

Accessory uses and structures customarily incidental and subordinate to the location, function and operation of permitted uses and structures.

(Ord. 832 (part), 1999).

18.17.040 Conditional uses and structures.

The planning commission, on a case by case basis, subject to the procedures and conditions set by code, may grant a conditional use permit for the following uses:

- A. Cabins not exceeding seven hundred fifty square feet;
- B. A single caretaker's building of a permanent nature, not exceeding seven hundred fifty square feet;
- C. Water reservoirs;
- D. Water treatment facilities;
- E. Flood control and drainage structures;
- F. Snow and water gauging stations;
- G. Pumping facilities;
- H. Communications and electric power transmission poles and towers;
- I. Wind, solar or wave power generating facilities, and;
- J. Other similar uses not listed above may be permitted as conditional uses subject to the review and approval of the planning and zoning commission.

(Ord. 832 (part), 1999).

18.17.045 Prohibited uses.

Trapping, as defined in Section 8.04.010 of this code, is prohibited except within an enclosed structure, by, or with the permission of, a person who owns or is in lawful possession of the structure.

(Ord. 1005 § 3, 2007).

18.17.050 Minimum lot size.

There shall be no minimum lot size.

(Ord. 832 (part), 1999).

18.17.060 Minimum lot width at front lot line.

There shall be no minimum lot width at the front line.

(Ord. 832 (part), 1999).

18.17.070 Minimum yard requirements.

- A. Front Yard. The minimum front yard requirement in this district is twenty-five feet.
- B. Side yard. The minimum side yard requirement in this district is fifteen feet, except where a property adjoins a residential district or a corner lot faces a right-of-way there shall be a twenty foot side yard.
- C. Rear Yard. The minimum rear yard requirement in this district is twenty-five feet.

(Ord. 832 (part), 1999).

18.17.080 Maximum lot coverage by all buildings.

The maximum lot coverage by all buildings in this district shall be ten percent.

(Ord. 832 (part), 1999).

18.17.090 Maximum height of structures.

The maximum building height in this district shall be twenty feet.

(Ord. 832 (part), 1999).

18.17.100 Special provisions.

The following special provisions apply to all land uses within the parks and open space district:

- A. Access from a public street to properties in this district shall be so located as to minimize traffic congestion;
- B. Any use is prohibited which causes or may reasonably be expected to cause excessive noise, vibration, odor, smoke, dust, or other particulate matter, humidity, heat or glare at or beyond any lot line of the lot on which it is located. "Excessive" is defined for these purposes as a degree exceeding that generated by uses permitted in the district in their customary manner of operation, or to a degree injurious to the public health, safety, welfare, or convenience;
- C. The storage of commercial quantities of flammable materials, hazardous materials, or toxic materials on-site shall be prohibited. Smaller quantities of these materials needed for maintenance and operation of permitted facilities may be stored only in strict compliance with the Uniform Fire Code, and other applicable federal, state, and local laws and regulations;
- D. Materials shall be stored and grounds shall be maintained in a manner such as will assure access by fire equipment; and
- E. Materials shall be stored and grounds shall be maintained in a manner which will not; attract or aid the propagation of insects or rodents, attract bears or other scavengers, or otherwise create a health hazard.

(Ord. 832 (part), 1999).

Chapter 18.18 UR UNRESTRICTED DISTRICT

18.18.010 Permitted uses.

The unrestricted district is intended to allow any legal use of property. Construction will require compliance with provisions of Chapter 16.17, Site Development Permit Procedures.

(Ord. 753 (part), 1995).

18.18.020 Building height limit.

The maximum building height in the UR unrestricted district shall be two and one-half stories but shall not exceed thirty-five feet as measured at the eve line.

(Ord. 753 (part), 1995).

18.18.030 Lot area.

- A. Minimum lot size must meet the requirements of current state regulations.
- B. Density of residential, commercial and industrial development shall be governed by case-by-case determinations of the Alaska Department of Environmental Conservation and the fire marshal, based upon their review of proposed site development plans for specific sites.

(Ord. 753 (part), 1995).

18.18.040 Front yard.

There shall be a front yard in the UR unrestricted district of not less than ten feet from the property line.

(Ord. 753 (part), 1995).

18.18.050 Rear yard.

There shall be a rear yard in the UR unrestricted district of not less five feet.

(Ord. 753 (part), 1995).

18.18.060 Side yard.

There shall be a side yard in the UR unrestricted district of not less than five feet. The minimum side yard on the street side of a corner lot shall be five feet.

(Ord. 753 (part), 1995).

18.18.070 Reserved.

Editor's note(s)—Section 2 of Ord. No. 1055, adopted Sept. 2, 2009, repealed in its entirety § 18.18.070, animal control, which had derived from Ord. 753, adopted in 1995.

18.18.080 Weapons.

Properties in the UR unrestricted district will not be subject to the provisions of Chapter 9.36, except where required by state and/or federal law.

(Ord. 753 (part), 1995).

18.18.090 Temporary structures.

Temporary structures, not attached to the land or connected to water, gas or sewage facilities, and any structure less than two hundred square feet shall be exempt from the site development permit process.

(Ord. 753 (part), 1995).

18.18.095 Mobile homes.

A mobile home may be permitted with an approved site plan in the Unrestricted (UR) zone provided it bears the HUD plate with documentation that it was constructed since 1979 and is in compliance with HUD code. A mobile home without the appropriate insignia can only be moved to a mobile home park.

(Ord. No. 1041, § 1, 3-4-2009)

Chapter 18.20 R LOW DENSITY RESIDENCE DISTRICT

18.20.010 Permitted uses.

The following uses are permitted in the R low-density district:

- A. One-family, two-family and three-family dwellings;
- B. Boardinghouses;
- C. Truck gardening, the raising of bush and tree crops, flower gardening, and the use of greenhouses;
- D. Home occupations;
- E. Accessory buildings and uses not used or operated for gain and not including guest houses or accessory living quarters;
- F. Required off-street parking.

(Prior code § 15.204.1(A)).

18.20.020 Building height limit.

The maximum building height in the R low density district shall be two and one-half stories but shall not exceed thirty-five feet.

(Prior code § 15.204.1(B)).

18.20.030 Lot area.

- A. The minimum lot area in the R low-density district shall be four thousand square feet and the minimum lot width shall be forty feet.
- B. The minimum lot area in the R low density district for dwellings shall be:
 - 1. For a one—family dwelling, four thousand square feet per dwelling unit.
 - 2. For a two-family and three-family dwelling, two thousand square feet per dwelling unit.

(Prior code § 15.204.1(C)).

18.20.040 Front yard.

There shall be a front yard in the R low density district of not less than ten feet from curb line.

(Prior code § 15.204.1(D)).

18.20.050 Rear yard.

There shall be a rear yard in the R low density district of not less than twenty-five percent of the depth of the lot, but such yard need not exceed fifteen feet.

(Prior code § 15.204.1(F)).

18.20.060 Side yard.

- A. There shall be a side yard in the R low density district of not less than five feet. The minimum side yard on the street side of a corner lot shall be ten feet.
- B. The following additional requirements shall apply to two-family and three-family dwellings in the R low density district:

In case the building is so located on the lot that the rear thereof abuts one side yard and front abuts the other, the side yard along the rear of the building shall have a minimum width of twelve feet and the side yard along the front of the building shall have a minimum width of eighteen feet.

(Prior code § 15.201.1(L)).

Chapter 18.21 RR3 RURAL RESIDENTIAL DISTRICT

18.21.010 Purpose and intent.

The RR3 rural residential three zoning district is established as a land use district for large lot, low-density residential purposes. For the rural residential three district, in promoting the general purposes of this title, the specific intentions of this chapter are:

- A. To encourage the continued use of land for low-density purposes;
- B. To prohibit commercial and industrial land uses;
- C. To encourage the discontinuance of existing uses that are not permitted under the provisions of this chapter; and
- D. To discourage land uses which, because of their character and size, would create unusual requirements and costs for public services.

(Ord. 974 (part), 2005).

18.21.020 Permitted principal uses.

The following principal uses are permitted in the RR3 rural residential district:

- A. No more than one single-family dwelling unit per lot.

(Ord. 974 (part), 2005).

18.21.030 Permitted accessory uses.

The following accessory uses are permitted in the RR3 rural residential district:

- A. Private garages and required off-street parking;
- B. Greenhouses and tool sheds;
- C. The noncommercial keeping of animals solely for the personal use of the owner or occupant of the lot. The raising, breeding or keeping of animals for commercial purposes is prohibited. A lot where animals are kept shall be maintained in a sanitary and inoffensive condition, with structures necessary to the proper housing of the animals and to the confinement of the animals within the boundaries of the lot;
- D. Other buildings and uses customarily accessory and clearly subordinate to the permitted principal use of the lot.

(Ord. 974 (part), 2005).

18.21.040 Conditional uses.

Subject to the requirements of the conditional use standards and procedures of this title, the following conditional uses may be permitted in the RR3 rural residential district:

- A. Public utility, police and fire protection facilities, parks, libraries, elementary and secondary schools;
- B. Home occupations.

(Ord. 974 (part), 2005).

18.21.050 Prohibited uses and structures.

Prohibited uses and structures are as follows:

- A. Any use or structure not of a character indicated under permitted uses and structures or permitted as a conditional use;
- B. Storage or use of mobile homes;
- C. Residential use of any travel trailer, basement, tent, shack, garage, barn or other structure not designed or intended for permanent residential use.

(Ord. 974 (part), 2005).

18.21.060 Development requirements for principal and accessory uses.

Easements for installation and maintenance of utilities are as set out or reserved as shown on the recorded plat.

(Ord. 974 (part), 2005).

18.21.070 Minimum lot requirements.

Minimum lot requirements are as follows:

- A. The minimum lot area shall be three acres.
- B. Reserved.

(Ord. 974 (part), 2005).

(Ord. No. 1130, § 1, 6-17-2015)

18.21.080 Minimum yard requirements.

Minimum yard requirements are as follows:

- A. Front yard: ten feet;
- B. Side yards: ten feet;
- C. Rear yard: twenty-five feet.

(Ord. 974 (part), 2005).

(Ord. No. 1130, § 1, 6-17-2015)

18.21.090 Maximum lot coverage by all buildings.

Maximum lot coverage by all buildings shall be twenty-five percent.

(Ord. 974 (part), 2005).

18.21.100 Maximum height of structures.

Maximum height of structures shall be two and one-half stories, but not exceeding thirty-five feet.
(Ord. 974 (part), 2005).

Chapter 18.24 R MEDIUM DENSITY RESIDENCE DISTRICT

18.24.010 Permitted uses.

The following uses are permitted in the R medium density district:

- A. One-family, two-family and multiple-family dwellings;
- B. Boardinghouses;
- C. Accessory buildings and uses not used or operated for gain and not including guest houses or accessory living quarters;
- D. Require off-street parking.

(Prior code § 15.204.2(A)).

18.24.020 Building height limit.

The maximum building height in the R medium density district shall be three and one-half stories but shall not exceed forty-five feet.

(Prior code § 15.204.2(B)).

18.24.030 Lot area.

- A. The minimum lot area in the R medium density district shall be four thousand square feet and the minimum lot width shall be forty feet.
- B. The minimum lot area for dwellings in the R medium density district shall be:
 - 1. For a one—family dwelling, four thousand square feet per dwelling unit;
 - 2. For a two-family and three-family dwelling, two thousand square feet per dwelling unit;
 - 3. For a multiple-family dwelling unit with four to seven dwelling units, one thousand six hundred square feet per dwelling unit;
 - 4. For a multiple-family dwelling with eight or more dwelling units, one thousand square feet per dwelling unit.

(Prior code § 15.204.2(C)).

18.24.040 Front yard.

There shall be a front yard in the R medium density district of not less than ten feet from curb line.
(Prior code § 15.204.2(D)).

18.24.050 Rear yard.

There shall be a rear yard in the R medium density district of not less than twenty-five percent of the depth of the lot but such yard need not exceed fifteen feet.

(Prior code § 15.204.2(F)).

18.24.060 Side yard.

- A. There shall be a side yard in the R medium density district of not less than five feet. The minimum side yard on the street side of a corner shall be ten feet.
- B. The following additional requirements shall apply to two-family and multiple-family dwellings in the R medium density district:
 - 1. In case the building is so located on the lot that the rear thereof abuts one side yard and front abuts the other, the side yard along the rear of the building shall have a minimum width of twelve feet and the side yard along the front of the building shall have a minimum width of ten feet.
 - 2. For multiple-family dwellings the minimum side yards required shall be increased one foot for each dwelling unit over four.

(Prior code § 15.204.2(E)).

Chapter 18.25 R-3 HIGH DENSITY RESIDENTIAL DISTRICT

18.25.010 Purpose.

The R-3 district is intended to include urban multiple-family dwelling uses with medium to high residential densities. The regulations and restrictions in the R-3 district are intended to protect, preserve and enhance the primarily residential character of the district.

(Ord. 579 (part), 1984).

18.25.020 Permitted principal uses and structures.

Permitted uses and structures are as follows:

- A. Single-family dwellings;⁴
- B. Two-family dwellings;*
- C. Multiple-family dwellings;*
- D. Public, private or parochial academic elementary schools;
- E. Parks, playgrounds and playfields, municipal buildings and uses in keeping with the character and requirements of the district;

⁴ More than one principal structure may be allowed on any lot or tract.

-
- F. Rooming houses;
 - G. Private clubs and lodges.⁵

(Ord. 579 (part), 1984).

18.25.030 Permitted accessory uses and structures.

Permitted accessory uses and structures are as follows:

- A. Home occupation, subject to provisions of the supplementary district regulations;
- B. Noncommercial greenhouses, gardens, garden sheds and tool sheds, private barbeque pits;
- C. Private garages;
- D. Private storage in yards of noncommercial equipment including noncommercial trucks, boats, aircraft, campers, or travel trailers, in a safe and orderly manner and separated by at least five feet from any property line.

(Ord. 579 (part), 1984).

18.25.040 Conditional uses.

Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

- A. Townhouses and row houses built to a common wall at side lot lines;
- B. Nursing homes, convalescent homes and similar institutional uses;
- C. Churches and synagogues, along with the customary accessory uses including parsonages, day nurseries, kindergartens and meeting rooms;
- D. Utilities substations;
- E. Off—street parking spaces or structures;
- F. Museums, historical and cultural exhibits, aquariums, and the like;
- G. Camper parks;
- H. Convenience establishments;
- I. Planned unit development;
- J. Privately owned neighborhood community recreation centers in keeping with the character and requirements of the district, provided the center is oriented to a particular residential subdivision or housing project and that the uses are delineated as conditions to approval;
- K. Quasi-institutional houses.

(Ord. 579 (part) 1984).

^{5*} Any use involving sale of dispensing or service of alcoholic beverages may be permitted by conditional use only.

18.25.050 Prohibited uses and structures.

Prohibited uses and structures are as follows:

- A. Any use or structure not of a character indicated under permitted uses and structures or permitted as a conditional use;
- B. Storage or use of mobile homes except as provided in this section;
- C. Portable or semi-permanent type structures;
- D. Any use which causes or may reasonably be expected to cause excessive noise, vibration, odor, smoke, dust, or other particulate matter, toxic or noxious matter, humidity, heat or glare at or beyond any lot line of the lot on which it is located. "Excessive" is defined for these purposes as a degree exceeding that generated by uses permitted in the district in their customary manner of operation, or to a degree injurious to the public health, safety, welfare or convenience.

(Ord. 579 (part), 1984).

18.25.060 Minimum lot requirements.

Minimum lot requirements are as follows:

Use	Lot Area (Sq. Ft.)	Lot Width (In feet)
A. Single—family dwelling	4,000	40
B. Two-family dwelling	6,000	40
C. 3-6 family dwelling	6,000	50
D. 7-10 family dwelling	8,500	75
	plus 750 sq. ft. for each dwelling unit in excess of 7.	

(Ord. 579 (part), 1984).

18.25.070 Minimum yard requirements.

Minimum yard requirements are as follows:

- A. Front yard: ten feet, except as provided in the supplementary district regulations;
- B. Side yard: five feet; provided, however, that where buildings exceed thirty-five feet in height, minimum side yards shall be increased one foot for each five feet in height exceeding thirty-five feet;
- C. Rear yard: ten feet;
- D. Multiple-family dwellings shall provide a usable yard area of one hundred square feet per dwelling unit.

(Ord. 579 (part), 1984).

18.25.080 Maximum lot coverage by all buildings.

Maximum lot coverage by all buildings shall be as follows: fifty percent.

(Ord. 579 (part), 1984).

18.25.090 Maximum height of structures.

Maximum height of structures shall be as follows: Unrestricted subject to planning commission approval to determine that there are significant scenic obstructions and, except that structures shall not interfere with Federal Aviation Administration regulations on airport approaches.

(Ord. 579 (part), 1984).

18.25.100 Signs.

Signs may be allowed in connection with any permitted use, subject to the provisions of the supplementary district regulations.

(Ord. 579 (part), 1984).

18.25.110 Parking.

Adequate off-street parking shall be provided in connection with any permitted use, the minimum for each use to be:

- A. Residential uses: two vehicular parking spaces for each dwelling unit;
- B. All other permitted uses: as provided in the supplementary district regulations.

(Ord. 579 (part), 1984).

18.25.120 Loading.

Where applicable, off-street loading facilities shall be provided in accordance with the supplementary district regulations.

(Ord. 579 (part), 1984).

18.25.130 Cover.

All areas not devoted to buildings, structures, drives, walks, off-street parking facilities or other authorized installations shall be covered with one or more of the following: lawn grass, shrubbery, trees, or other suitable ground cover materials.

(Ord. 579 (part), 1984).

Chapter 18.26 R-MH PLANNED MOBILE HOME DISTRICT

18.26.010 Purpose.

The purpose of this district is to encourage a suitable environment for persons and families who choose to live in a mobile home rather than a conventional single-family structure. In keeping with the occupancy characteristics of contemporary mobile homes, this section establishes the density standards and permitted uses that reflect the needs of residents in the district. Development is limited to mobile homes when located in a

subdivision designed for that purpose or a mobile home park with recreation facilities, churches, schools, and necessary public utility buildings.

(Ord. 580 (part), 1984).

18.26.020 Principal permitted uses.

The following provisions apply in all R-MH, planned mobile home districts. Any use not expressly permitted is prohibited.

- A. Mobile homes;
- B. Mobile home parks.
 - 1. Greenbelt. The park shall have a greenbelt ten feet in width at its rear and sides. The greenbelt shall be ten feet at the front of the mobile home park. The greenbelt shall be measured from the nearest edge of the road right-of-way to the line of the closest mobile home site,
 - 2. Recreation. The minimum of ten percent of the total park should be left in open space developed for recreation purposes. Such developed area shall not include roads, sidewalks, lands under water or having excessive grades and shall be so graded and developed as to have adequate drainage and usability by residents of the park,
 - 3. Site Dimensions. A mobile home shall have its own site which shall be at least fifty feet wide and a minimum of five thousand square feet in area,
 - 4. Mobile homes shall be at least fifteen feet from the rear of the nearest mobile home and fifteen feet from the side of the nearest mobile home,
 - 5. Mobile homes shall be placed at least ten feet from the pavement of the access drive;
- C. Mobile home subdivisions; provided, that minimum lot sizes and yard spaces shall be:
 - 1. Lot width: fifty feet;
 - 2. Lot area: five thousand square feet;
 - 3. Minimum front yard: ten feet;
 - 4. Minimum side yard: ten feet;
 - 5. Minimum rear yard: fifteen feet;
- D. Accessory uses and buildings customarily incidental to the above principal permitted uses;
- E. Off-street parking in accordance with the requirements of Chapter 18.48 for single-family dwellings.

(Ord. 580 (part), 1984).

18.26.030 Development standards.

All mobile home parks or additions to the existing mobile home parks shall be developed in accordance with the following standards:

- A. Signs.
 - 1. One identification sign, approved in conjunction with the final site plan approved of the mobile home park. In no case shall such sign be larger than fifty square feet in surface area nor have any

-
- moving parts, nor stand higher than fifteen feet from the ground to the top of the sign. Such signs shall be no closer to the public right-of-way line than twenty feet;
2. Not more than one entry and one exit sign at each access drive onto the public right—of—way, approved in conjunction with the final site plan approval of the mobile home park. In no case shall the sign be larger than two square feet in surface area nor have any moving parts, nor stand higher than five feet from the ground to the top of the sign.
- B. Access. All mobile home parks shall have access to a paved major thoroughfare by directly abutting thereon.
- C. Vehicle Travel Lanes. All roadways and driveways shall be so constructed as to handle all anticipated peak loads adequately drained and lighted for safety and ease of movement of vehicles. Minimum road width shall be twenty-eight feet for all roads and ten feet for all driveways. The local roadway system should be so designed as to prevent the use of such roadways for through traffic. For parks containing twenty or more dwelling units, a minimum of two accesses shall be provided.
- D. Walkways. Walkways must meet the specifications of the city engineer and be provided on the street side of each mobile home site. Walks used in common by one to three units, connecting the units to a common area or primary walk, shall be at least forty-two inches in width.
- E. Utilities and Other Services.
1. All sanitary sewage utilities and water facilities, including connections provided to individual sites, shall meet the requirements of the Alaska Department of Environmental Conservation;
 2. The plumbing connections to each mobile home site shall be constructed so that all lines are protected from freezing, from accidental bumping or from creating any type of nuisance or health hazard;
 3. An adequate amount of running water to individual sites shall meet the requirements of the Alaska Department of Environmental Conservation;
 4. Storm drainage facilities, leaching basins, storm sewers, or any approved system shall be constructed as to protect those that will reside in the mobile home park, as well as the property owners adjacent to the park. Such park facilities shall be of such capacity to ensure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the park;
 5. All electric, telephone and other lines from supply poles to each mobile home site shall be underground. When meters are installed, they shall be uniformly located;
 6. Any fuel oil storage shall be centrally located in underground tanks, away from any mobile home lot, at a distance found to be safe. All fuel lines leading to mobile home lots shall be underground and so designed as to conform with the city building code and any state code that is found to be applicable. When separate meters are installed, each shall be located in a uniform manner;
 7. Facilities for the storage and disposal of trash and garbage in a sanitary manner shall be provided in each mobile home park. All refuse shall be stored in fly-tight, watertight, rodent-proof containers which shall be located not more than one hundred fifty feet from any mobile home lot. Containers shall be provided in sufficient number and capacity to properly store all refuse. Refuse collection stands shall be provided for all refuse containers. Such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facilitate cleaning around them;
 8. When exterior television antenna installation is necessary, a master antenna shall be installed and extended to individual stands by underground lines. Such master antenna shall be so placed as not to be a nuisance to park residents or surrounding areas;

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9. Street and yard lights shall be provided in sufficient number and intensity to permit the safe movement of vehicles and pedestrians at night, and shall be effectively related to buildings, trees, walks, steps and ramps.
- F. Skirting, Canopies, and Awnings.
1. Each mobile home shall be skirted within ninety days after placement;
 2. Such skirting shall be twenty-six gauge metal, aluminum, or other noncorrosive metal or material of equal strength, and so constructed and attached to the mobile home as to deter and prevent the entry of rodents, flies, bugs or other insects;
 3. Permits for the construction of skirting shall be required from the building inspector;
 4. Canopies and awnings may be attached to any mobile home but they shall not exceed twelve feet in width, or exceed the length or height of the mobile home.
- G. Pads, Mats or Platforms. Each mobile home site shall be provided with a concrete pad, mat, platform or pilings, not less than four inches in depth, or equal bearing strength if reinforced concrete is used.
- H. Anchoring. All mobile homes shall be anchored with frame ties at each corner and intermediate ties as required to withstand a wind force of ninety miles per hour.
- I. Fire Extinguishing Equipment. Every mobile home park shall be equipped at all times with fire extinguishing equipment in good working order, of such type, size, and number, and so located within the park as to satisfy applicable regulations of the state fire marshal. No open fires shall be permitted at any place which may endanger life or property. No fires shall be left unattended at any time.
- J. Utility Cabinets. Each mobile home may be provided with a metal utility cabinet, which shall be uniform in size and location throughout the mobile home park. All cabinets shall be kept clean and maintained in good condition, and shall contain a minimum of ninety cubic feet of storage area.

(Ord. 580 (part), 1984).

18.26.040 Site plan review.

A mobile home park site plan shall be submitted, and no building permit shall be issued until the city council has approved the site plan after a recommendation from the planning commission.

(Ord. 580 (part), 1984).

18.26.050 Availability of standards.

Development standards shall be made available to management personnel of mobile home parks located within the city.

(Ord. 580 (part), 1984).

18.26.060 Area, height, bulk and placement requirements.

Area, height, bulk and placement requirements unless otherwise specified are provided in Chapter 18.40.

(Ord. 580 (part), 1984).

Chapter 18.28 B BUSINESS DISTRICT

18.28.010 Permitted uses.

The following uses are permitted in the B district:

- A. All uses permitted in the R districts;
- B. Retail stores and retail service shops of all kinds, banks, offices, hotels and restaurants;
- C. Theaters, bowling alleys, assembly halls, funeral parlors;
- D. Gasoline service stations, automobile repair garages, printing, laundry and dry-cleaning establishments employing not more than ten persons for operations, other than clerical and delivery;
- E. Required off-street parking;
- F. Accessory buildings and uses;
- G. Other buildings, uses or services similar, as determined by the city planning commission, to the uses listed in this chapter in the type of services or goods sold, in the number of persons employed, in the number and types of vehicles attracted to the premises and in the effect upon adjacent areas.

(Prior code § 15.205(A)).

18.28.020 Building height limit.

The maximum building height in the B district shall be three stories or fifty feet; provided, however, that a building or structure thereafter erected, added to or otherwise constructed may be increased in height, provided the gross cubical content of such building or structure does not exceed the sum total of the area of the lot upon which it is to be erected multiplied by fifty.

(Prior code § 15.205(C)).

18.28.030 Yards.

- A. Every building or portion thereof in the B district which is designed, intended or used for any purpose permitted in an R district for any other residential or dwelling purpose shall provide yards as required in the R district; provided, that when the ground floor of any such building is used for any commercial purpose, no side yard shall be required except that there shall be a side yard along the side of every lot which is not bounded by an alley and which is bordering on property in any R district.
- B. Yards shall not be required otherwise, except that no building shall be erected nor shall any use of land be conducted so that the same will be closer than thirty feet to the center line of any street adjoining the lot.

(Prior code § 15.205(D)).

18.28.040 General conditions.

- A. All selling, dealing in or displaying of goods or merchandise by shops, stores or businesses shall be entirely conducted and located within a permanent building unless otherwise specifically excepted.

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- B. No stores or businesses shall involve any kind of manufacture, compounding, processing or treatment of products except that which is clearly incidental and essential to the authorized use and provided that:
1. No more than ten persons are engaged in the manufacture, compounding, processing or treatment of products or servicing and repairing appliances, equipment, etc.;
 2. Not more than twenty percent of the ground floor area of any building shall be used for such purposes;
 3. Such operations or products are not objectionable due to odor, dust, smoke, noise, vibrations or other similar nuisances.
- C. All exterior walls of buildings hereafter erected, extended or structurally altered which face a street or property in an R district shall be designed, treated and finished in a uniform and satisfactory manner approved by the planning commission.

(Prior code § 15.205(B)).

Chapter 18.29 CENTRAL BUSINESS DISTRICT

18.29.010 Purpose.

The purpose of this district is to permit a variety of commercial, administrative, financial, civic, culture, residential, entertainment, and recreational uses in an effort to provide the harmonious mix of activities necessary to further enhance the central business district as a commercial and service center.

(Ord. 586 (part), 1984).

18.29.020 Principal permitted uses.

The following uses are permitted in the CBD zone: All limited uses in the B district, except that off-street parking shall not be required as specified in Chapter 18.48.

(Ord. 586 (part), 1984).

18.29.030 Building height limit.

The maximum building height in the B district shall be three stories or fifty feet; however, a building or structure thereafter erected, added to or otherwise constructed may be increased in height, provided the gross cubical content of such building or structure does not exceed the sum total of the area of the lot upon which it is to be erected multiplied by fifty.

(Ord. 586 (part), 1984).

18.29.040 Yards.

- A. Every building or portion thereof in the B district which is designed, intended or used for any purpose permitted in an R district for any other residential or dwelling purpose shall provide yards as required in the R district; provided, that when the ground floor of any such building is used for any commercial purpose, no side yard shall be required except that there shall be a side yard along the side of every lot which is not bounded by an alley and which is bordering on property in an R district.

-
- B. Yards shall not be required otherwise, except that no building shall be erected nor shall any use of land be conducted so that the same will be closer than thirty feet to the center line of any street adjoining the lot.
- (Ord. 586 (part), 1984).

18.29.050 General conditions.

- A. All selling, dealing in or displaying of goods or merchandise by shops, stores or business shall be entirely conducted and located within a permanent building unless otherwise specifically excepted.
- B. No stores or businesses shall involve any kind of manufacturing, compounding, processing or treatment of products except that which is clearly incidental and essential to the authorized use and provided that:
1. No more than ten persons are engaged in the manufacturing, compounding, processing or treatment of products or servicing and repairing of appliances, equipment, etc.;
 2. Not more than twenty percent of the ground floor area of any building shall be used for such purposes;
 3. Such operations or products are not objection— able due to odor, dust, smoke, noise, vibrations or other similar nuisances.
- C. All exterior walls of buildings hereafter erected, extended or structurally altered which face a street or property in an R district shall be designed, treated and finished in a uniform and satisfactory manner approved by the planning commission.

(Ord. 586 (part), 1984).

Chapter 18.32 I INDUSTRIAL DISTRICT

18.32.010 Permitted uses.

The following uses are permitted in the I district:

All uses not otherwise prohibited by law, except any residential or commercial use, and any conditional use.

(Prior code § 15.206(A)).

(Ord. No. 1107, § 8, 3-20-2013)

18.32.020 Prohibited uses.

The following uses are prohibited in the I district:

- A. All residential uses, except dwelling for a watchman or caretaker employed on the premises or owner-operator and members of his family;
- B. All uses that may be noxious or injurious by reason of the production or emission of dust, smoke, refuse matter, odor, gas, fumes, noise, vibration or similar substances or conditions; provided, however, that any use may be permitted if approved by the city planning commission and subject to the securing of a permit therefor and to such conditions, restrictions, and safeguards as may be deemed necessary by said commission of the purpose of protecting the health, safety, morals or the general welfare of the community.

(Prior code § 15.206(B)).

18.32.025 Conditional uses.

Subject to the requirements of the conditional use standards and procedures of this title, the following conditional uses may be permitted in the I district:

- A. Junkyards.

(Ord. No. 1107, § 9, 3-20-2013)

18.32.030 Special restrictions.

No automobile wrecking, junk yard or similar use shall be permitted in the I district, either as a primary or an accessory use, within five hundred feet of any state highway.

(Prior code § 15.206 (C)).

18.32.040 Building height limit.

There shall be no building height limit in the I district.

(Prior code § 15.206(D)).

18.32.050 Front yard.

In the I district:

- A. There shall be a front yard of not less than twenty feet;
- B. The front yard along state highways shall be not less than fifty feet.

(Ord. 647 § 1, 1988; prior code § 15.206(E)).

18.32.055 Rear and side yard requirements.

None, except as necessary to provide required off-street parking and loading as per Chapter 18.48 of this code and to comply with the Uniform Building Code as adopted by the city.

(Ord. 647 § 4, 1988).

18.32.080 Off-street loading.

In the I district, there shall be at least one space, twelve by thirty feet accessible to a public street. This space shall be in addition to any yard space requirements.

(Prior code § 15.206(H)).

Chapter 18.33 WATERFRONT INDUSTRIAL DISTRICT

18.33.010 Purpose.

The following statement of intent and use regulations shall apply in the WI district:

The waterfront Industrial district is intended to be applied to land with direct access or close proximity to navigable tidal waters within the city. Uses within the waterfront industrial district are intended to be marine-dependent or marine-oriented, and primarily those uses which are particularly related to location or commercial enterprises that derive an economic benefit from a waterfront location.

(Ord. 634 (part), 1988).

18.33.020 Permitted principal uses and structures.

The following are the permitted principal uses and structures in the waterfront industrial district:

- A. Marine sales;
- B. Open wet moorage;
- C. Covered wet moorage;
- D. Passenger staging facility;
- E. Haulout facilities;
- F. Marine construction, repair and dismantling;
- G. Cargo terminal;
- H. Cargo handling and marine-oriented staging area;
- I. Fish and seafood processing;
- J. Warehousing and wholesaling;
- K. Open storage for marine-related facilities;
- L. Fuel storage and sales.

(Ord. 634 (part), 1988).

18.33.030 Permitted accessory uses and structures.

- A. Bunkhouses in conjunction with permitted principal uses;
- B. Residential dwelling for watchman or caretaker employed on the premises, or owner-operator and members of his family, in conjunction with permitted principal uses;
- C. Retail business when accessory to a permitted principal use.

(Ord. 634 (part), 1988).

18.33.040 Conditional uses and structures.

Subject to the requirements of the conditional use standards and procedures of this title, the following uses and structures may be permitted in the WI district:

- A. Log storage and rafting;

B. Timber and mining manufacturing.
(Ord. 634 (part), 1988).

18.33.050 Prohibited uses and structures.

Any use or structure not of a character as indicated under permitted uses, accessory uses, or conditional uses.
(Ord. 634 (part), 1988).

18.33.060 Setbacks.

A. Minimum Setbacks.

1. Front yard-Twenty feet.
2. Side yard and rear yard: subject to Uniform Building Code regarding fire walls and separation of buildings.

(Ord. 634 (part), 1988).

18.33.070 Lot coverage.

A. Maximum lot coverage by all buildings and structures as regulated by the Uniform Building Code.
(Ord. 634 (part), 1988).

18.33.080 Height.

A. Maximum height of buildings and structures: subject to Uniform Building Code regarding building heights.
(Ord. 634 (part), 1988).

18.33.090 Off-street parking and loading.

A. Off- street Parking and Loading. The requirements for off-street parking and loading in the waterfront industrial district shall be as set forth in Chapter 18.48 of this code.
(Ord. 634 (part), 1988).

18.33.100 Minimum lot requirements.

A. Minimum Lot Requirements.

1. Lot width: 100 feet;
2. Lot size: 10,000 feet.

(Ord. 634 (part), 1988).

18.33.110 Signs.

- A. Signs. Signs may be allowed in the waterfront industrial district subject to the supplementary district regulations, the Uniform Sign Code, as set forth in Chapter 18.44 of this code.

(Ord. 634 (part), 1988).

18.33.120 Floor elevations.

- A. Minimum Finished Floor Elevations. In the waterfront industrial district, the following minimum finished floor elevations for the ground floor shall be adhered to:

North Fill Development Park

Block 1

Lot 1	27.00'
Lot 2	26.50'
Lot 3	27.25'

Block 2

Lot 4	27.25'
Lot 1	26.50'

Block 3

Lot 2	26.25'
Lot 1	26.50'

Block 4

Lot 1	27.25'
Lot 2	27.25'
Lot 3	27.25'
Lot 4	27.25'
Lot 5	26.25'

Block 5

Lot 1	27.25'
Lot 2	27.25'

Block 6

Lot 2	26.50'
Lot 1	26.25'

Block 7

Lot 2	26.50'
Lot 3	26.25'
Lot 1	26.75'
Lot 3	27.25'

Block 8

Lot 1	27.00'
Lot 2	26.75'
Lot 3	26.50'
Lot 4	26.25'

Note: The elevation datum used is based on the following described bench mark:

USC & GS Standard Brass Disk Located in Sidewalk Adjacent to Fish Game Building near Southwest Corner of Intersection Railroad Avenue and Breakwater Avenue. Elevation 40.40 Above M.L.L.W.

Created: 2021-07-16 14:03:16 [EST]

(Supp. No. 80)

(Ord. 634 (part), 1988).

18.33.130 Site plan review.

- A. Prior to the issuance of a building for construction within the waterfront industrial district, the planning commission shall approve the development plan for the project. The site plan review shall be conducted in accordance with Chapter 18.42 of this code.
- B. The exterior siding and roof shall be finished in earthtone colors.

(Ord. 634 (part), 1988).

Chapter 18.34 WATERFRONT HISTORIC DISTRICT

18.34.010 Purpose.

The following statement of intent and purpose shall apply to the waterfront historic district. The waterfront historic district (WHD) is intended to be applied to land with direct access or close proximity to navigable tidal waters within the city. The district is designed specifically for historically significant fish processing complexes and waterfront railroad era structures. To the extent feasible and prudent, structures within the WHD are to be constructed and refurbished in such a manner as to be aesthetically consistent with, and reflect the community's marine oriented lifestyle and history. Uses within the WHD are intended to be water dependent or water-related enterprises that derive an economic or social benefit from a waterfront location as required by the Cordova coastal management plan.

The waterfront historic district is created to reflect the fact that Cordova's economy is evolving and that new economic demands and land use pressures are being placed upon the waterfront. The intent of this zoning classification is to preserve and restore historically significant buildings and provide a mechanism by which the owners of these facilities can maximize and diversify the use and productivity of existing buildings and facilities in order to meet the demands of a changing economy.

Fish processing complexes historically were self-contained units which provided a wide variety of services and facilities. This included, but was not limited to, housing, food service, marine cargo and docking facilities, fuel storage and sales, equipment storage and repair, machine shops, business offices, mess halls, equipment and supply sales and other fishing industry related services. The WHD is intended to be a unique zoning district in which a mixture of compatible waterfront uses are permitted to exist simultaneously and in close physical proximity to each other. This zoning classification specifically permits various land uses and activities that are categorized as accessory or conditional uses in the Development I Zone of the Cordova coastal management plan. It also specifically permits additional uses under the provisions of Section 3.3 (criteria for unlisted uses or activities) of the plan.

(Ord. 831 (part), 1999).

18.34.020 Permitted principal uses and structures.

- A. The following are the permitted principal commercial uses and structures in the WHD:
 - 1. Boat charter services;
 - 2. Commercial and sport fishing supplies and services;
 - 3. Eating and drinking establishments;

-
4. Fish and seafood markets;
 5. Gift shops;
 6. Hotels, bunkhouses, boarding houses, bed and breakfasts, rental units, and condominiums;
 7. Marine related retail and wholesale stores;
 8. Marine education and science activities;
 9. Residences;
 10. Waterfront parks, access paths, and boardwalks and viewing areas.

B. The following are the permitted principal light industrial uses and structures in the WHD:

1. Docks and harbor facilities;
2. Fueling piers, marine fuel sales, and associated facilities;
3. Open wet moorage;
4. Covered wet moorage;
5. Passenger staging facilities;
6. Haul-out facilities;
7. Marine construction, repair, and dismantling;
8. Cargo terminals and cargo handling;
9. Fish and seafood processing;
10. Warehousing and wholesaling;
11. Open and covered storage for marine-related equipment.

(Ord. 866 (part), 2000: Ord. 831 (part), 1999).

18.34.030 Permitted accessory uses and structures.

The following are the accessory uses and structures in the WHD:

- A. Accessory buildings as defined in Section 18.08.030 of this title;
- B. Offices associated with permitted principal uses;
- C. Residential dwellings for watchman or caretaker employed on the premises and/or owner-operator and members of his family, in conjunction with permitted principal uses;
- D. Retail businesses when accessory to a permitted principal use;
- E. Parking in conjunction with permitted principal uses.

(Ord. 831 (part), 1999).

18.34.040 Conditional uses and exceptions.

The planning and zoning commission may grant conditional use permits subject to the requirements of Chapters 18.50 (coastal management plan) and 18.60 (conditional use permits) of this title, and exceptions subject to the requirements of Chapter 18.64 (exceptions) of this title and Section 3.3 of the coastal management plan for

additional uses, activities, and structures which are not specifically authorized herein. Additional activities and structures permitted must be consistent with the Cordova coastal management plan and the general intent of this zoning classification. The commission will require site development plans in order to adequately assess any proposed conditional use or exception.

(Ord. 831 (part), 1999).

18.34.050 Prohibited uses and structures.

Any land use or activity or structure that is not specifically permitted above.

(Ord. 831 (part), 1999).

18.34.060 Minimum lot requirement.

The following is the minimum lot requirement in WHD:

Lot area: four thousand square feet.

(Ord. 888, 2001: Ord. 866 (part), 2000: Ord. 831 (part), 1999).

18.34.070 Minimum setback requirements.

The following are the minimum setback requirements in the WHD.

- A. Front yard, side yard, and rear yard setbacks subject to Uniform Building Code requirements regarding building construction type, occupancy, separation distance between buildings, access and egress. Zero lot line construction is not expressly prohibited.

(Ord. 866 (part), 2000: Ord. 831 (part), 1999).

18.34.080 Maximum height of buildings and structures.

The following are the maximum heights of buildings and structures in the WHD.

- A. Principal buildings and structures: Seventy-five (75) feet.
- B. Accessory buildings and structures: Fifty (50) feet.
- C. The planning and zoning commission may grant conditional use permits for taller buildings subject to requirements of the uniform building code and the policies in the Cordova coastal management plan regarding the maintenance of visual access to coastal waters.

(Ord. 866 (part), 2000: Ord. 831 (part), 1999).

18.34.090 Required off-street parking.

The requirements for off-street parking and loading are described in Chapter 18.48 of this title.

(Ord. 831 (part), 1999).

18.34.100 Signs.

Signs are permitted subject to the Uniform Sign Code and Chapter 18.44 of this title.

(Ord. 831 (part), 1999).

Chapter 18.35 AVALANCHE DISTRICT

18.35.010 Purpose.

An avalanche district is hereby established as a zoning overlay district for the following purposes:

- A. To protect the citizens of Cordova and the general public from the extreme hazards associated with avalanche events;
- B. To identify those areas within the city where, after due investigation and study, avalanche potential is found to exist;
- C. To identify areas where historic avalanche events have impacted lands in a manner that indicates extreme or moderate hazards to human life and property;
- D. To give notice to the public of those areas within the city where avalanche potential has been found to exist;
- E. To allow for construction of single-family residences by persons informed of avalanche danger with regard to a specific parcel of real property located in moderate hazard areas, while providing regulations to protect lessees, renters and subtenants of property located within the avalanche district;
- F. To minimize health and safety hazards, disruption of commerce and extraordinary public expenditures;
- G. To promote the general public health, safety and welfare; and
- H. To protect Eyak Lake, Eyak River and other watersheds within Cordova from pollution resulting from fuel, chemical, lubricant, paints, cleaners and other types of hazardous and harmful materials that might be stored within the avalanche district and be carried by avalanche events into waters and wetlands.

(Ord. 853 (part), 2000).

(Ord. No. 1123, § 1, 4-15-2015)

18.35.020 Definition and designation of avalanche district.

- A. The avalanche district shall be a district overlaying an existing zoning district. It shall designate those areas within the city found to be subject to potential avalanche danger. Additional requirements of the avalanche district shall be applied to uses otherwise permitted in the existing zoning district.
- B. The avalanche district shall consist of two sub-zone designations. The distinction between these subzones is defined according to the frequency and destructive force of potential avalanches. They include high hazard "red zones" and moderate hazard "blue zones."
 - 1. High Hazard Zones—Red Zones. High hazard red zones are used to define the greatest potential avalanche risk and are defined as areas subject to:

(Supp. No. 80)

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- a. Avalanche return periods of less than thirty years; and/or
 - b. Impact forces of greater than six hundred pounds per square foot, assuming a flat, normal, rigid surface.

People living in or traveling through a high hazard zone should expect to be infrequently impacted by major avalanche events capable of severely damaging or destroying standard wood frame structures and severely injuring or killing people. This includes the following range of exposure: structures could be totally destroyed or severely damaged, roofs could be blown off or caved in, walls could be pushed in or sucked out, houses could be pushed from their foundations, vehicles could be severely damaged, mature trees could be broken off, and windows and doors could be ripped off, sucked out or pushed in, with considerable broken glass and debris carried by hurricane force winds. People outside or inside of structures could be severely injured or killed. Children or adults playing or working outside would be particularly susceptible to injury or death. The risk of fuel leaks and/or fire and explosion is high.

2. Moderate Hazard Zones—Blue Zones. Moderate hazard blue zones are exposed to potential avalanche threat, but to a lesser degree. Mitigation will usually be feasible but requires site specific analysis. By definition, these areas are subject to:
 - a. Return periods of greater than thirty years, but under three hundred years; and
 - b. Impact pressures of less than six hundred pounds per square foot, assuming a flat, normal, rigid surface.

People living in or traveling through a moderate hazard zone can expect to be less frequently exposed to potential threat from major avalanches and, because of the location, subjected to a lower degree of potential impact. This includes the following range of exposure: structures could be moderately damaged, houses could be pushed from their foundations, roofs could be blown off, walls could be pushed in, windows and doors could be pushed in, sucked out or ripped off, and broken glass and flying branches could be a hazard to people. The risk of fuel leaks and/or fire and explosion is high. People outside would be particularly vulnerable to flying debris. Although generally the avalanche exposure here is less frequent than in the red zone, serious damage, death or injuries are possible.

(Ord. 853 (part), 2000).

(Ord. No. 1123, § 1, 4-15-2015)

18.35.030 Principal uses—Uses permitted.

All uses allowed in a district shall be subject to the additional restrictions of the avalanche district. If any of the regulations specified in this section differ from regulations specified for a district with which the avalanche district is combined, the regulations contained in this section shall apply and govern. Permitted principal uses are as follows:

- A. High Hazard Red Zone.
 1. Water conservation and flood control installations;
 2. Seasonal parks, campgrounds and parkways, greenbelts, land reserves and related facilities except between December 1st and May 1st or other times when the city has declared an avalanche hazard; and
 3. Installation of sewer, water and utilities.
- B. Moderate Hazard Blue Zone.

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1. Single-family residences and associated structures. Proper mitigating measures are required for construction permits within the blue zone. Additional information and/or reports are required by the building official related to construction within the blue zone; and
 2. Seasonal bed and breakfast businesses except between December 1st and May 1st or other times when the city has declared an avalanche hazard;
 3. Any use permitted in the red zone.

(Ord. 853 (part), 2000).

(Ord. No. 1123, § 1, 4-15-2015)

18.35.035 Conditional uses in blue zone.

Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted in the blue zone:

- A. Commercial occupancies.

(Ord. No. 1123, § 1, 4-15-2015)

18.35.040 Prohibited uses.

Because of the high hazard to the health and safety of the general public, no uses that concentrate human activity during times of risk are allowed in the avalanche district. The following uses are prohibited in the:

- A. High Hazard Red Zone.
 1. All residential occupancies;
 2. All commercial occupancies;
 3. All storage facilities;
 4. All temporary structures, except those authorized by special permit issued by the city that might be required to serve temporary uses related to public services;
 5. Any use or structure open to the general public for use between December 1st and May 1st of any year, or other times when the city has declared an avalanche hazard;
 6. Open or closed storage of vehicles, boats or equipment;
 7. Fuel, or any other material rated as hazardous; or
 8. Junkyards.
- B. Moderate Hazard Blue Zone.
 1. All residential occupancies, except single-family residences;
 2. Seasonal bed and breakfast businesses between December 1st and May 1st or other times when the city has declared an avalanche hazard;
 3. Open or closed commercial storage of vehicles, boats or equipment, except items for personal use under the control of the owner of the property; or

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4. Fuel or any other material rated as hazardous, when the quantity of material exceeds the minimum listed controlled quantities under HAZMAT guidelines adopted by the state of Alaska and/or the city of Cordova, Alaska.

(Ord. 853 (part), 2000).

(Ord. No. 1123, § 1, 4-15-2015)

18.35.050 Required permits.

No person shall engage in the uses listed in subsections (A)—(F) within the avalanche district without an approved site development plan, building permit and/or a written conditional use permit issued by the city. Prior to issuance of a building permit for any habitable structure within the avalanche zone, the applicant shall submit to the city building official plans signed by an engineer licensed in the state of Alaska, certifying that the proposed construction as designed will withstand the avalanche forces designated for the zone, or the avalanche forces set forth in a study of the property in question prepared at the owner's expense and submitted to the city by a recognized expert in the field of avalanche occurrence, force and behavior.

The avalanche forces setting standards for this chapter are to be considered minimum forces only, and the city does not represent, guarantee or warrant the ultimate safety of any construction, use or occupancy of structures constructed to meet those forces. Avalanches may occur with forces greater than the standards in this section, and areas of the city not designated as avalanche district may be subject to potential avalanche danger.

- A. Construction of avalanche protective, deflective and preventative structures, devices or earthwork that may deflect avalanches shall be permitted only as a conditional use. Prior to granting of a conditional use permit, the applicant shall submit to the city plans thereof signed by an engineer licensed in the state of Alaska, certifying that the proposed construction will withstand the designated avalanche forces within the zone or the avalanche forces set forth in a study of the property in question prepared at the owner's expense and submitted to the city by a recognized expert in the field of avalanche occurrence, force and behavior, and that the proposed construction will not deflect avalanches toward the property of others. Other information and engineering studies may be requested in consideration of an application for a conditional use permit. Appropriate landscaping may be required where such structures, devices or earthwork alter the natural slope or beauty of the land;
- B. Excavation or removal of soil, trees, shrubs or downed timber when the activity results in alterations of the landscape that could increase or create avalanche hazard;
- C. Construction of structures for, or installation of public services and utilities;
- D. Camping on public lands in the avalanche district;
- E. Mining; or
- F. Timber harvesting.

(Ord. 853 (part), 2000).

(Ord. No. 1123, § 1, 4-15-2015)

18.35.060 Use restrictions.

The following restrictions are hereby imposed upon construction, development and use of all real property located within the avalanche district:

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- A. All public utilities installed after the effective date of the ordinance codified in this chapter for development of a subdivision or providing utility services to a building or replacing existing utility services to a building or subdivision shall be installed underground in order to minimize possible avalanche damage to said utilities and injury to persons and property;
 - B. There shall be no further subdivision of any real property, including lot splits, which would result in the creation of a lot or building site, in whole or part, within the avalanche district. A variance to this provision may be granted if a lot can be created in which the building site conforms to all other provisions of this chapter and is located entirely outside of the avalanche district.

(Ord. 853 (part), 2000).

18.35.070 General notice requirements.

In order to provide reasonable notice to the public of the avalanche potential within all areas designated avalanche district, the following notice regulations and requirements are hereby adopted for all real property and structures located within said zone:

- A. All subdivision plats shall identify and designate each lot and block, or portions thereof, located within the avalanche district together with applicable subzone designation by a stamp or writing in a manner providing reasonable notice to interested parties.
- B. All plans submitted with a building permit application for development of property, any part of which is within the avalanche district, must be stamped "Avalanche District," together with the applicable subzone designation.
- C. Prior to issuance of any building permit for construction within the avalanche district, the applicant shall appear before the planning and zoning commission for the purpose of receiving personal notice of the fact such building is within the avalanche zone and notice of the studies conducted to date with regard thereto.
- D. The city shall file with the office of the recorder such documents as necessary to provide record notice of each existing lot and/or parcel of real property within the avalanche district.
- E. The city shall post signs in the public right-of-way to reasonably identify the boundaries of the avalanche district.
- F. All owners or owner representatives who rent, lease or sublet any structure or premises within the avalanche district from December 1st through May 1st, or during times when an avalanche hazard has been declared by the city, shall provide the tenant, lessee or subtenant with written notice that such property is located within the avalanche district, including the subzone designation, prior to occupancy thereof. This notice shall be a part of the rental or lease document and shall require specific signed acknowledgement by the tenant, lessee or subtenant.
- G. Each and every real estate agent, sales person and broker, and each and every private party who offers for sale or shows a parcel of real property and/or structure for sale within the avalanche district shall provide the prospective purchaser written notice that said real property and/or structure is located within the avalanche district and identify the subzone designation. Furthermore, the written notice shall state that avalanche hazard studies are available for public inspection at the administrative offices of the city, and that such studies should be reviewed prior to any party entering any agreement or contract or lease with regard thereto.
- H. If, under the provisions of Section 18.35.090, any use continued within the avalanche district Red Zone includes living units available for casual/daily rentals or short-term lease (less than ninety days) the following shall apply. All brochures and other printed materials advertising and/or soliciting

reservations for rental or lease of living units within the avalanche district during the period between December 1st and May 1st shall contain a statement that the units are located within an avalanche district Red Zone, a high avalanche hazard area.

(Ord. 853 (part), 2000).

18.35.080 Special restrictions.

No person shall commit the following in the avalanche district:

- A. Tamper with or remove any sign, monument, or other boundary marker; or
- B. Place, store or dump waste, refuse and hazardous or toxic substances.

(Ord. 853 (part), 2000).

18.35.090 Conditions for continuation.

Any building or portion thereof in existence prior to the effective date of this chapter which is specifically designed or arranged to be lawfully occupied or used in a manner not conforming to the provisions of this title may thereafter be so occupied and used, subject to the limitations set forth in Section 18.52.010Chapter 18.52—Nonconformities. Except that discontinued shall mean that a nonconforming use has ceased, and has not substantially resumed, for a period of three hundred sixty-five days or more, regardless of intent. The term "in existence" shall include, for the purposes of this section only, any building under actual permitted construction at such date; provided, that such building can be completed within one year thereof. In addition, should an owner-occupied dwelling become vacant after the date of the ordinance codified in this chapter, that dwelling may be offered for lease or rent if all other requirements are met. Notwithstanding this provision, any required notice provisions contained in Section 18.35.070 shall be issued.

(Ord. 853 (part), 2000).

(Ord. No. 1155, § 1, 9-6-2017)

18.35.100 Damage or destruction.

No building, use or occupancy continued in the avalanche district under the provisions of Section 18.35.090, which is damaged or destroyed to the extent of more than fifty percent of its assessed value by an avalanche event, shall be repaired, altered or occupied except in conformity with the provisions of this title.

(Ord. 853 (part), 2000).

18.35.110 Suspension of city services.

During periods of avalanche danger, city services, including emergency services, police, fire, rescue, and utility services, may be suspended, or otherwise not be provided to property within the avalanche district; nor shall the city accept responsibility for or guarantee that emergency services, rescue efforts, or other city services be provided during periods of extreme avalanche danger.

(Ord. 853 (part), 2000).

18.35.120 Warning and disclaimer of safety and liability.

Avalanches occur naturally, suddenly and unpredictably based upon steepness of slope and run out area, exposure, snow pack composition, wind, temperature, rate of snowfall and other little understood interacting factors. The avalanche district designated in this chapter is considered for regulatory purposes and is based upon and limited by the engineering and scientific methods of study. This chapter does not represent or imply that areas outside the avalanche district are free from avalanches or avalanche danger. The fact that the city has not prohibited the continued use of property within the avalanche district (Section 18.35.090) does not constitute a representation, guarantee or warranty of any kind as to the safety of any construction, use or occupancy thereof. The granting of any permit or approval for any structure or use, or the declaration or failure to declare the existence of an avalanche hazard shall not constitute a representation, guarantee or warranty of any kind or nature by the city, or any official or employee of the practicality or safety of any construction, use or occupancy thereof, and shall create no liability upon or cause of action against such public body or its officials or employees for any injury, loss or damage that may result thereby. Avalanches occur naturally, suddenly and unpredictably, and persons who develop or occupy real property within the avalanche district do so at their own risk.

(Ord. 853 (part), 2000).

18.35.130 Violations.

Failure to obey or comply with any provision of the Chapter 18.35 is a violation and subject to enforcement action.

(Ord. 853 (part), 2000).

18.35.140 Notice of avalanche studies.

The city has avalanche studies for various areas within the city. Copies of studies are available for public inspection at the office of the Cordova city planner, City Hall. Persons interested in building, using or occupying real property within the avalanche zone are encouraged and should examine the studies. However, the city does not represent or warrant the completeness or accuracy of those studies.

(Ord. 853 (part), 2000).

18.35.150 Amendment to zoning map.

The official zoning map of the city is hereby amended to include the avalanche district, with subcategory designation of Red Zone "High Avalanche Hazard" and Blue Zone "Moderate Avalanche Hazard" as part of the avalanche district. The boundaries of such avalanche district are hereby adopted as set forth on such amended official zoning map hereby made a part of this chapter. The city council may from time to time amend the official zoning map of the city to include additional areas designated as "avalanche district," and to further refine district boundaries.

(Ord. 853 (part), 2000).

Chapter 18.36 IR INDUSTRIAL RESERVE DISTRICT

18.36.010 Permitted uses.

The following uses are permitted in the IR district:

Any use permitted and as regulated in the I district not otherwise prohibited by law, except residential, institutional and retail business or service uses.

(Prior code § 15.207(A)).

18.36.020 Prohibited uses.

The following uses are prohibited in the IR district:

- A. All residential uses, except dwelling for a watchman or caretaker employed on the premises or owner—operator and members of his family;
- B. Automobile salvage yards and wrecking operations;
- C. Cemeteries;
- D. Any operation which will render the area unsatisfactory for functional sites for industrial structures and their use;
- E. Outdoor advertising signs;
- F. All uses that may be noxious or injurious by reason of the production or emission of dust, smoke, refuse matter, odor, gas, fumes, noise, vibration or similar substances or conditions; provided, however, that any uses may be permitted if approved by the city planning commission and subject to the securing of a permit therefor and to such conditions, restrictions and safeguards as may be deemed necessary by said commission for the purpose of protecting the health, safety, morals or the general welfare of the community.

(Prior code § 15.207(B)).

18.36.030 Special restrictions.

No gravel excavation greater than five feet below grade of closest existing highway is permitted in the IR district.

(Prior code § 15.207(C)).

18.36.040 Building height limit.

There is no building height limit in the IR district.

(Prior code § 15.207(D)).

18.36.050 Front yard.

In the IR district:

- A. There shall be a front yard of not less than thirty feet.
- B. The front yard along state highways shall be not less than fifty feet.

(Prior code § 15.207(E)).

18.36.060 Rear yard.

There shall be a rear yard in the IR district of not less than twenty feet.

(Prior code § 15.207(G)).

18.36.070 Side yard.

There shall be a side yard in the IR district of not less than twenty feet.

(Prior code § 15.207(F)).

Chapter 18.37 WATERSHED PROTECTION DISTRICT

18.37.010 Purpose.

The watershed protection (WP) district is intended to protect city watersheds from human activities that may harm the water supply.

(Ord. 807 § 1(part), 1998).

18.37.011 Principal uses.

Permitted principal uses are as follows:

- A. Facilities that are necessary to administer and supply water to the city;
- B. Uses accessory to the principal use;
- C. Uses in keeping with the character and requirements of the watershed protection (WP) district.

(Ord. 807 § 1(part), 1998).

18.37.012 Prohibited uses.

Prohibited uses are as follows:

- A. Timber harvesting;
- B. Agriculture;
- C. Mining.

(Ord. 807 § 1(part), 1998).

18.37.013 Required permits.

No persons shall engage in the following uses without a written permit issued by the city:

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- A. Camping on lands in the watershed (an overnight emergency shall not constitute a violation of this requirement);
 - B. Construction of structures or installation of public services and utilities;
 - C. Excavation or removal of large quantities of soil, trees, shrubs, or downed timber.

(Ord. 807 § 1(part), 1998).

18.37.014 Special restrictions.

No person shall commit the following in the watershed protection (WP) district:

- A. Tamper with, or remove, any building, sign, monument, or other boundary marker;
- B. Place any substance which may result in pollution of the water supply;
- C. Dump waste or refuse in the watershed (spills of oil or toxic substances shall be reported immediately to the city).

(Ord. 807 § 1(part), 1998).

18.37.015 Designation of watersheds.

The natural boundaries of the Murcheson, Heney, Meals, and Orca Watersheds are designated herein as watershed protection (WP) districts.

(Ord. 807 § 1(part), 1998).

18.37.016 Violation.

Failure to obey or comply with any provision of this or any rule, order or regulation issued thereunder is a violation. The minimum penalty upon conviction of a single violation of this title shall be a fine of three hundred dollars.

(Ord. 807 § 1(part), 1998).

Chapter 18.38 PUBLIC LANDS AND INSTITUTIONS DISTRICT

18.38.010 Purpose.

The following statement of intent and use regulations shall apply in the PLI district: The PLI district is intended to include major open lands and major public and quasi-public institutional uses, including government office buildings and existing land reserves for public and institutional use.

(Ord. 597 (part), 1985).

18.38.020 Permitted principal uses and structures.

The following are the permitted principal uses and structures in the PLI district:

- A. Parks, parkways, greenbelts, land reserves and related facilities;

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- B. Playgrounds, playfields, and recreational facilities;
 - C. Museums, historic and cultural exhibits and the like;
 - D. Water conservation and flood control installations;
 - E. Educational institutions, including public, private or parochial academic schools, colleges and universities;
 - F. Hospitals, sanitariums, children's home, nursing homes, convalescent homes, homes for the aged, and the like;
 - G. Cemeteries;
 - H. Sewer installations and water supply installations;
 - I. Utilities installations;
 - J. Off-street parking;
 - K. Fire stations.

(Ord. 597 (part), 1985).

18.38.030 Permitted accessory uses and structures.

The following are the permitted accessory uses and structures in the PLI district:

- A. Crematoriums and mausoleums as accessory uses to permitted cemeteries;
- B. Uses and structures which are necessary or desirable adjuncts to permitted principal uses and structures, where such necessary uses and structures are under the management or control of the organization or agency responsible for the permitted principal use or structure.

(Ord. 597 (part), 1985).

18.38.040 Conditional uses.

Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted in the PLI district:

- A. Churches and synagogues, along with the customary accessory uses, including parsonages, day nurseries, kindergartens and meeting rooms;
- B. Natural resource extraction;
- C. Vocational schools, trade schools, manual training centers and the like;
- D. Correctional institutions, rehabilitation centers, reformatories and the like;
- E. Governmental service shops, maintenance and repair centers and equipment storage yards;
- F. Convents, monasteries and administrative offices of religious organizations;
- G. Headquarters or administrative offices for such charitable or eleemosynary organizations as Red Cross, Tuberculosis Society, Cancer Society, Boy Scouts, Girl Scouts, and similar quasi-public organizations of a noncommercial nature.

(Ord. 597 (part), 1985).

18.38.050 Prohibited uses and structures.

Any use or structure not of a character indicated under permitted uses and structures or permitted as a conditional use is prohibited.

(Ord. 597 (part), 1985).

18.38.060 Minimum lot requirements.

The following are the minimum lot requirements:

- A. Lot width, one hundred feet;
- B. Lot area, fifteen thousand square feet.

(Ord. 597 (part), 1985).

18.38.070 Minimum yard requirements.

The following are the minimum yard requirements:

- A. Front yard, twenty-five feet;
- B. Side yard, ten feet;
- C. Rear yard, fifteen feet.

(Ord. 597 (part), 1985).

18.38.080 Maximum lot coverage.

The maximum lot coverage by all buildings: fifty percent.

(Ord. 597 (part), 1985).

18.38.090 Maximum height of structures.

The maximum height of structures is unrestricted, except that structures shall not interfere with Federal Aviation Administration Regulations on airport approaches and conform with the Uniform Building Code.

(Ord. 597 (part), 1985).

18.38.100 Signs.

Signs may be allowed in connection with any permitted use, subject to the supplementary district regulations and the Uniform Sign Code.

(Ord. 597 (part), 1985).

18.38.110 Parking.

Adequate off-street parking shall be provided in connection with any permitted use, as required in Chapter 18.48.

(Ord. 597 (part), 1985).

18.38.120 Loading.

Adequate off-street loading area shall be provided in connection with any permitted use, as required in Chapter 18.48.

(Ord. 597 (part), 1985).

18.38.130 Ground cover.

All areas not devoted to buildings, structures, drives, walks, off—street parking facilities or other authorized installations shall be covered with one or more of the following: lawn grass, shrubbery, trees, or other suitable ground cover materials.

(Ord. 597 (part), 1985).

Chapter 18.39 WATERFRONT COMMERCIAL PARK DISTRICT⁶

18.39.010 Purpose.

The purpose of the Waterfront Commercial Park (WCP) district is to provide a mix of services, businesses and recreational activities to benefit the community. Uses within the WCP district are intended to be water-dependent or water-related, and primarily those uses that are particularly related to location, recreation or commercial enterprises that derive an economic or social benefit from a waterfront location.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.020 Permitted principal uses and structures.

The following are the permitted principal uses and structures in the WCP district:

- A. Business services;
- B. Cultural centers;
- C. Docks and harbor facilities;
- D. Eating and drinking establishments;

⁶Editor's note(s)—Ord. No. 1134, § 1, adopted October 7, 2015, amended ch. 18.398, §§ 18.39.010—18.39.130, in its entirety, to read as set out herein. Former ch. 18.39 pertained to similar subject matter, and was derived from Ord. No. 612 (part), adopted 1986; Ord. No. 623 § 1, adopted 1987; Ord. No. 802 §§ 1—3, adopted 1998; Ord. No. 1073, adopted July 7, 2010 and Ord. No. 1124, § 1, adopted May 6, 2015.

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- E. Hotels;
 - F. Public service and municipal buildings;
 - G. Retail services;
 - H. Waterfront parks, access paths, and boardwalks.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.030 Permitted accessory uses and structures.

The following are the permitted accessory uses and structures in the WCP district:

- A. Accessory buildings;
- B. Office buildings associated with permitted principal uses;
- C. Watchman's quarters

(Ord. No. 1134, § 1, 10-7-2015)

18.39.040 Conditional uses.

Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted in the WCP district:

- A. Commercial outside storage;
- B. Processing of seafood where no more than two thousand square feet of gross floor space of structure is used for processing;
- C. Fueling pier.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.050 Reserved.

18.39.060 Minimum lot requirements.

The following are the minimum lot requirements in the WCP district:

- A. Lot width: Ninety feet
- B. Lot area: Nine thousand square feet.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.070 Minimum yard requirements.

The following are the minimum yard requirements in the WCP district:

- A. Front yard: Fifteen feet
- B. Side yard: Five feet
- C. Rear yard: Five feet.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.080 Maximum height of buildings and structures.

The following are the maximum heights of buildings and structures in the WCP district:

- A. Principal buildings and structures: Thirty feet
- B. Accessory buildings and structures: Twenty feet.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.090 Required off-street parking and loading.

The requirements for off-street parking and loading in the WCP district shall be as set forth in Chapter 18.48.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.100 Signs.

Signs may be allowed in the WCP district subject to the Uniform Sign Code and as set forth in Chapter 18.44.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.110 Reserved.

18.39.120 Reserved.

18.39.130 Site plan review.

The development plan of any proposed development in the WCP district shall be subject to a site plan review conducted in accordance with Chapter 18.42.

(Ord. No. 1134, § 1, 10-7-2015)

Chapter 18.40 GENERAL USE REGULATIONS

18.40.010 Height of buildings.

- A. The permitted height of buildings shall be exclusive of roof structures as defined in the building code of the city.
- B. Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building; fire or parapet walls, skylights, towers, roof signs, flagpoles, chimneys, smokestacks, wireless masts or similar structures and necessary mechanical appurtenances, may be erected above the height limits prescribed; but no penthouses, roof structure or any space above the permitted height limit of buildings shall be for the purpose of providing additional floor space.

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(Prior code § 15.209(C)).

18.40.020 Distance between buildings.

No detached dwelling or other main building shall be less than ten feet from any other detached dwelling or main building on the same building site.

(Prior code § 15.209(F)).

18.40.030 Accessory buildings.

- A. No accessory building shall exceed twenty feet in height, except agricultural buildings, which shall not exceed fifty feet in height.
- B. No accessory building shall be erected, constructed, or moved on any lot in any R district prior to the construction of the main building, except that this shall not be construed to prohibit the construction of an accessory building when a building permit has been issued for the concurrent construction of such buildings, or for an accessory building incidental to the use of the land.

(Ord. 623 § 2, 1987; prior code § 15.209(G)).

18.40.040 Fences and walls.

- A. Fences and walls not exceeding six feet in height may occupy any portion of a side or rear yard in any R district provided that where such fence or wall projects beyond the front yard line or setback line toward the front property line, the following further restrictions shall apply:
 - 1. Such fence or wall shall not exceed four feet in height, and shall be constructed so that not more than fifty percent of the vertical surface thereof above a height of two feet is solid wall;
 - 2. Planted hedges projecting beyond the front yard line shall not exceed the maximum heights permitted for fences or walls;
 - 3. No fence, wall or hedge shall be erected or maintained on the public property beyond the front property line of any lot or parcel of land, except masonry or concrete retaining walls, and then only to a height not to exceed six inches above the grade of the earth such wall is constructed to retain. A permit shall first be secured from the building official approving the necessity for and type of such retaining wall;
 - 4. A detached accessory building not exceeding twenty feet in height may be permitted to occupy a rear yard, provided that not more than one-third of the total area of such rear yard shall be so occupied.
- B. On any corner lot in any R district, there shall be no planting, structure, fence, shrubbery or other obstruction to vision more than three and one-half feet higher than the curb level within ten feet of the intersection of the adjacent street lines, except that shade trees or other plants or vegetation of sufficient height to permit sight distances from one street to the other under the lowest branches or foliage may be permitted.
- C. In any R district, no building shall be erected, reconstructed or altered nearer to the street line on which it faces than the average setback observed by seventy-five percent of the buildings on the same frontage. Where there are buildings on only one side of a street within the block, the setback line for the unoccupied side shall be the same as that established on the occupied side.

(Ord. 623 § 3, 1987; prior code § 15.209(H)).

18.40.050 Antennas.

- A. Antennas Located on Existing Structures. Except for satellite and microwave dishes, which are governed by Subsection B of this section, and amateur radio antennas, which are governed by Subsection C of this section, antennas and accessory equipment are permitted in all zoning districts when located on an existing structure, including, without limitation, a building, water tank, utility pole, broadcast tower or other existing support structure, subject to the requirements of this subsection.
1. The height of the antenna and accessory equipment may exceed the maximum building height for the zoning district, but shall conform to the following dimensional requirements.
 - a. Omni-directional or whip antennas shall not exceed twenty feet in length and seven inches in diameter.
 - b. Directional or panel antennas shall not exceed ten feet in length and two feet in width.
 - c. Cylinder-type antennas shall not exceed ten feet in length and twelve inches in diameter.
 - d. Antenna types other than those described above shall be permitted if they are not significantly larger and do not have a significantly greater visual impact than the antenna types described above. The purpose of this provision is to allow for future technological advances in the design of antennas.
 2. The antenna and accessory equipment shall be of a color that is identical to or similar to the color of the supporting structure in order to be visually unobtrusive.
- B. Satellite and Microwave Dishes. Satellite and microwave dishes are permitted in all zoning districts subject to the following requirements. The diameter of a satellite or microwave dish shall not exceed ten feet. A satellite or microwave dish having a diameter greater than three feet shall be screened with an appropriate architectural treatment that is compatible with or integral to the architecture of the building on which it is mounted to which it is an accessory structure.
- C. Amateur Radio Antennas. Amateur radio antennas are permitted in all zoning districts subject to the following requirements. An amateur radio antenna shall be designed and constructed in accordance with reasonable and customary engineering practices, shall conform to the height limitations in Alaska Statutes 29.35.141(b), and otherwise shall conform to the requirements applicable to an amateur radio antenna in the zoning district where it is located. This subsection applies only to amateur radio antennas erected on or after July 26, 2001.

(Ord. No. 1070, § 9, 7-21-2010)

Chapter 18.42 SITE PLAN REVIEW

18.42.010 Purpose.

Whenever required by this code or the city council, a site plan review shall be completed by the planning commission with a recommendation to the city council. Prior to the issuance of a building permit, the city council must approve the site plan for the project.

(Ord. 636 (part), 1988).

18.42.020 Application procedure.

The following procedures will govern the site plan review process when required by this code or the city council.

- A. The developer shall submit twenty copies of the site plan, including all items to be incorporated in such site plan, to the public works/planning director's office at least three weeks (twenty-one days) before a regularly scheduled planning commission meeting. The public works/planning director shall then transmit copies of the site plan to the planning commission and, as appropriate, to other bodies and/or agencies for review and comment. Bodies or individuals receiving plans for review shall forward written comments to the public works/planning director within fifteen days of the receipt of the plans. Upon receipt of comments and recommendations from the planning commission and appropriate bodies, the public works/planning director shall submit the same to the city council at its next regularly scheduled meeting for action, but in any event, no later than forty-five days of the initial receipt of the site plan.
- B. An approved site plan shall regulate the development on the site unless modified in the same manner as the plans were originally approved; provided, however, that incidental or minor variations of the approved site plan shall not invalidate prior site plan approval; provided, that the variations have first been revised and written approval received for the variations from the public works/planning director and city manager.

(Ord. 984, 2006; Ord. 636 (part), 1988).

18.42.030 Required information.

- A. The site plan to be submitted as required herein shall contain the following information. If any of the information requested herein is not applicable to a given project, the reasons for the non-applicability of the information requested shall be stated in the site plan:
 - 1. Name, address and phone number of owner/developer;
 - 2. Legal description of property;
 - 3. A scale of not less than 1" = 20';
 - 4. Date, north point and scale;
 - 5. The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties;
 - 6. The zoning and siting of all structures on the subject property and abutting properties;
 - 7. The location of each proposed structure in the development area, the use or uses to be contained therein, the number of stories, gross building area, distances between structures and lot lines, setback lines and approximate location of vehicular entrances and loading points;
 - 8. The location of all existing and proposed drives and parking areas with the number of parking and/or loading spaces provided and the location and right-of-way widths of all abutting streets;
 - 9. Location and height of all walls, fences and screen plantings, including a general plan for the landscaping of the development and the method by which landscaping is to be accomplished and be maintained;
 - 10. Types of surfacing, such as paving, turfing or gravel to be used at the various locations;

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11. A grading plan of the area demonstrating the proposed method of storm drainage;
 12. Size and location of proposed sewer and water lines and connections;
 13. Front and side elevations of proposed structures;
 14. Exterior finish and color.
- B. Where phased or staged construction is contemplated for the development of a project, the site plan submitted must show the interrelationship of the proposed project to the future stages, including the following:
1. Relationship and identification of future structures, roadways, drainage, water and sewer;
 2. Pedestrian and vehicular circulation;
 3. Time schedule for completion of various phases of the proposed construction;
 4. Temporary facilities or construction of same as required to facilitate the stage development.
- (Ord. 636 (part), 1988).

Chapter 18.44 SIGNS

18.44.010 Definitions.

For the purposes of this chapter, certain terms, phrases, words and their derivatives shall be construed as specified in either Chapter 2 of the Uniform Sign Code, 1985 Edition, or the Uniform Building Code. Further, "sign" shall be construed as defined under Section 18.08.520 of this title.

(Ord. 607 (part), 1986).

18.44.020 General provisions.

All signs shall conform in design and construction to Chapter 4 of the Uniform Sign Code, 1985 Edition. Further, any sign, whether attached to a structure or freestanding, shall be so located as to conform to minimum yard requirements and maximum height requirements of the district in which the sign is located.

(Ord. 607 (part), 1986).

18.44.030 Permit required.

A permit shall be obtained from the building official prior to the installation of any sign in any district, except for those signs exempted from the permit requirement by the terms of the Uniform Sign Code, 1985 Edition, or those signs exempted from the permit requirement by the terms of this chapter. The procedure for obtaining a sign permit shall be as set forth in Chapter 3 of the Uniform Sign Code, 1985 Edition.

(Ord. 607 (part), 1986).

18.44.040 Sign size.

The area of the display surface of a sign shall be computed as including the area comprising the entire display, but not including the forming parts of the display such as frames or standards. Only one side of a double-

faced sign shall be included in the calculation. The standard area permitted is the total for all signs on the premises unless otherwise provided or excepted.

(Ord. 607 (part), 1986).

18.44.050 Type, size, and location of signs permitted in R districts.

The following types, sizes, and locations of signs are permitted in an R district:

- A. One nonilluminated sign on a dwelling unit advertising the name of a home occupation and the name of the occupant. Such sign shall not exceed two square feet in area, and shall be located flat against the wall of the principal building;
- B. One sign for the purpose of advertising the sale or lease of a building or premises. Such sign shall not exceed six square feet in area.
 - 1. When a building or premises abuts on more than one street, one such sign may face each street, providing that no such sign at or near the intersection may obstruct free and clear vision of such involved streets. Further, no such sign shall be located within twenty-five feet of any street intersection;
- C. One sign to advertise or identify multiple dwellings, hotels, clubs, lodges, public and semipublic institutions, and similar uses. Such sign shall not exceed twenty square feet in area;
- D. One sign to identify nonconforming commercial uses. Such sign shall not exceed six square feet in area;
- E. The above signs shall be mounted flat against the building, or freestanding not less than twenty-five feet from any lot line;
- F. One sign for the advertisement of a tract development or a housing project of at least two acres in area. Such sign shall not exceed one hundred square feet in area. Such sign shall be located at least thirty feet from any street line and on the property being developed. Further, such sign shall not be maintained for more than one year;
- G. One announcement sign or bulletin board for a church, school, or public or charitable organization. Such sign shall not exceed twenty square feet and shall be located at least five feet back from the front property line and on the same lot as the principal building.

(Ord. 607 (part), 1986).

18.44.060 Signs prohibited in R districts.

No sign illuminated with flashing or intermittent lighting shall be permitted in an R district.

(Ord. 607 (part), 1986).

18.44.070 Type, size, and location of signs permitted in B, I, CBD, WCP and PLI districts.

The following types, sizes, and locations of signs are permitted in B, I, CBD, WCP and PLI districts:

- A. If there is only one business establishment in a building, that business may have three signs, the total area of which shall not exceed fifty square feet in area. No more than one of such signs shall be placed on any one face of the building;

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- B. If two or more business establishments are located in the same building, each business may have two signs, the total area of which shall not exceed fifty square feet. No more than one sign for any business shall be placed on any one face of the building;
 - C. In addition to the above, .02 square feet of sign size per square foot of gross floor space, up to a maximum of two percent of total square footage of the building may be permitted by the planning commission;
 - D. Signs guiding or directing traffic and parking on public or private parking are permitted providing such signs bear no advertising matter.

(Ord. 607 (part), 1986).

18.44.080 Notices and warning signs.

Notices and warning signs, such as "vacancy," "no trespassing," "beware of dog," etc., shall be permitted in any zoning district. Such signs shall not exceed one square foot in area and shall be exempt from the permit requirement.

(Ord. 607 (part), 1986).

18.44.090 Political signs.

For the purpose of this section, political signs shall be defined as any sign used for the purpose of advertising or promoting a political party, candidate, initiative, referendum, or proposition for voter consideration at a forthcoming election. Political signs shall be permitted in any zoning district in accordance with the terms of this section as follows:

- A. Political signs shall not exceed thirty-two square feet in area;
- B. Political signs shall not be placed on any public property or rights-of-way;
- C. Political signs shall not be placed more than ninety days prior to any primary or general election;
- D. All political signs shall be removed within one week following the relevant election, with the exception that political signs erected for any primary election that remain relevant to the following general election may be maintained for the period between the elections;
- E. Prior to placing political signs, a no-fee permit must be obtained from the building official;
- F. Pursuant to this subsection, political signs shall be exempt from the permit requirement.

(Ord. 607 (part), 1986).

18.44.100 Exemptions.

Exemptions shall not be construed as relieving the owner of such signs from the responsibility of complying with certain applicable provisions of this chapter. The exemptions shall apply to the requirement for sign permit only, and no sign permit shall be required for the erection of the following signs:

- A. Building construction signs. One on-site building construction sign on each construction site in any zoning district provided that:
 - 1. Maximum display surface area:
8 square feet in all R Districts

32 square feet in all other Districts;

- B. Real estate signs;
- C. Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other noncombustible material;
- D. Municipal signs, as approved by the planning commission;
- E. Signs painted on, or affixed to glass surfaces of windows or doors and pertaining to the lawful business concluded therein;
- F. All signs located within a building that are not visible to the public outside said building.

(Ord. 607 (part) 1986).

Chapter 18.46 WIND ENERGY SYSTEMS

18.46.010 Definitions.

As used in this chapter:

"Guyed tower" means a tower that is supported, in whole or in part, by wires and ground anchors.

"Hub height" means the vertical distance between the grade and the center of the wind turbine hub.

"Lattice tower" means a tower that is self-supporting and that consists of multiple legs and cross bracing of structural metal.

"Monopole" means a tower that is self-supporting and that consists of a single vertical shaft usually constructed of wood, metal, or concrete.

"Roof" means the uppermost surface of any part of a building.

"Total height" means the vertical distance from the grade to the highest point on a wind energy system structure, including any moving part at the highest point in the course of its movement.

"Vertical access wind turbine" means a wind energy system in which the main rotor shaft is arranged vertically.

"Wind energy system" means a wind turbine and its supporting wind energy system tower.

"Wind turbine" means a blade or other type of rotating mechanism that converts wind energy into electric energy.

(Ord. No. 1077, § 1, 12-15-2010)

18.46.020 Zoning requirements.

- A. In the LDR, MDR, HDR, URB and CB zoning districts, vertical access wind turbines, or wind energy systems mounted on a roof or monopole, are permitted as follows:
 - 1. One wind energy system with a hub height not exceeding eighty feet is permitted as an accessory use on a lot that has a minimum area of twenty thousand square feet.
 - 2. Except as provided in Subsection D. of this section, one or more wind energy systems of any height may be permitted on any lot as a conditional use.

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- B. In the in the POS, PLI, WID, WHD, WCP and C zoning districts, vertical access wind turbines, or wind energy systems mounted on a roof, monopole, guyed tower or lattice tower, are permitted as follows:
 - 1. No more than two wind energy systems with a hub height not exceeding one hundred fifty feet are permitted as an accessory use on a lot that has a minimum area of twenty thousand square feet.
 - 2. Except as provided in Subsection D. of this section, one or more wind energy systems of any height may be permitted on any lot as a conditional use.
 - C. In the I zoning district, wind energy systems with a hub height not exceeding three hundred feet are permitted as an accessory use on a lot that has a minimum area of twenty thousand square feet. Except as provided in Subsection D. of this section, one or more wind energy systems of any height may be permitted on any lot as a conditional use.
 - D. The maximum total height of a wind energy system in an aircraft-approach zone and within eight thousand feet of the main runway shall not exceed the maximum height that is determined on the basis of obstruction criteria shown on the current FAA-approved Cordova Airport Master Plan drawings which are on file at Cordova City Hall.
 - E. No part of a wind energy system, including guy wires and other anchors, may be located within an area that is described in the minimum yard requirements for the applicable zoning district. No part of any wind energy system may be located in an access or utility easement.

(Ord. No. 1077, § 1, 12-15-2010)

18.46.030 Design and construction requirements.

- A. A wind energy system shall conform to the applicable code requirements that are adopted by reference in Section 16.05.010 and amended in Title 16 of this Code, and to the requirements in this section.
- B. The foundation for a ground-supported wind energy system shall be designed for the installation site by a professional engineer registered in Alaska, and the building permit application for the wind energy system shall include plans for the foundation stamped by the engineer. The building permit application for a roof-mounted wind energy system shall include a certification by a professional engineer registered in Alaska that the roof structure will support the wind energy system.
- C. The building permit application [for] a wind energy system shall include documentation that the wind energy system meets the requirements of this chapter, or an approved conditional use permit authorizing any deviations from those requirements. In addition to review under Title 16 of this Code, the building permit application shall be reviewed by the Planning Department for compliance with the requirements of this chapter and any approved conditional use permit. Before a permit is issued it must be signed by the planning department.
- D. Each wind turbine that is a component of a wind energy system must be approved by the Small Wind Certification Program recognized by the American Wind Energy Association (AWEA) or another accredited organization such as the Small Wind Certification Council, National Wind Technology Certification Center, or the U.S. Department of Energy, National Renewable Energy Laboratory, or must be certified by a professional mechanical engineer registered in Alaska as a system that meets or exceeds industry safety standards for wind energy systems.
- E. No wind energy system may be installed until the owner of the lot where the wind energy system will be installed submits to the planning department the written approval from the Cordova Electric Cooperative of the wind energy system as an interconnected customer-owned generator, or certifies in writing that the wind energy system will not be interconnected with Cordova Electric Cooperative transmission or distribution system.

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- F. No wind energy system may be installed in a manner that allows less than fifteen feet of vertical distance from the grade to any moving wind turbine component at the lowest point in the course of its movement.
 - G. All exposed surfaces of a wind energy system shall be a nonreflective, neutral, unobtrusive color approved by the city planner, and shall be maintained throughout the life of the wind energy system in accordance with Small Wind Certification Program recognized by the American Wind Energy Association (AWEA) or another accredited organization such as the Small Wind Certification Council, National Wind Technology Certification Center, or the U.S. Department of Energy, National Renewable Energy Laboratory, or must be certified by a professional mechanical engineer registered in Alaska as a system that meets or exceeds industry performance standards for wind energy systems. The turbines shall be maintained as per the manufacturer's requirements.
 - H. No sign, flag or pennant may be attached to a wind energy system, except to identify the manufacturer or the installer of the wind energy system, or to warn of danger.
 - I. No wind energy system may be artificially illuminated except as required by law or a state or federal agency.
 - J. A wind energy system that is not roof-mounted shall be designed and constructed so no part that is less than fifteen feet above the grade can be climbed, or completely enclosed by a fence that is not less than six feet high.
 - K. All electric transmission wires connected to a wind energy system must be underground, or within the building on which the wind energy system is mounted, except near substations or points of interconnection to the electric grid.
 - L. A wind energy system shall be designed, installed and operated so that the noise generated by the wind energy system does not exceed fifty decibels, measured five feet above the grade at the property line closest to the wind energy system, except during short-term events such as utility outages and severe windstorms.

(Ord. No. 1077, § 1, 12-15-2010)

18.46.040 Violation and removal.

- A. A wind energy system shall be erected and maintained plumb, level, and true and shall be repaired, painted, and maintained in accordance with this chapter, any manufacturer's recommendations and instructions, and with industry standards for wind energy systems.
- B. A demolition permit is required to remove a wind energy system. The permit shall require the removal of the entire wind energy system, including foundations to below natural grade, collection, connection, and transmission equipment, at the owner's sole expense.
- C. The city planner or designee may order the repair or removal of a wind energy system that is not maintained in accordance with this section. A wind energy system that that is not maintained in accordance with this section, or is not operated for a period of one hundred eighty consecutive days, is a public nuisance subject to abatement under Chapter 8.08 of this Code.

(Ord. No. 1077, § 1, 12-15-2010; Ord. No. 1144, § 8, 5-18-2016)

Editor's note(s)—Ord. No. 1144, § 8, adopted May 18, 2016 changed the title of § 18.46.040 from "Nuisances and removal" to read as herein set out.

Chapter 18.48 OFF-STREET PARKING, LOADING AND UNLOADING

18.48.010 General regulations.

- A. Off-street parking, loading and unloading facilities shall be provided to lessen congestion in the streets. The facilities required herein shall be available throughout the hours of operation of the particular business for which the facility is provided. As used herein, the term "parking space" includes parking lot spaces located off the public right-of-way.
- B. Each parking space shall constitute a net land area of at least one hundred and eighty square feet. The total parking lot space, including access lanes, shall constitute at least three hundred square feet of land area per parking space.
- C. Surfacing: Any off-street parking area shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, and shall be so arranged as to provide for orderly and safe parking and storage of vehicles.
- D. Parking spaces may be located on a lot other than containing the principal use with the approval of the planning commission.
- E. Detailed plans for all off-street parking shall be submitted with the building plans when the application for a building permit is made. Such plans shall show the following:
 - 1. Dimension of the parcel involved;
 - 2. Dimension and layout of each parking space;
 - 3. Entrance and exits to the parking area and direction of traffic; and
 - 4. Detailed dimensions of all curb cuts, entrances and exits.
- F. Plans for the layout of off-street parking facilities shall be in accordance with the following minimum requirements:

Parking Pattern	Maneuvering Lane Width	Parking Space Width	Parking Space Length	Total Width of One Tier of Spaces Plus Maneuvering Lane	Total Width of Two Tiers of Spaces Plus Maneuvering Lane
0° (parallel parking)	12 ft.	8 ft.	23 ft.	20 ft.	28 ft.
30° to 53°	13 ft.	9 ft.	20 ft.	33 ft.	53 ft.
54° to 74°	18 ft.	9 ft.	21 ft.	39 ft.	60 ft.
75° to 90°	25 ft.	9 ft.	19 ft.	44 ft.	63 ft.

Note: Detailed drawings of layout are on file at City Hall.

(Ord. 598 (part), 1985).

18.48.020 Parking area—Development.

Every lot or parcel of land used as a public parking area shall be developed as follows, subject to the approval of the plans by the planning commission:

- A. Such area shall be paved or otherwise adequately and satisfactorily surfaced and shall have appropriate bumper guards where needed.
- B. Where such area adjoins the side of a lot in a residential district, it shall be separated from such a lot by a fence or hedge not less than four feet nor more than six feet in height. Such fence or hedge shall be maintained in good condition and shall not exceed beyond the front yard line required in such residential district.
- C. Any lights provided to illuminate such parking area shall be so arranged as to reflect the light away from adjoining premises and streets.

(Ord. 598 (part), 1985).

18.48.030 Parking area—Entrance and exit provisions.

Any land or premises used for public or semipublic automobile parking, storage, sales or service, public garage or any type of drive-in business or service or similar use where vehicles regularly and customarily require access to such premises from any public street or alley shall be so designed that entrance and exit drives, openings or approaches for such vehicles will provide the safest and most desirable ingress and egress with relation to vehicular and pedestrian traffic in the streets upon which such use abuts.

Such entrance and exit openings and driveways shall not exceed thirty-two feet in width, and in no case shall any such driveway service be permitted to use the entire street frontage upon which such use abuts for entrance or exit facilities.

(Ord. 598 (part), 1985).

18.48.040 Parking area—Driveways and curb cuts.

Detailed plans for driveways, openings or curb cuts shall be submitted to the planning commission for approval with regard to the location and relation of same to the public street or highway. All such lands or premises devoted to the uses described in this title, and existing at the effective date of the ordinance codified in this title, shall comply with these requirements within two years.

(Ord. 598 (part), 1985).

18.48.050 Driveway construction.

- A. Any driveway constructed so as to cross an existing sidewalk shall be constructed of a minimum six-inch concrete or compacted rock base with a minimum covering of two-inch asphaltic concrete from the edge of pavement or curbline to the property line.
- B. Any driveway exiting a paved street without a sidewalk shall have an apron extending from the edge of the pavement a minimum distance of three feet towards the property line. Such aprons shall be constructed in accordance with subsection A of this section.
- C. All driveways constructed after the effective date of the ordinance codified in this section will be a minimum of twelve feet in width, but in no case, will driveways be wider than one-half the lot the driveway serves.

(Ord. 598 (part), 1985).

18.48.060 Off-street parking requirements.

Any structure or building hereafter erected, converted or enlarged for any of the following uses shall be provided with not less than the minimum spaces as set forth below unless otherwise permitted under this code. Fractional numbers of required parking spaces shall be increased to the next whole number.

Dwellings and Lodgings	Minimum Number of Parking Spaces Required
1. Hotels, rooming houses and other structures containing sleeping rooms other than or in addition to dwelling units.	One parking space for each unit and one parking space for five guest rooms.
2. Single-family dwellings, two-family dwellings, trailers, multifamily dwellings and other places containing dwelling units.	Two parking spaces for each unit.
Public and Semipublic	
3. Churches, theaters, and other places of public assembly.	One parking space for each ten seats in the principal place of assembly.
4. Nursery and elementary schools.	One parking space for each teacher or other employee.
5. Municipal buildings.	One parking space for each employee, plus one space for each official vehicle, plus two spaces for visitor parking.
6. Other semipublic and government building.	One space for each six hundred square feet of gross floor space.
7. Hospitals.	One space for every three beds, plus one space for each employee of largest shift.
Commercial	
8. General stores.	One space for each six hundred square feet of gross floor space.
9. Eating and drinking establishment.	One space for each employee of largest shift, plus one space for each ten seats.
10. Private clubs.	One space for every two hundred square feet of gross floor space.
11. Home occupations.	One and one-half space per dwelling unit, plus one for each employee, plus two for visitor parking.
Industrial	
12. Manufacturing uses.	One space for every two employees, plus as required if retail or warehouse uses on premises.
13. Warehouse and storage uses.	One parking space for every one thousand square feet of gross building area.

(Ord. 806 § 1, 1998; Ord. 598 (part), 1985).

(Ord. No. 1125, § 1, 5-6-2015)

18.48.070 Off-street loading.

Every building or structure used for business, trade or industry and normally requiring truck loading or unloading with respect to the use shall provide space as indicated in this section for the loading and unloading of vehicles off the street or public alley or, if there is no alley, to a street.

Off-street loading and unloading space shall be in addition to and not considered as meeting part of the requirement for off-street parking. Off-street loading and unloading space shall not be used or designed, intended or constructed to be used in a manner to obstruct or interfere with the free use of any street or adjoining property. The minimum off-street loading and unloading space required for specific uses shall be as follows:

- A. Retail business and service establishments shall provide one off-street loading and unloading space at least ten feet wide and thirty-eight feet long with a fourteen foot height clearance per building.
 - 1. Businesses within the Central Business District shall be exempt from this requirement.
- B. Industrial plants shall provide one off-street loading space for each twenty thousand square feet of gross floor area. Each loading and unloading space shall be a minimum of twelve feet wide and fifty feet long with a fourteen-foot height clearance.
- C. Trucking terminals and ship terminals shall provide one off-street loading and unloading space for every five thousand square feet of gross floor area for storage, warehousing and shipping. Each loading space shall be a minimum of fourteen feet wide and sixty-five feet long with a fourteen-foot height clearance.

(Ord. 598 (part), 1985).

18.48.080 Commission reduction of parking spaces.

The planning commission may reduce the required number of parking spaces if the commission determines that an unreasonable amount parking spaces is required or that the required number of spaces does not meet the city's development goals or its land use needs.

(Ord. No. 1125, § 2, 5-6-2015)

Chapter 18.50 PERMITTED USES AND ACTIVITIES IN THE CORDOVA COASTAL ZONE

18.50.010 Requirements for approval.

Lands and waters identified to be within the coastal zone shall be subject to the requirements and policies of this chapter. The table in Section 18.50.020 identifies those uses and activities which are proper or improper for each management classification.

(Ord. 530 (part), 1981).

18.50.020 Permitted uses and activities in the Cordova coastal zone—Table.

Use	Preser- vation	Conser- vation	Development I	Development II
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Business and
Commercial

Offices	x	x	B	B
Retail shops	x	x	B	x
Restaurant	x	x	C	x
Hotel, motel	x	x	C	x
Visitor center	x	C	C	C

Marine Services

Marine sales	x	x	A	C
Open wet moorage	x	x	A	C
Covered wet moorage	x	x	A	C
Stacked moorage	x	x	A	C
Launching ramps	x	C	A	C
Haulout facilities	x	x	A	C
Marine construction, repair and dismantling	x	x	A	C
Marine facilities serv.	x	x	A	C
Private yacht or boat clubs	x	x	C	C
Marine education	x	C	A	C

Transportation Facilities

Accessory parking	x	C	A	C
Principal use parking	x	x	x	x
Cargo terminal	x	x	A	C
Passenger and auto ferry terminal	x	x	A	C
Highways and arterials, local streets	x	C	A	C
Bicycle and pedestrian ways	x	A	A	A
Scenic roads and auto- oriented viewpoints	x	A	A	A
Land based aircraft facilities	x	x	x	x
Water-based aircraft facilities	x	x	B	B/C
Trails-Nonvehicular	A	A	A	A

Utilities

Overhead and underground	x	C	A	C
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Underwater	x	C	A	C
Intakes and outfalls	x	C	A	C
Sanitary and storm sewers	x	C	A	C
Fossil fuel power generated facility	x	x	x	x
Sewage treatment plant	x	x	A	C
Potable water use	A	A	A	A

Port and Industrial

Log storage and rafting	x	C	C	C
Sand and gravel plants	x	x	C	x
Concrete and cement plants	x	x	x	x
Cargo handling and marine-oriented staging areas	x	x	A	C
Oil/gas transfer	x	x	A	C
Fish and seafood processing	x	x	A	C
Timber and mining manufacturing	x	x	C	C
Warehousing and wholesaling (goods requiring marine transshipment)	x	x	A	C
Open storage for marine related facilities	x	x	A	C

Residential *

Single-family	x	x	B	B/C
Multifamily	x	x	B	B/C

* Does not apply to existing residential developments in the Odiak Slough and Whiskey Ridge areas.

Activities	Preservation	Conservation	Development I	Development II
Clearing/grading	x	C	A	C
Timber harvest	x	C	C	C
Dredging/disposal	x	C	C	C
Aquaculture/ fisheries	x	C	A	C
Mining	x	C	C	C
Recreation (based on marine involvement)	C	A	A	A
Nonmarine-related recreation	x	C	A	C
Hunting	x	A	x	x
Landfill	x	C	A	C

Piers/docks

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Piling	x	C	A	C
Floats	x	C	A	C
Marine-residential	x	x	B	B/C
Marine-related recreation	x	A	A	A
Nonmarine-related recreation	x	C	A	C
Commercial/ industrial	x	x	A	C
<u>Shore Defense Works</u>				
Groins	x	C	A	C
Breakwaters	x	C	A	C
Bulkheads and shoreline protective structures	x	A	A	A
<u>Offshore Facilities</u>				
Business signs on premises	x	x	A	C

KEY TO SYMBOLS OF TABLE

- x = Use is not permitted.
A = Use is permitted.
*B = Use is permitted as an accessory use only.
**C = Use is permitted, if the following conditions are satisfied:

1. Demand conditions exist to justify growth in a particular area and can be documented by the proposed developer;
2. No other reasonable alternative areas exist already zoned and with conditions to support such development (deep water, etc.);
3. Proven efforts are made to eliminate dangers to people and property and to minimize environmental damage and protect resources to the greatest extent possible;
4. The developer demonstrates he has sound financial backing, and a rational development program and plan and will enter into a performance contract.

*A use which occurs in conjunction with the generally permitted use. It is normally incidental and less in scale than the general use (e.g. a retail shop would be an accessory use within a hotel).

**Requires review by planning commission at a public hearing to establish if conditions are satisfied.

Criteria for Unlisted Uses or Activities.

Where specific uses or activities are not shown in the table or where no policy exists, the following test should be applied in making the determination:

Test for Permissible Use or Activity.

(Requires compliance with either Numbers 1 or 2 and always with Numbers 3 and 4)

No. 1 - The use or activity can only be carried out on, in or adjacent to a water body because the use requires access to that water body;

No. 2 - The use or activity, while not directly dependent upon access to a water body, provides goods, services, support or protection that are directly associated with a water-dependent use or activity and which if not located on, in or adjacent to water would result in a direct public loss in quality of the goods, services, support or protection offered or use or activity undertaken;

No. 3 - There is no possible alternative to the proposed use or activity which would accomplish the same goals but at less impact on the coastal resources of the city;

No. 4 - The proposed use or activity is consistent with the intent and purpose of the underlying zoning and coastal management classification.

(Ord. 558, 1983; Ord. 530 (part), 1981).

18.50.030 Uses and activities—Review authority.

Uses and activities that are allowed outright, without special review, shall be authorized by the planning director. Uses and activities identified to be permitted on the basis that certain conditions are satisfied shall be subject to a review by the planning commission. In such cases, the planning commission shall consider the proposed use or activity and make their decision in a public hearing. In all cases, the person or body making a determination shall consider the policies found in Sections 18.50.040 through 18.50.095 before rendering a decision.

(Ord. 613 § 1, 1986; Ord. 530(part), 1981).

18.50.040 Policies.

The policies outlined in Sections 18.50.050 through 18.50.095 shall govern land and water uses and activities and shoreline structures in the Cordova coastal zone. All applicable policies shall be adhered to by each activity or use.

(Ord. 613 § 2, 1986; Ord. 530 (part), 1981).

18.50.050 Policies—Generally.

- A. The city has delineated certain policies pertaining to activities and uses within the coastal zone. These policies are to be used as a guide in preparing plans for conducting activities or developing uses within the coastal zone. When an application for a building permit is reviewed by the city staff or planning commission, these policies will be used to determine the acceptability of the proposal.
- B. Following are the policies incorporated into the coastal management program. There are two categories:
 - 1. General policies, applicable to all activities and uses; and
 - 2. Water-based policies applicable to uses or activities located in or over the water.

Within each policy group, there may be individual policies which would not be applicable. For instance, a policy pertaining to dredging would not apply to a floating breakwater.

- C. Each of the policies found in Section 18.50.070 is to be preceded by the phrase "where feasible and prudent." Where the phrase "feasible and prudent" is included in a subsection of Sections 18.50.060 or 18.50.070, the policy should be implemented consistent with sound engineering practices, and should not result in economic, social, or environmental problems that outweigh the public benefit to be derived from strict compliance with the policy.

(Ord. 613 § 3, 1986; Ord. 530(part), 1981).

18.50.060 Policies—Generally applicable.

- A. New development, when compatible, shall be located near existing development, before committing undeveloped shoreline areas to development where feasible and prudent;
- B. Priority shall be given to water-dependent and water—related uses over other uses. Uses which are neither water—related nor water—dependent shall be permitted only where no feasible and prudent alternatives are available;
- C. Multiple use of the shoreline shall be encouraged where new uses or activities do not interfere with or inhibit existing uses or activities. Uses or activities which will interfere with the fishing industry shall be located in geographically separate sites where feasible and prudent;
- D. Development and activities allowed shall not significantly degrade the quality of the natural environment including water quality and air quality, nor contribute to erosion or other deleterious effects on adjacent environments;
- E. Recreational and visual access to coastal waters shall be maintained, and where appropriate, increased, in those management units designated for their recreational or scenic values;
- F. Only those uses which require an over-water location shall be permitted to locate seaward of this mean-high water line or the natural wetland boundary where feasible and prudent;
- G. New development shall be required to locate in areas already provided with requisite public services and facilities and adequate land where feasible and prudent;
- H. Development in the coastal zone shall be located and designed so facility users and watercraft are adequately protected from floods, extreme high tides, and/or destructive stone without provision of massive defense structures;
- I. Clearing and grading operations shall be conducted so as to expose the smallest practical area of soil to erosion for the least possible time during construction. Erosion control measures, where required, shall be undertaken from the time of beginning of clearing, and vegetation shall be restored or control measures instituted at the earliest possible date. All clearing and grading near to or involving flowing water courses shall be conducted in such a fashion so as to minimize material entering the flow of water.
- J. Maintenance and enhancement of fisheries shall be given priority consideration in reviewing shoreline use proposals which might adversely impact fisheries habitat, migratory routes and harvest of significant fish or shellfish species. Alternate designs shall be seriously considered for such proposals if such potential adverse impacts are significant. Shorelines having banks, beaches, and beds critical to the fisheries resource base shall be maintained in a productive natural condition whenever possible;
- K. Implementation of governmental services and facilities for public purpose shall be in conformance with applicable plans, policies, and programs of the city of Cordova where feasible and prudent;
- L. Approval to carry on activities or uses in the Cordova coastal zone shall be contingent upon conformance with all applicable federal and state regulations;
- M. Subsistence use of resources, where a predominant activity within the publicly-owned areas of the coastal zone, shall be considered equally with other uses in determining use allocations.

(Ord. 613 § 4, 1986; Ord. 530 (part), 1981).

18.50.070 Policies—Water-based uses.

Where feasible and prudent:

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- A. Only those uses or activities which require an in-water or over-water location shall be permitted to locate seaward of the mean high water line or the natural wetland boundary;
 - B. Developments in or over the water, such as piers, docks, and protective structures shall be located, designed, and maintained in a manner which prevents adverse impact upon water quality, fish, wildlife and vegetative resources;
 - C. Larger works, such as bulkheads, breakwaters or silt dams shall be located, designed and maintained so that natural water circulation patterns and essential geohydraulic processes of accretion, transport and erosion are not interrupted;
 - D. Open pile or pier support structures shall be used where possible in lieu of filled areas for piers or docks which project into the water;
 - E. Dredging shall be permitted only where it is essential to the activity or use proposed. Areas which will require frequent periodic maintenance dredging are less preferred than self-maintaining channels or basins;
 - F. Dredging for the sole purpose of obtaining materials for landfill or construction shall not be permitted;
 - G. Dredging shall not be permitted where valuable wetlands, estuaries, tide flats, or other scarce or valuable natural areas, would suffer significant harm;
 - H. Disposal of dredge material shall be conducted in upland areas; except that dredge spoil may be utilized in shoreside landfills if permitted under applicable regulations for the purpose of creating usable waterfront land;
 - I. Dredging or pile driving activities shall be conducted in a manner that prevents pollution to marine water; the use of containment devices shall be required. Dredging or pile driving activities will be timed so that they do not interfere with migrating aquatic life.

(Ord. 613 § 5, 1986; Ord. 530(part), 1981).

18.50.080 Policies within the Eyak Lake Area meriting special attention.

- A. There is established an area within the city which shall be defined as the Eyak Lake Area Meriting Special Attention. The boundary of the Eyak Lake Area Meriting Special Attention is as follows:

On the south, the Copper River Highway from approximately Mile 7 west to the Eyak River Bridge; thence upslope from the south side of the highway to the 500 foot contour line and westerly along the 500 foot contour line to the extended projection of LeFevre Road; thence north along the projection and LeFevre Road and its extended projection to the base of Tripod Hill which shall form the boundary on the west. The 500 foot contour line beginning at the base of Tripod Hill to a point where it crosses Power Creek above Ohman Falls; thence southerly along the east shore of Eyak Lake to the intersection with the section line between Sections 32 and 33; thence south along the section line to its junction with the CRH (point of beginning) which shall form the north and east boundaries.
- B. The policies outlined in Sections 18.50.090 and 18.50.095 shall govern land and water uses and activities and shoreline structures within the Eyak Lake Area Meriting Special Attention. A copy of the Eyak Lake Area Meriting Special Attention Cooperative Management Plan as conceptually approved by the city on January 16, 1986, is on file in the office of the city clerk, and is made a part of this title. The Eyak Lake Area Meriting Special Attention shall be referred to herein as the "AMSA." The Eyak Lake Area Meriting Special Attention Cooperative Management Plan shall be referred to herein as the "AMSA management plan," or the "AMSA plan."

(Ord. 613 § 6, 1986).

18.50.090 AMSA enforceable policies.

AMSA enforceable policies shall be enacted and shall provide as follows:

A. General Policies.

1. The city will utilize existing governmental structures, authorities and regulations to the maximum extent feasible to achieve the objectives of this Area Meriting Special Attention (AMSA) management plan. The city shall follow the procedures of the state's consistency review process as stated in 6 AAC 50, to achieve consistency with the AMSA plan and Alaska Coastal Management Program (ACMP) requirements when federal or state permits are necessary for the project.
2. Federal and state permits issued within the AMSA shall be consistent with the policies of the approved AMSA plan. All consistency reviews conducted by the Division of Governmental Coordination (DGC) or other coordinating agency shall be consistent with the review procedures as outlined in 6 AAC 50. The city shall be considered an affected district for all projects occurring within the AMSA.

B. Water Quality.

1. In areas with poorly draining soils, development that has sewage or waste water associated with it shall not be allowed unless connected to a sewer line or connected to a self-contained holding-type system.
2. The natural water circulation patterns in the lake shall be maintained and essential geo—hydraulic processes of accretion, transport, and erosion shall not be interrupted.
3. Storm water runoff controls sufficient to prevent water quality degradation shall be imposed on development adjacent to Eyak Lake and adjoining tributaries.
4. No development shall take place without providing adequate measures to provide for natural surface drainage runoff.
5. Clearing and grading operations shall be conducted in a manner so as to prevent soil erosion and sediment runoff into Eyak Lake and adjoining tributaries. The developer is responsible for utilizing the best available erosion control measures to minimize erosion and sediment runoff during clearing and construction of a proposed project. The developer will be responsible for submitting a plan to permitting agencies stating how cleared land will be stabilized to prevent future erosion and sedimentation of the lake.
6. Spreading oil or other pollution agents (as defined by the Environmental Protection Agency (EPA)) for dust control or surface stabilization is prohibited unless a permit for the activity has been issued by the Alaska Department of Environmental Conservation.
7. No contaminants shall be discharged into lake and stream waters which would degrade water quality below state or federal standards.
8. Upland habitats shall be managed to retain natural drainage patterns and vegetation cover on steep slopes (seventy percent or greater), and along shorelines and stream banks to prevent excessive runoff and erosion, protect surface water quality and natural ground water recharge areas.

C. Fishery Production.

1. Maintenance and enhancement of spawning areas shall be given priority consideration for shorelines. Shorelines having banks, beaches, and beds critical to the preservation of the fisheries

resource base, indicated on Figure 10 of the AMSA plan as lake and stream spawning areas, shall be maintained in their productive natural condition.

2. A coordinated review in accordance with 6 AAC 50 shall be required with Alaska Department of Fish and Game (ADF&G) and appropriate federal and state agencies before any activity in a water body is undertaken.
3. Facilities for storing and distributing fuel shall not be located within the active floodplain of a stream.

D. Wildlife Habitat.

1. In freshwater marshes and wetlands, maintenance of the natural functions is the highest priority. Development is prohibited except where it will not alter the natural functions or fish and wildlife habitat and where it meets a greater long-term public need.
2. All public works activities such as transportation projects, utilities, sewers, and drainage activities shall protect any freshwater marshes and wetlands from adverse impacts unless there is a significant public need for a proposed use or activity for which no feasible and prudent alternative exists and all feasible and prudent steps have been taken to maximize conformance with the AMSA plan policies.
3. Wildlife habitat contained in the areas adjacent to the eastern shore of the lake from the mouth of Hatchery Creek to the ADF&G weir, including the wetland north of the Copper River Highway (CRH) and east to the AMSA boundary, shall be protected from adverse impacts. The resources principally using this habitat are the feeding and resting birdlife and nesting eagles, swans and loons particularly.
4. Habitat of swans, eagles and loons shall be protected.

E. Future Development.

1. Water-dependent and water-related uses and activities shall be given priority consideration for location on the lakeshore. Uses and activities other than residential uses that are neither water-dependent nor water-related shall only be allowed if there is no feasible and prudent inland alternative to meet the public need for the use or activity.
2. Only those uses which require an over-water location shall be permitted beyond the ordinary high-water mark of the lake or inside the natural wetland boundary.
3. Where feasible and prudent, developments in or over the water, such as piers, docks, and protective structures shall be located, designed, and maintained in a manner which prevents adverse impacts upon air and water quality, fish, wildlife, scenic and vegetative resources.
4. Floating or open pile or pier support structures shall be used in lieu of fill for piers or docks which project into the water.
5. Development which would be a hazard to public health, safety, or the general welfare or would materially interfere with the natural processes shall not be allowed.
6. Adequate building setbacks from lake and stream waters and wetlands shall be established and maintained. These setbacks shall be a minimum of twenty feet from any part of a structure to the ordinary high—water mark. Structures in existence at the time of adoption of this plan that are destroyed or damaged may be rebuilt within the existing foundation line.
7. Structures or development of uses accessory to residential use (storage shed, well house, garage, etc.) shall retain shoreline open space, be visually and physically compatible with adjacent cultural and natural features, and be reasonable in size and purpose. Such development shall not

be permitted in required shore setback spaces, or permitted over water unless clearly water—dependent, such as piers and floats.

8. The design of structures near watercourses shall preserve stream bank and channel integrity, reduce the impact of flooding and allow for natural drainage.
 9. Historic landslide areas or areas prone to landslides, slumping, or other forms of mass wasting shall be subject to a geotechnical investigation to determine if development is allowable and, if so, what design measures shall be required to protect human life and property. The geotechnical study shall be submitted to permitting agencies and approved prior to development.
 10. All new mineral extraction operations shall employ buffers, erosion and sedimentation control measures and/or other suitable precautionary measures as necessary to protect adjoining lands and waters from adverse impacts resulting from the operations.
 11. Surface modification that would induce excessive erosion or undermine the support of nearby land shall be prohibited.
 12. Reclamation plans shall be submitted to permitting agencies and approved prior to mineral and gravel extraction activities. Reclamation plans shall be designed to ensure that projects are conducted and reclaimed in accordance with all applicable AMSA plan policies.
 13. Eyak Lake waters shall be kept free of hazardous or obstructive development which could create a hazard to users of the waters.
- F. Recreation and Scenic Values.
1. Points of recreational and visual access to the shoreline and stream deltas shall be provided and protected, consistent with public safety and private property rights.
 2. Off—road vehicles such as snow machines, airboats, and three—wheelers are prohibited on the Power Creek Delta, the wetlands adjacent to Southeast Arm, and all lake tributary streambeds, except as necessary for public health and safety and maintenance and patrol of private lands by authorized persons.
 3. Off-road vehicles shall be limited to designated routes and/or areas to ensure protection of users and resource values, to minimize conflicts.
 4. Utilities shall be installed underground wherever feasible and prudent.
 5. Public beach designations, swimming areas, camping sites, toilets, and picnic facilities shall be established, and existing facilities improved where public need warrants, and public funding is available.
 6. The following areas and trails shall be retained, classified, and/or managed as recreation resources in accordance with applicable statutory requirements and private property rights. (See Figure 12 of the AMSA plan.) The current managing agency is shown for each area:
 - a. Boat ramp (city)—East end of runway;
 - b. North shore beach (Alaska Department of Natural Resources (DNR))—Boat launch and picnic area;
 - c. Nirvana Park (city)—Picnic and group use;
 - d. The Spit (city)—Swimming, picnicking, viewing, floatplane moorage;
 - e. Skater's Cabin (city)—Picnic, skating, swimming, trailhead and group use;

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- f. Hatchery Creek culvert crossing (Eyak Corporation and Alaska Department of Transportation/Public Facilities (DOTPF))—Spawning fish and bear viewing;
 - g. Power Creek Road turnouts (DOTPF)—Wildlife and scenic viewing, informal picnicking;
 - h. Power Creek Trail (United States Forest Service (USFS))—Hiking and access;
 - i. Crater Lake Trail (DNR)—Hiking and access;
 - j. CRH turnouts (DOTPF)—Scenic viewing;
 - k. Mavis Island and causeway (DNR)—Public recreation;
 - l. Eyak River bridge turnout (DOTPF)—Swan viewing, trailhead for Eyak River Trail, scenic point.

(Ord. 613 § 7, 1986).

18.50.095 Recommended guidelines.

Recommended guidelines shall be enacted and shall provide as follows:

- A. Wildlife Habitat.
 - 1. Birdlife shall be protected from disturbance, especially from discharge of firearms and motorized vehicles and equipment during freeze up conditions in the vicinity of open water near the ADF&G weir.
- B. Recreation and Scenic Values.
 - 1. The state DOTPF should maintain the identified highway pullouts for scenic and viewing purposes.
 - 2. All agencies shall strive to maintain the potential for high quality public recreation in the AMSA by their actions.
 - 3. Recreation and access developments shall preserve or enhance scenic views and vistas, as well as improve the aesthetic value of the area.
 - 4. The state should provide/increase the buffer area around existing highway turnouts by developing complementary uses such as picnic sites adjacent to the turnouts and/or restricting uses of adjacent state land so conflicting uses don't arise.
 - 5. Timber harvest activities should be managed so as to protect the AMSA from adverse visual impacts. A mitigation plan, describing how visual impacts will be minimized, should be developed and implemented by the land-managing agency or land owner for any harvesting activity regulated by the State Forest Resources and Practices Act.

(Ord. 613 § 8, 1986).

Chapter 18.52 NONCONFORMITIES⁷

⁷Editor's note(s)—Ord. No. 1148, § 2, adopted Dec. 7, 2016, repealed the former Ch. 18.52, §§ 18.52.010—18.52.050, and enacted a new Ch. 18.52 as set out herein. The former Ch. 18.52 pertained to nonconforming

uses and derived from Prior code § 15.213(A)—(E); Ord. 695 § 2, 3, adopted 1992; Ord. No. 1070, § 10, adopted July 21, 2010; Ord. No. 1144, § 7, adopted May 18, 2016.

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(Supp. No. 80)

18.52.010 Purpose.

The purpose of this chapter is to permit nonconforming lots, uses, and structures to protect property owners from undue hardship despite their compliance with past city laws, zoning codes, and regulations while moving towards conformity of lots, uses and structures.

(Ord. No. 1148, § 2, 12-7-2016)

18.52.020 Definitions.

For the purposes of this chapter the following words or phrases shall be interpreted or defined as set forth in this section, and such interpretations or definitions shall supersede any conflicting interpretations or definitions set forth elsewhere in this title:

"Abandon" means the cessation of use for any length of time, combined with intent to indefinitely cease such use.

"Aggravate" means the physical alteration of structures if such alteration results in a greater invasion in any dimension of setback or height requirements, or a further violation of density, parking, or other requirements of this title.

"Discontinued" means that a nonconforming use has ceased, and has not substantially resumed, for a period of twenty-four consecutive months, regardless of intent.

"Nonconforming lot, structure, or use" means a lot, structure, or use authorized by the city through the application of city administrative processes, laws, and/or regulations that existed at the time of authorization but which no longer apply under the current requirements of this title.

(Ord. No. 1148, § 2, 12-7-2016)

18.52.030 Nonconforming lots.

If at any time a nonconforming lot is brought into conformity with this title, the lot shall thereafter conform to all the regulations of the zoning district in which it is located.

A nonconforming lot may be developed in conformity with all other provisions of this title even though such lot fails to meet currently applicable minimum area or width requirements.

(Ord. No. 1148, § 2, 12-7-2016)

18.52.040 Nonconforming structures.

If at any time a nonconforming structure is brought into conformity with this title, the structure shall thereafter conform to all the regulations of the zoning district in which it is located.

A nonconforming structure may be continued so long as it remains otherwise lawful. The following provisions apply to nonconforming structures:

1. A nonconforming structure may be enlarged or altered, provided that it does not aggravate the nonconformity, and that no portion of the nonconforming structure extends over any lot line into property not owned by the owner of the nonconforming structure.
2. A nonconforming structure may be altered to decrease its nonconformity.

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3. If a nonconforming structure is moved for any reason for any distance whatsoever it shall thereafter conform to the code provisions applicable in the zone in which it is located after it is moved.
 4. If a nonconforming structure or nonconforming portion of a structure is damaged, removed, or demolished by any means, including but not limited to acts of nature, acts of persons or animals, or lack of maintenance, to an extent of more than fifty percent of the nonconforming structure or nonconforming portion of a structure as determined by an inspection by the city, it shall not be reconstructed except in conformity with the provisions of Cordova Municipal Code.
 5. A nonconforming residential structure may be enlarged or altered without requiring additional parking, as long as the number of dwelling units in the structure is not increased and none of the existing parking is diminished.
 6. Nothing in this section shall be construed to prevent general maintenance on a nonconforming structure. General maintenance includes the repair or replacement of walls, doors, windows, roof, fixtures, wiring, and plumbing.

(Ord. No. 1148, § 2, 12-7-2016)

18.52.050 Nonconforming uses.

If at any time a nonconforming use is brought into conformity with this title, the use shall thereafter conform to all the regulations of the zoning district in which it is located.

A nonconforming use may be continued so long as it remains otherwise lawful. The following provisions apply to nonconforming uses:

1. No nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied as of the date it became nonconforming.
2. No nonconforming use shall be moved in whole or in part to any other portion of the lot that was not occupied by the nonconforming use as of the date it became nonconforming.
3. If at any time a nonconforming use is abandoned or discontinued, the use of that lot shall thereafter conform to the code provisions applicable in the zone in which the lot is located, and the nonconforming use shall not thereafter be resumed or allowed to continue.

(Ord. No. 1148, § 2, 12-7-2016)

18.52.060 Proof of nonconforming lot, structure, or use.

A property owner shall bear the burden of proving that a lot, use, or structure is nonconforming for purposes of this chapter.

(Ord. No. 1148, § 2, 12-7-2016)

Chapter 18.56 LOT AND YARD REGULATIONS

18.56.010 Lots and lot areas.

- A. The requirements as to minimum lot area shall not be construed to prevent the use for a one-family dwelling of any lot or parcel of land, other than in the I or IW district, in the event that such lot or parcel of land was,

on the effective date of the ordinance codified in this title, legally subdivided and separately owned, deeded by a deed or record, or subject to a recorded contract of sale in full force and effect.

- B. No portion of any lot or parcel of land which has been designated or used as any part of a required open area or yard for a building shall be included as a portion or yard for another building if such inclusion will reduce the lot area or yard required for the original lot or parcel of land to less than the minimum lot area or dimension of yard required for the land use district in which such property is located.
- C. No lot or parcel of land held under separate ownership at the time the ordinance codified in this title became effective shall be reduced in any manner below the required minimum lot area or width.
- D. No lot area shall be so reduced, diminished or maintained that the yards or other open spaces or total lot area shall be smaller than prescribed nor shall the density of population be increased in any manner except in conformity with these regulations.
- E. Every building hereafter erected shall be located on a lot as herein defined. If it is located on two or more lots, the building location must conform to the side yard requirements or it may straddle an interior lot line of such a parcel of lots. In no case shall there be more than one main residential building and its accessory buildings on one lot, unless specifically provided otherwise.
- F. No building permit shall be issued for a building or structure on a lot which abuts a street dedicated to a portion of its required width and located on that side thereof from which no dedication was secured, unless the yards provided on such lot include both that portion of the lot lying within the future street and required yards.

(Prior code § 15.209(D)).

18.56.020 Yards.

Where yards are required they shall not be less in depth or width than the minimum dimensions in any part and they shall be at every point open and unobstructed from the ground to the sky, except as follows:

- A. Outside stairways, fire escapes, porches or landing places, if unroofed and unenclosed, may extend into a required side yard for a distance not to exceed three feet or into a required rear yard and a distance not to exceed four feet.
- B. Cornices, canopies, eaves or other similar architectural features not providing additional floor space within the building may extend into a required yard not to exceed two feet.
- C. One covered but unenclosed passenger landing or carport not more than one story in height may extend into either side yard, but such structure shall not be closer than three feet to an adjoining lot.

(Prior code § 15.209 (E)).

Chapter 18.60 CONDITIONAL USE PERMITS⁸

⁸Editor's note(s)—Ord. No. 1162, § 2, adopted June 20, 2018, repealed the former Ch. 18.60, §§ 18.60.010—18.60.030, and enacted a new Ch. 18.60 as set out herein. The former Ch. 18.60 pertained to similar subject matter and derived from Ord. 530 (part), 1981; Ord. 548, 1982; prior code § 15.210; Ord. 582 (part), 1984; Ord. No. 1041, § 2, March 4, 2009; Ord. No. 1070, §§ 11, 12, July 21, 2010; Ord. No. 1107, § 10, March 20, 2013.

18.60.010 Purpose.

It is recognized that there are some uses and associated structures which may be compatible with designated principal uses in specific zoning districts provided certain conditions are met. The conditional use permit procedure is intended to allow flexibility in the consideration of the proposed use on surrounding property if the proposed use is in harmony with the various elements or objectives of the comprehensive city plan and the zoning district. The conditional use permit process provides the opportunity to apply conditions of controls and safeguards to ensure that the proposed use will be compatible with the surroundings.

(Ord. No. 1162, § 2, 6-20-2018)

18.60.020 Applications.

Applications for a conditional use permit shall be filed with the city planner.

- A. The application shall include but is not limited to the following:
 - 1. Name and address of the applicant;
 - 2. If applicant is not the owner of the subject lot, the owner's signed authorization granting applicant the authority to (a) apply for the conditional use permit and (b) bind the owner to the terms of the conditional use permit, if granted;
 - 3. A legal description of the property involved;
 - 4. A narrative description of the proposed use;
 - 5. A proposed time frame for the new use and/or the period of construction;
 - 6. Dimensioned plot plans showing the location of all existing and proposed buildings or alterations, and their existing and proposed uses;
 - 7. The nonrefundable fee as established by city council resolution;
 - 8. Narrative evidence that the application meets all of the review criteria in Section 18.60.020B. Evidence shall be sufficient to enable meaningful review of the application;
 - 9. Any additional information required by the Municipal Code; and
 - 10. Any additional information the city planner may require to determine whether the application satisfies the criteria for issuance of a permit.
- B. Prior to granting a conditional use permit, the planning and zoning commission must determine that the proposed use meets all of the following review criteria:
 - 1. The use is consistent with the purpose of this chapter and is compatible with the zoning district and the comprehensive plan;
 - 2. The use will not permanently or substantially injure the lawful use of neighboring properties;
 - 3. Public services and facilities are adequate to serve the proposed use;
 - 4. The proposed use will not have a permanent negative impact on pedestrian and vehicular traffic circulation and safety substantially greater than that anticipated from permitted development; and
 - 5. The proposed use will not adversely affect to the public's safety, health, or general welfare.

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- C. The planning and zoning commission shall hold a public hearing upon each properly submitted application. Such hearing shall be held not less than ten days nor later than thirty days following the date of filing of such application and the applicant shall be notified of the date of such hearing.
 - D. The commission shall cause to be sent to each owner of property within a distance of three hundred feet of the exterior boundary of the lot or parcel of land described in such application notice of the time and place of hearing and a description of the property involved. For the purposes of this section, "property owner" means that owner shown upon the latest tax assessment roll.
 - E. The commission shall cause to be made by its own members, or its authorized agent, an investigation of facts bearing on any application sufficient to assure that the action taken is consistent with the intent and purpose of this section.
 - F. The planning and zoning commission shall hear and consider evidence and facts from any person at any public hearing or written communication from any person relative to the matter. The right of any person to present evidence shall not be denied for the reason that any such person was not required to be informed of such public hearing.
 - G. Within thirty days from the conclusion of the public hearing, the planning and zoning commission shall render its decision unless such time limit be extended by common consent and agreement signed by both applicant and the commission. If, in the opinion of the commission, the necessary facts and conditions set forth in this chapter apply in fact to the property or use referred to, it may grant the conditional use permit. If, however, such facts and conditions do not prevail nor apply the commission shall deny the application.
 - H. The commission, in granting approval, may establish conditions under which a lot or parcel of land may be used or a building constructed or altered; make requirements as to architecture, height of building or structure open spaces or parking areas; require conditions of operation of any enterprise; or may make any other condition, requirements or safeguards that it may consider necessary to prevent damage or prejudice to adjacent properties or detriment to the city. When necessary, the commission may require guarantees in such form as deemed proper under the circumstances to ensure that the conditions designed will be complied with.
 - I. The decision of the planning and zoning commission, either for the granting with or without conditions, or the denial of an application, shall become final and effective ten days following such decision.
 - J. Any aggrieved person or party may appeal the planning and zoning commission decision following the protocol in 18.64.030.
 - K. Any application approved by the planning and zoning commission shall be conditional upon the privilege granted being utilized within six months after the effective date of approval.
 - L. Construction work must commence within the stated period and must be diligently prosecuted to completion, otherwise the approval is automatically voided.
 - M. In the case of construction, the planning and zoning commission may extend the time of construction if satisfactory evidence of planning and/or construction progress is presented.
 - N. A conditional use permit shall automatically expire if for any reason the conditioned use ceases for a period of twenty-four months or longer
 - O. A permittee who disputes the administrative official's determination that the conditioned use has not been timely initiated or has ceased for a period of twenty-four months or longer may appeal the official's determination under 18.64.040.

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- P. A conditional use permit is not transferable from one parcel of land to another. Conditional use permits may be transferred from one owner to another for the same use, but if there is a change in use on the property, a new permit must be obtained.

(Ord. No. 1162, § 2, 6-20-2018)

18.60.030 Conditional uses.

The city planning and zoning commission may grant the following uses by conditional use permit in any district unless otherwise specified. Uses not listed may be permitted in any district subject to the requirements of this chapter and if the proposed use is in harmony with the various elements or objectives of the comprehensive city plan and the zoning district.

- A. Airports;
- B. Animal hospitals or boarding establishments and veterinary practices;
- C. Cemeteries;
- D. Concrete or cement products manufacture;
- E. Crematories if located within a cemetery containing at least five acres;
- F. Establishments or enterprises involving large assemblages of people or automobiles, including amusement parks, circuses, fairgrounds, open-air theaters, recreational centers and hospitals and sanitariums;
- G. Gas manufacture and storage; provided, that all manufacturing operations shall be subject to the approval of the building official;
- H. Government enterprise (federal, state or local);
- I. Commercial greenhouses or tree nurseries;
- J. Natural resources, development and extraction of, together with necessary buildings, apparatus or appurtenances incident thereto, including petroleum exploration and development;
- K. Off-street parking areas;
- L. Marijuana establishments subject to the regulations and limitations in this code and state law;
- M. Private clubs;
- N. Public libraries, cultural centers, museums, art galleries, research and education not operated for profit;
- O. Public or private child care facilities, public or nonprofit elementary and high schools, and institutions for higher education;
- P. Public utility or public service facilities, subject, in the case of a telecommunication tower, to the standards in Section 18.60.070;
- Q. Radio or television transmitters and satellite dishes;
- R. Hotel and motels.

(Ord. No. 1162, § 2, 6-20-2018)

18.60.040 Conditional use for group housing developments.

In the case of a dwelling group consisting of two or more buildings, the contemplated arrangements of which makes it impracticable to apply the requirements of this title to the individual building units in the group, a permit for the construction of such dwelling group may be issued only if the plans of such dwelling group comply with the following conditions:

- A. That the proposed dwelling group will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding neighborhood, and it will result in intensity of land utilization no higher, and standard of open space at least as high, as permitted or specified in this chapter in the district in which the proposed dwelling group is to be located,
- B. That the tract of land on which the dwelling group is to be erected comprises at least seventy-five thousand square feet,
- C. That the buildings are to be used only for residential purposes and the customary accessory uses, such as garages, storage spaces and recreational and community activities,
- D. That the average lot area per dwelling unit on the site, exclusive of the area occupied by street, will not be less than the lot area required for each dwelling unit in the district in which the dwelling group is to be located,
- E. That there are provided, as part of the proposed development, adequate recreation areas to serve the needs of the anticipated population,
- F. That off-street parking is provided on the basis of one parking space for each dwelling unit within the development,
- G. That the development will not produce a volume of traffic in excess of the capacity, for which the access streets are designed,
- H. That property adjacent to the proposed dwelling group will not be adversely affected,
- I. That such dwelling group not be located in an industrial district,
- J. That the proposed group housing development will be consistent with the intent and purpose of this title to promote public health, safety and general welfare;
- K. That snow storage areas will be provided.

(Ord. No. 1162, § 2, 6-20-2018)

18.60.050 Conditional use for townhouse and zero lot line developments.

In the case of townhouse and zero lot line developments where one structure will contain two or more dwelling units, and the contemplated arrangement of the overall project makes the strict interpretation of this title impractical, the planning and zoning commission may, after a public hearing, permit such development provided the following guidelines are followed:

- A. That the proposed dwelling group will constitute a residential environment of sustained desirability and stability, that it will be in harmony with the character of the surrounding neighborhood, and it will result in an intensity of land utilization no higher, and standard of open space at least as high, as permitted or specified in this chapter in the district in which the proposed dwelling is to be located,

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- B. That the tract of land on which the dwelling group is to be erected comprises a minimum of sixteen hundred square feet per dwelling unit for each dwelling unit within the proposed development,
 - C. That the buildings are to be used only for residential purposes and the customary accessory uses, such as garages, storage spaces and recreational and community activities,
 - D. That these are provided, as part of the proposed development, adequate recreation areas to serve the needs of the anticipated population,
 - E. That off-street parking be provided on the basis of two parking spaces for each dwelling unit within the development. This requirement may be fulfilled by either two parking spaces adjacent to the dwelling unit or a parking area adequate to accommodate the total development parking requirement at a location conveniently located to all the dwelling units within the development,
 - F. That the developer furnish the planning and zoning commission with two copies of the homeowners agreement which will cover such areas as property maintenance, dwelling unit maintenance and upkeep, etc. Only copy will be forwarded to the city attorney for his review and comments,
 - G. That the development will not produce a volume of traffic in excess of the capacity for which the access streets were designed,
 - H. That the property adjacent to the proposed dwelling group will not be adversely affected,
 - I. That such dwelling group shall only be located on a district which permits residential use,
 - J. That the proposed town house development will be consistent with the intent and purpose of this title to promote public health, safety and general welfare.

(Ord. No. 1162, § 2, 6-20-2018)

18.60.060 Conditional use for mobile homes or travel trailers.

The planning and zoning commission may grant a conditional use permit to allow mobile homes or travel trailers to be placed outside of planned mobile home parks in any zone district for up to twelve months to allow the lot owner temporary living quarters while building a residence. The temporary living quarters must be removed from the lot or vacated upon expiration of the conditional use permit.

(Ord. No. 1162, § 2, 6-20-2018)

18.60.070 Conditional use for telecommunication tower.

- A. The planning and zoning commission may grant a conditional use permit for a telecommunication tower in any zoning district subject to the conditions in this section.
- B. In addition to the requirements 18.60.020 the application for a conditional use permit for a telecommunication tower shall include the following information:
 - 1. A written narrative explaining why the proposed site has been chosen, why the telecommunication tower is necessary, why the requested height was chosen, and a full explanation regarding the telecommunication tower's ability to accommodate other providers; and
 - 2. Specifications for the telecommunication tower and all antennas to be located on it, including a description of design characteristics and material;

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3. A site plan drawn to scale showing property boundaries, telecommunication tower location, telecommunication tower height, guy wires and anchors and existing structures and land uses on the site and on adjacent property;
 4. A map showing the locations of the applicant's existing telecommunication towers that serve customers in the city and of all telecommunication towers that the applicant proposes to construct to serve customers in the city;
 5. A report prepared by a person registered as a structural engineer in Alaska showing the capacity by type and number of the telecommunication tower and antennas, and that the telecommunication tower and antennas are designed to withstand winds in accordance with the latest revision of ASI/EIA/TIA/222 standards ("Structural standards for steel communications antenna towers and communications antenna supporting structures");
 6. Identification of the person or persons who own the telecommunication tower and the equipment that is to be located on it;
 7. Written authorization for the application from the owner of the site;
 8. Evidence that the applicant has a valid FCC license for the use of the telecommunication tower;
 9. A line of sight analysis showing the potential visual and aesthetic impacts of the telecommunication tower on adjacent residential districts through the use of photo simulations of the telecommunication tower, including all antennas, structures, and equipment, using the vantage points and number of photo simulations requested by the planning department;
 10. A written agreement, on a form approved by the city attorney, to remove the telecommunication tower and restore the site to its original condition within one hundred eighty days after the telecommunication tower is substantially unused for a period of twelve consecutive months, and providing that if the telecommunication tower is not removed within this one hundred eighty-day period, the city may remove the telecommunication tower at the cost of the owner;
 11. A cell phone coverage map showing the applicant's proposed cell phone coverage within the city;
 12. A certificate from an engineer licensed in Alaska that the telecommunication tower, and all antennas and other equipment located on it, are built and installed to approved specifications and will contain only equipment meeting Federal Communications Commission requirements;
 13. Any additional information required by the planning department during the application process.
- C. In addition to the requirements 18.60.020 the planning and zoning commission may approve an application under this section, with or without conditions, if the application meets the following criteria:
1. Location and Visual Impact. The proposed location of the telecommunication tower will minimize the visual impact on the surrounding area while allowing the telecommunication tower to function in accordance with minimum standards imposed by the applicable telecommunications regulations and the applicant's technical design requirements. Telecommunication towers and attached antennas and equipment must be painted or coated in a color that blends with the surrounding environment. Muted colors, earth tones, and subdued hues, such as gray, shall be used. All associated structures such as equipment buildings, including the roofs, shall be painted with earth tone colors unless otherwise required under this code or other applicable law. Where necessary to make a telecommunication tower compatible with the historical, environmental or cultural character of its location, the planning and zoning commission may require that the telecommunication tower be disguised, hidden or screened, or integrated as an architectural feature of a structure, to reduce its visual impact.
 2. Inability to Collocate. It is not feasible to locate the applicant's telecommunication antenna and other equipment on any existing structure or tower under the control of the applicant.

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3. Location in a Residential Zoning District. An applicant seeking to locate a telecommunication tower in a residential zoning district must show that the area cannot be adequately served by a telecommunication tower located in a nonresidential zoning district for valid technical reasons.
 4. Location on Public Property or Other Private Property. If the applicant proposes to acquire a site on private property for the telecommunication tower, the applicant must show that no available publicly owned site or available privately owned site occupied by a compatible use is suitable under applicable communications regulations and the applicant's technical design requirements.
 5. Design for Future Use. A new telecommunication tower shall be designed to allow collocation of telecommunication antennas equal in number to the applicant's present and reasonably foreseeable future requirements.
 6. Safety Code Met. The telecommunication tower meets all applicable laws and code requirements, including without limitation health, nuisance, noise, fire, building and safety code requirements.
 7. Distance from Existing Telecommunication Towers. A telecommunications tower shall not be approved if it is located within one-half mile (two thousand six hundred forty feet) of an existing telecommunication tower, unless the applicant certifies that the existing telecommunication tower does not meet the applicant's structural specifications and technical design requirements, or that a collocation agreement could not be obtained.
 8. Zoning Requirements. With the exception of requirements for setback and height, which are established in this section, the telecommunication tower must comply with all applicable zoning laws and regulations, including, without limitation, all laws governing land development, visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, and sign, storage.
 9. Setback. In all zoning districts, a telecommunication tower must be located no less than a distance equal to the tower height from all lot lines.
 10. Signs. No signs may be located on a telecommunication tower except for identification signage.
 11. Lighting. No lighting may be located on a telecommunication tower except as reasonably required for safety purposes or as required by the Federal Communications Commission, Federal Aviation Administration or other government agency with jurisdiction.
 12. Fencing. A fence with a minimum height of eight feet must be placed on the perimeter of the site of a telecommunications tower site to limit access by the public.
 13. Height. The height of a telecommunications tower may not exceed the maximum tower height specified in the conditional use permit or in this section.
- D. No decision regulating the placement, construction or modification of a telecommunication tower may be made on the basis of environmental or health effects of radio frequency emission if the antennas and other equipment on the telecommunication tower comply with Federal Communications Commission regulations.

(Ord. No. 1162, § 2, 6-20-2018)

18.60.080 Conditional use for marijuana establishments.

- A. In addition to other applicable requirements, an applicant for a marijuana establishment conditional use permit shall submit an application to the planning and zoning commission that contains the following:
1. A copy of the lease for the property upon which the marijuana establishment will be located and a notarized written statement from the land owner stating that he, she or it has knowledge of and consent for the use of the property as a marijuana establishment.

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2. Any additional information the city planner may require to determine whether the application satisfies the criteria for issuance of a permit.
 3. Verification from city clerk and finance department that no monies are owed the city by the applicant or the land owner if not the applicant.
- B. A buffer zone of one thousand feet shall be required between any marijuana establishment and building primarily being used as a public or private elementary or secondary education facility.
 - C. This section does not void an existing marijuana establishment conditional use permit if the conditional use permit was issued prior to the requirements in 18.60.080B.
 - D. Upon denial, expiration or revocation of a marijuana establishment license issued by the State of Alaska, any conditional use permit issued for that marijuana establishment shall be immediately voided and any use permitted under such permit revoked.
 - E. Notwithstanding any other requirement to the contrary, a conditional use application approved by the planning and zoning commission under this section is conditional upon the applicant using the property as a marijuana establishment within six months after the effective date of the applicant's State Marijuana Establishment License.

(Ord. No. 1162, § 2, 6-20-2018)

18.60.090 Conditional use for junkyards.

In addition to other applicable requirements, a junkyard conditional use is subject to the following:

- A. An applicant for a junkyard conditional use shall submit a site development plan to the planning and zoning commission containing the information required by the city planner. The planning and zoning commission shall review the site development plan, taking into account the following:
 1. The nature and development of the surrounding property;
 2. The proximity of the proposed junkyard to churches, schools, hospitals, public buildings, recreation areas, or other places of public gathering;
 3. The sufficiency in number of other similar business establishments in the city;
 4. The adequacy of fences and other types of enclosures proposed to prevent the unsightly display of the salvage yard;
 5. The health, safety, and general welfare of the public; and
 6. The suitability of the applicant to establish, maintain or operate such a business.
- B. A conditional use permit for a junkyard shall require that the junkyard be screened from public view with a privacy fence not less than seven nor more than ten feet in height. Slats in the fence shall be spaced no greater than two inches apart.

(Ord. No. 1162, § 2, 6-20-2018)

Chapter 18.64 EXCEPTIONS, VARIANCES AND APPEALS

18.64.010 Exceptions.

- A. The planning commission shall administer this title and in so doing may grant exceptions for additional uses in the various districts as specifically provided; shall hear and decide appeals where it is alleged there is an error in provision interpretation; and may vary the strict application of these regulations in the case of an exceptionally irregular, narrow, shallow or sloping lot or other exceptional physical condition where strict application would result in practical difficulty or unnecessary hardship that would deprive the property concerned of rights possessed by other properties in the same district, but in no other case.
- B. An application for exceptions from the regulations of this title whenever the approval of the planning commission is required may be filed by any taxpayer, property owner, or party affected. The application must fully state any and all reason as justifying the granting of the exception.
- C. The planning commission shall cause to be made by its own members, or by its authorized representative, an investigation to determine that such uses will not be injurious to public health, safety or welfare or detrimental to other properties or uses in the vicinity.
- D. Within forty days after the receipt of an application, the planning commission shall render its decision. If it is the opinion of the commission, after consideration of the report of such investigation, that the use as proposed in the application, or under appropriate restrictions or conditions, will not endanger the public health, safety or general welfare, or be inconsistent with the general purposes and intent of this title, the commission shall approve the application either with or without conditions. If the proposed use will tend, in the opinion of the commission, to endanger in any way the public health, safety or general welfare or produce results inconsistent with the general purposes and intent of this title, the commission shall deny the application.
- E. When deemed necessary, the commission may hold a public hearing upon any application for an exception and if such public hearing is to be held, notice thereof shall be given in the manner prescribed in subsection B of Section 18.64.020, except that such procedure shall specifically refer to an exception and further, that the area considered by the commission to be affected by the intended use of land as described in such application may be extended in such application to a distance greater than three hundred feet of the exterior boundary of such land and the owners thereof notified of such hearing.

(Prior code § 15.220(A)).

18.64.020 Variances.

- A. An application for a variance shall be filed in writing and verified by the owner of the property concerned.
 - 1. The application shall contain the following data with respect to the property and the applicant:
 - a. A legal description of the property involved,
 - b. Plot plans showing the location of all existing and proposed buildings or alterations, elevations of such buildings or alterations, and such other data as may be required,
 - c. Evidence of the ability and intention of the applicant to proceed in accordance with the plans within six months after the effective date of the variance;
 - 2. The application shall contain a statement and adequate evidence showing the following conditions, all four of which must exist before a variance may be granted.
 - a. That there are exceptional physical circumstances or conditions applicable to the property or to its intended use or development which do not apply generally to the other properties in the same land use district,

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- b. That the strict application of the provisions of this title would result in practical difficulties or unnecessary hardship,
 - c. That the granting of the variance will not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety or welfare,
 - d. That the granting of the variance will not be contrary to the objectives of the comprehensive plan.
 - B. The planning commission shall hold a public hearing upon each properly submitted application. Such hearing shall be held not less than ten days nor later than thirty days following the date of filing of such application and the applicant shall be notified of the date of such hearing. The commission shall cause to be sent to each owner of property within a distance of three hundred feet of the exterior boundary of the lot or parcel of land described in such application notice of the time and place of the hearing, a description of the property involved and the provisions of this title from which a variance is sought. For the purposes of this section, "property owner" means that owner shown upon the latest tax assessment roll.
 - C. From the time of filing such application until the time of such hearing, the application, together with all plans and data submitted, shall be available for public inspection in the office of the city clerk.
 - D. The commission shall cause to be made by its own members, or its authorized agent, an investigation of facts bearing on any application sufficient to assure that the action taken is consistent with the intent and purpose of this title.
 - E. The planning commission shall hear and consider evidence and facts from any person at the public hearing or written communication from any person relative to the matter. The right of any person to present evidence shall not be denied for the reason that any such person was not required to be informed of such public hearing.
 - F. Within thirty days from the conclusion of the public hearing, the planning commission shall render its decision unless such time limit be extended by common consent and agreement signed by both applicant and the commission. If, in the opinion of the commission, the necessary facts and conditions set forth in this section apply in fact to the property referred to, and that the same comes within the purview of the planning commission, it may grant the variance. If, however, such facts and conditions do not prevail nor apply, or if the granting of the variance will adversely affect the property of persons in the vicinity of the applicant's property, or for any other valid reason, the commission shall deny the application.
 - G. The commission, in granting the variance, may establish conditions under which a lot or parcel of land may be used or a building constructed or altered; make requirements as to architecture, height of building, or structure, open spaces or parking. areas; require conditions of operation of any enterprise; or may make any other conditions, requirements or safeguards that it may consider necessary to prevent damage or prejudice to adjacent properties or detriment to the city. When necessary, the commission may require guarantees in such form as deemed proper under the circumstances to insure that the conditions designated will be complied with.
 - H. The decision of the planning commission, either for the granting, with or without conditions, or the denial of an application for variance, shall become final and effective ten days following such decision.
 - I. Any variance approved by the planning commission shall be conditional upon the privilege granted being utilized within six months after the effective date of the variance. In the event some construction work is involved, it must actually commence with the stated period and must be diligently prosecuted to completion, otherwise the variance is automatically voided. In such cases, the planning commission may extend the time of the construction. start if satisfactory evidence of planning progress is presented.
 - J. In order to defray the expense of making maps, sending out notices, and incidental administration costs involved in any application for variances and appeals, the person filing such application shall pay a fee to the

city to cover the expenses incurred by the city in processing the application. Regardless of the action taken on the application, the fee will not be refunded.

(Ord. 582 (part), 1984; prior code § 15.220(C)).

18.64.030 Appeal from actions of the planning commission.

- A. An appeal from any action or decision of the planning commission may be taken by any person or party aggrieved. Such appeal shall be taken within ten days of the date of such action or decision by filing with the board of adjustment through the city clerk a written notice of appeal specifying the grounds thereof.
- B. A report concerning each case appealed to the board of adjustment shall be prepared by the planning commission and filed with the city clerk. Such report shall state the decision and recommendations of the commission together with the reasons for each decision and recommendation. All data pertaining to the case shall accompany the report.
- C. The filing of an appeal shall stay all proceedings in the matter until a determination is made by the board of adjustment.

(Prior code § 15.220(D)).

18.64.040 Appeals from interpretation of provisions.

- A. An appeal from any action of the building official or other administrative official in the enforcement of the regulations established by this ordinance may be taken by any person aggrieved or by any other officer, department, commission or board of the city. Such appeal shall be filed within ten days of such action by a notice in writing specifying the grounds thereof.
- B. The filing of an appeal shall stay all proceedings in the matter until ten days after a decision has been rendered by the planning commission.
- C. When an appeal has been filed, the building official or city clerk shall forthwith transmit to the planning commission all data pertaining to the application or action appealed from.
- D. The commission shall render a decision on the appeal within forty days after the filing thereof.

(Prior code § 15.220(B)).

Chapter 18.68 BOARD OF ADJUSTMENT

18.68.010 Organization.

- A. The city council shall constitute a board of adjustment pursuant to AS 29.33.110.
- B. The chairman, or in his absence the acting chairman, may administer oaths and compel attendance of witnesses by subpoena.
- C. All meetings of the board shall be open to the public.

(Prior code § 15.221(A)).

18.68.020 Powers and duties.

- A. The board of adjustment shall hear and decide appeals taken from the planning commission when it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of the regulations established by this title.
- B. The board of adjustment may, upon appeal taken from the planning commission and after due notice and public hearing, authorize such variance from the terms of this title as will not be contrary to the public interest where it is found that all four of the specified conditions exist.
- C. The board of adjustment may, upon appeal from the planning commission, grant a use permit whenever it is provided in this title that the approval of the planning commission is required.
- D. In exercising the above—mentioned powers, the board of adjustment may, in conformity with the provision of AS 29.33.110, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken; provided, however, that the concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision or determination of the planning commission.
- E. The board of adjustment shall hear and decide upon appeals pertaining to decisions by the planning commission regarding the coastal management program. Such appeals shall be conducted in the manner set forth in Section 18.68.030.
- F. Coastal Management. The board of adjustment may, upon appeal from the planning commission, grant approval to a request for permission to conduct a use or activity in the coastal zone. Such appeals shall be decided upon after a review of the hearing record, and the requirements of this section. Where it is determined that an error of any order has been made in a decision or determination in the enforcement of the coastal management program, the council shall be empowered to modify the decision in the manner that is in keeping with the requirements of this section.

(Ord. 530 (part), 1981; prior code § 15.221(B)).

18.68.030 Appeals—Procedure.

- A. The board of adjustment shall fix a reasonable time for hearing on any appeal taken from the planning commission if a public hearing is required or desirable.
- B. The board shall give public notice of such hearing by publishing notice thereof in a newspaper of general circulation within the city at least five days or not more than fifteen days prior to the date of hearing. The board shall also mail notices to the appellant and to the owners of all property affected by any appeal at least five days prior to the date of the hearing if such notice by mail was given to the planning commission. For the purpose of such notice, the affected property shall be deemed to be that area within three hundred feet from the exterior boundary of the area covered by the appeal. Notices may be sent to cover a greater area if it is deemed that the appeal affects a greater area.
- C. Upon the hearing, any party may appear in person or by agent or by the attorney.
- D. The board of adjustment shall decide appeals within a reasonable time and shall give due consideration to the findings and recommendations of the planning commission.

(Prior code § 15.221(C)).

18.68.040 Appeals—-District court.

An appeal from any action, decision, ruling, judgment or order of the board of adjustment may be taken by any person or persons, jointly or severally aggrieved, any taxpayer or any officer, department, board or bureau of the city to the district court by filing with the city clerk and with the board of adjustment, within thirty days from the action appealed from, a notice of appeal which shall specify the grounds of such appeal. Failure to file said notice of appeal in the manner and time specified shall forfeit any right to appeal.

(Prior code § 15.221 (D)).

Chapter 18.72 AMENDMENTS

18.72.010 Allowed when.

Whenever the public necessity, convenience, general welfare or good zoning practice requires, the city council may, by ordinance and after report thereon by the planning commission and public hearing as required by law, amend, supplement, modify, repeal or otherwise change these regulations and the boundaries of the districts.

(Prior code § 15.223(A)).

18.72.020 Planning commission report.

The planning commissions shall report in writing to the city council on any proposed change or amendment regardless of the manner in which such change is initiated and such report shall include:

- A. Findings as to need and justification for a change or amendment;
- B. Findings as to the effect a change or amendment would have on the objectives of the comprehensive plan;
- C. Recommendations as to the approval or disapproval of the change or amendment.

(Prior code § 15.223(B)),

18.72.030 Methods of initiation.

Changes in this title may be initiated in the following manner:

- A. The city council upon its own motion;
- B. The planning commission upon its own motion;
- C. By petition of one or more owners of property within an area proposed to be rezoned. A petition shall be in the form of an application for a change in the boundary of a district, shall be filed in the office of the planning commission, be accompanied by such data and information as may be necessary to assure the fullest practicable presentation of facts and shall set forth reasons and justification for proposing such change.

(Prior code § 15. 223 (C)).

18.72.040 Application fee.

In order to defray the expense of making maps, sending out notices, and incidental administration costs involved in any application for a change in land use classification initiated by a property owner, the person filing such application shall pay a fee to the city to cover the expenses incurred by the city in processing the application. Regardless of the action taken on the application, the fee will not be refunded.

(Ord. 583, 1984).

18.72.050 Public hearing.

When deemed necessary, the planning commission may hold a public hearing before considering any change in the boundaries of a district. If such hearing is to be held, notice thereof shall be given in the manner prescribed in Chapter 18.64 for variances except that such procedure shall specifically refer to an application for change in the boundary of a district. Where property within an area proposed to be changed is not under the same ownership, all owners of property within the area shall be notified of such hearing. Within sixty days after the date of the meeting at which the planning commission set the time and place for the hearing or within sixty days after the filing of an application when no hearing is called, the planning commission shall report its findings to the city council. If such change was initiated by petition, the signers shall be notified by the commission of its recommendation, such notice sent by registered mail not more than five days after the commission has filed the report with the city council.

(Prior code § 15.223(D)).

18.72.060 Consideration of other property.

When the planning commission deems it necessary or expedient, it may consider other property for change or amendment in addition to the property described in an application for change in the boundary of a district, and may include such additional property in the notices of hearing and consider amendments relating to such property at the public hearing.

(Prior code § 15.223(E)).

18.72.070 City council action.

The city council shall consider in application or planning commission recommendation for change in the boundary of a district or any other planning commission recommendation proposing a change in this title, and the report of the planning commission at its next regular meeting after receipt of such report. If from the facts presented and by the findings of the report of the planning commission, it is determined that the public necessity, convenience, general welfare, or good zoning practice requires the change or amendment, or any portion thereof, the council by ordinance shall effect such amendment, supplement, change or reclassification.

(Prior code § 15.223(F)).

18.72.080 Effective date.

No ordinance of the city council affecting an amendment, supplement, change or classification, repeal of regulations or restrictions, the boundaries of districts or classifications of property shall become effective until after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen days' notice of the time and place of such hearing shall be published in a paper of general

circulation in the city. When the proposed amendment covers a change in the boundaries of a district, notice to owners of property shall be given in the manner above prescribed for variances.

(Prior code § 15.223 (G)).

18.72.090 Protests.

In case of a protest against a change in zoning district classification signed by the owners of twenty percent or more, either of the area of the lots included in such proposed change, or of the area of the lots immediately abutting the area included in such proposed change, or separated therefrom only by an alley or street, such amendment shall not become effective except by the favorable vote of five members of the council.

(Prior code § 15.223(H)).

18.72.100 Ordinance numbering and filing.

All ordinances changing zoning district boundaries shall be numbered consecutively. All such changes of district boundaries shall be filed with and indexed in the office of the city clerk and shall be noted on the zoning map.

(Prior code § 15.223(I)).

Chapter 18.76 ADMINISTRATION

18.76.010 Zoning compliance certificate—Required.

A zoning compliance certificate shall be required for any of the following:

- A. Occupancy and use of a building or structure erected or structurally altered;
- B. Change in use of an existing building or structure to a use of a different classification;
- C. Occupancy and use of vacant land;
- D. Change in use of land to a use of a different classification;
- E. Any change in the use of a nonconforming use.

(Ord. 590 (part), 1985).

18.76.020 Zoning compliance certificate-Application-When made.

Written application for a zoning compliance certificate for a new building or structure, or for an existing building or structure to be altered, shall be made at the same time as the application for the building permit.

(Ord. 590 (part), 1985).

18.76.030 Zoning compliance certificate-Application-Issuance.

Written application for a zoning compliance certificate for the use of vacant land, a change in the use of land, building or structure, or for a change in a nonconforming use, shall be made to the building official. If the proposed

use is in conformity with the provisions of this title, the zoning compliance certificate therefor shall be issued within ten days after the application for same has been made.

(Ord. 590 (part), 1985).

18.76.040 Zoning compliance certificate—Contents.

Such certificate shall describe the lot or parcel of land, the present and proposed use of land, building or structure; the number, size and location of any new building or structure; and alterations proposed to be made on any existing building or structure.

(Ord. 590 (part), 1985).

18.76.050 Zoning compliance certificate—Agricultural uses—Structural alterations.

No vacant land in any district shall hereafter be occupied or used except as specified or for agricultural uses as permitted, and no building or structure hereafter erected or structurally altered in any district shall be occupied or used until a zoning compliance certificate has been issued.

(Ord. 590 (part), 1985).

18.76.060 Zoning compliance certificate—Falsification declared violation.

Falsification of a zoning compliance certificate a use of property or a building not in conformity with such certificate shall be deemed a violation of this title.

(Ord. 590 (part), 1985).

18.76.070 Building permit.

A building permit shall be required for the erection, construction, establishment, moving, alteration, enlargement, repair or conversion of any building or structure in any district established by this title, subject to the following provisions:

- A. Application for a building permit shall be filed with the building official on a form approved by him. If the application meets the requirements of this title and any other applicable regulations, the building official will issue a building permit.
- B. In all cases where the planning commission or the board of adjustment has allowed a variance or an exception, the building official shall issue a building permit sufficient to allow such building or work to be done in accordance with that decision; provided, that no permit shall be issued pursuant to any decision until the time for rehearing or for appeal shall have expired and then only in the event that no appeal or application for rehearing shall have been filed within such time.
- C. No building permit shall be issued by the building official unless it appears from the application and coincident application for zoning compliance certificate that the building for which such permit is granted conforms to all of the applicable regulations of this title and is to be occupied for a use in conformity with the provisions thereof. Any permit issued in conflict with this title shall be null and void.

(Ord. 590 (part), 1985).

18.76.080 Planning commission approval—Application.

Whenever it is stated in this title that certain buildings, structures and uses are permitted subject to approval by the planning commission, application for such approval shall be made in writing and include the estimated cost and be accompanied by the required plans or data.

(Ord. 590 (part), 1985).

18.76.090 Planning commission approval—Time limit for decision.

The planning commission shall make its findings and determination within forty days from the date of filing an application and shall notify the applicant in writing of their decision. If approval is denied, the commission shall state their reasons therefor and under what condition, if any, the application will be approved.

(Ord. 590 (part), 1985).

18.76.100 Planning commission approval—Effect of determination failure.

Failure of the planning commission to make a determination within the time specified shall constitute approval of the application.

(Ord. 590 (part), 1985).

18.76.110 Violation.

- A. Any restriction or condition required by the planning commission or the board of adjustment in the granting of any use, variance or exception under the provisions of this title must be complied with.
- B. Failure to obey or comply with any restriction or condition required by the planning commission or the board of adjustment in the granting of any use, variance or exception under the provisions of this title is a violation. The minimum penalty upon conviction of a single violation of this chapter shall be a fine of three hundred dollars.
- C. Conviction of a violation under this title shall be grounds for revocation by the city of any permission or right granted by the planning commission or the board of adjustment granted pursuant to the provisions of this title.

(Ord. 688 § 29, 1991).

Chapter 18.80 ENFORCEMENT AND PENALTY

18.80.010 Enforcement duty.

It shall be the duty of the building official to enforce the provisions of this title pertaining to erection, construction, reconstruction, moving, conversion or alteration of buildings, or to the occupancy of land or any building or structure or any addition thereto. It shall be the duty of the city clerk to enforce the provisions of this title pertaining to the use of land or buildings or which any license is required by any other ordinance of the city.

(Prior code § 15.219(A)).

18.80.020 Building permit—Scope and validity.

The issuance or granting of a building permit or approval of plans or specifications under the authority of the Building Code shall not be deemed or construed to be a permit for or an approval of any violation of any of the provisions of this title or any amendment thereto. No permit presuming to give authority to violate or cancel any of the provisions of this title shall be valid except insofar as the work or use which is authorized is lawful and permitted.

(Prior code § 15.219(F)).

18.80.030 Violation—Complaint.

Whenever a violation occurs, any person may file a complaint in regard thereto. All such complaints shall be brought to the attention of the building official who shall properly record such complaint and immediately investigate and report thereon.

(Prior code § 15.219(B)).

18.80.040 Unlawful building or structure.

Any building or structure set up, erected, built, moved or maintained, or any use of property contrary to the provisions of this title shall be and the same is declared to be unlawful and a violation of this title and the city attorney shall, upon order of the city council, immediately commence action or actions, proceeding or proceedings, for the abatement, removal and enjoinder thereof, in the manner provided by law, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such building, structure or use, and restrain and enjoin any person from setting up, erecting, moving, or maintaining any such building or structure, or using any property contrary to the provisions of this title.

(Prior code § 15.219(D); Ord. No. 1144, § 6, 5-18-2016; Ord. No. 1148, § 3, 12-7-2016)

Editor's note(s)—Ord. No. 1148, § 3, adopted Dec. 7, 2016, changed the title of § 18.80.040 from "Nonconforming building or structure" to read as herein set out.

18.80.050 Violation—Remedies cumulative.

All remedies provided for in this chapter shall be cumulative and not exclusive.

(Prior code § 15.219(E)).

18.80.060 Violation.

Failure to obey or comply with any provision of this or any rule, order or regulation issued thereunder is a violation. The minimum penalty upon conviction of a single violation of this title shall be a fine of three hundred dollars.

(Ord. 688 § 30, 1991).

Chapter 18.85 RIGHT-OF-WAY ENCROACHMENT PERMITS

18.85.010 Purpose.

It is the purpose of this chapter to both accommodate and balance the rights and needs of the public and affected property owners of certain structures that have a long history of encroachment into a public right-of-way, and to provide to such owners the minimum encroachment permit necessary to permit conventional financing of the purchase, rehabilitation and remodeling of such structures.

(Ord. 929 (part), 2003).

18.85.020 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Encroachment" means the projection of any part of a nonmunicipal structure beyond the property line into a street, pedestrian way, or other public way.

"Pedestrian way" means any trail, path or other way reserved, designed or developed to provide public, pedestrian access whether such way is held by the municipality by way of an easement, permit, dedication, prescription, fee ownership or other form.

"Structure" means a building in which is conducted the principal or main use of the lot on which the building is situated, but not including mobile homes.

"Public way" includes pedestrian ways and streets and any other way held for or held open by the municipality for purposes of public access.

"Street" includes the entire width between property lines describing the way of any street, road, highway or other way under the jurisdiction of the city held for or held open primarily for vehicular access, whether such street is held by the city by way of easement, dedication, fee ownership, prescription, permit or other form.

(Ord. 929 (part), 2003).

18.85.030 Encroachment permits authorized.

The manager, or his designee, may issue an encroachment permit under the procedures set forth in this chapter.

(Ord. 929 (part), 2003).

18.85.040 Permit—Application.

- A. The owner of a structure occupying any portion of the area of a street, pedestrian way, or other public way may apply to the manager, or his designee, for an encroachment permit.
- B. The permit application shall include the following:
 - 1. A survey by a registered land surveyor showing the property, the full width of the public way upon which the encroachment exists, and the extent of the encroachment;
 - 2. Evidence that the part of the structure encroaching in the public way was constructed in its present location prior to January 1, 2003;

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3. Evidence that removal of that part of the structure encroaching in the public way would both jeopardize the structural integrity of the structure and that the cost of removal of the encroachment and repair needed to restore the structural integrity of the remaining structure would exceed ten percent of the present assessed value of the entire property;
 4. A statement from a commercial lending institution that it has before it a bona fide application for a loan for the purchase or rehabilitation of the property and that the borrower is unable to provide a policy of title insurance insuring the location of the structure within the boundaries of the property;
 5. A nonrefundable two hundred dollars permit application fee, plus an additional fee of five dollars for each square foot of property for which a permit is granted; provided the manager may adjust this fee from time to time to reflect increases in the cost of municipal expenses and services.

(Ord. 929 (part), 2003).

18.85.050 Investigation and issuance of permit.

Upon receipt of a complete application, the manager, or the manager's designee, shall investigate the matter. A permit may be issued upon a finding by the public works director and the city planner that all of the following conditions are met:

- A. The part of the structure that encroaches in the public way was constructed prior to January 1, 2003.
- B. Removal of that part of the structure encroaching in the public way would seriously affect the structural integrity of the remaining structure and removal of the encroachment and repair needed to restore the structural integrity of the remaining structure would exceed ten percent of the present assessed value of the entire property.
- C. A statement from a commercial lending institution that it has before it a bona fide application for a loan for the purchase or rehabilitation of the property and that the borrower is unable to provide a policy of title insurance insuring the location of the structure within the boundaries of the property.
- D. The public way is one owned by or under jurisdiction of the city.
- E. That the granting of an encroachment permit will not interfere with any future plans that the city may have in the comprehensive plan or the capital improvement plan.

(Ord. 929 (part), 2003).

18.85.060 Term of permit.

- A. The permit shall be irrevocable except:
 1. It shall be limited to a term not to exceed the term of the loan plus one year, or thirty years, whichever is less.
 2. If the structure is destroyed or damaged for any reason such that restoration to its prior condition would cost fifty percent or more than the value of the structure prior to its damage or destruction, the permit shall terminate.
 3. If the structure is damaged or destroyed to the extent that the value of the structure in its damaged or destroyed state is less than the value of the lot if vacant, as determined by the city assessor, the permit shall terminate.
 4. Upon payment of the loan the permit shall terminate; and

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5. If the borrower fails within ninety days of the date of the permit to execute the loan upon which the permit application is based, the permit shall terminate. However, if the borrower demonstrates that the loan has not been executed because of circumstances beyond the borrower's control, then the manager, or the managers designee, may grant an additional ninety days to execute the loan.
 6. If the property owner fails to comply with the requirements of Section 18.85.080, the permit shall terminate.
- B. Upon termination of a permit for any reason, the city may execute and file in the office of the district recorder a notice of termination of the permit.
- (Ord. 929 (part), 2003).

18.85.070 Form of permit.

- A. Permits issued under this chapter shall be in recordable form.
- B. Permits issued under this chapter shall contain a hold harmless provision as set out in Section 18.85.080. The owners of property subject to a permit issued under this section and their heirs, successors and assigns shall be bound by the requirements of Section 18.85.080 whether or not such a clause is contained in the permit.
- (Ord. 929 (part), 2003).

18.85.080 Hold harmless.

The holder of a permit issued under this chapter, the holder's successors, heirs and assigns shall forever save, hold harmless and defend the city against all claims and suits of any nature arising in any manner out of the issuance or existence of the permit, the existence of the structure in the public way, the failure of the city to cause the structure to be removed from the public way, or to take preventative or protective measures or for any other reason related to the existence of the encroachment.

(Ord. 929 (part), 2003).

18.85.090 Application to vacate.

This chapter shall not be construed to restrict any property owner from applying for the city to vacate any property upon which there is an encroachment.

(Ord. 929 (part), 2003).

Chapter 18.90 CORDOVA HISTORICAL DISTRICT AND HISTORIC PRESERVATION COMMISSION⁹

⁹Editor's note(s)—Ord. No. 1181, § 1, adopted December 19, 2019, amended Chapter 18.90 in its entirety to read as herein set out. Former Chapter 18.90, §§ 18.90.010—18.90.050, pertained to similar subject matter, and derived from Ord. 751, 1995; Ord. 746 §§ 1—5, 1994; Ord. 691(part), 1992.

18.90.010 Cordova Historic Preservation Commission established.

- A. There is created a historic preservation commission. In this chapter, "the Commission" refers to the Cordova Historic Preservation Commission. The Commission shall have seven members which shall consist of a member of the Cordova Planning Commission, a member of the Cordova Historical Society, a member selected by the Native Village of Eyak and four additional members appointed by the Mayor and confirmed by City Council. At least one of the four additional members shall be a Cordova resident with a demonstrated interest or knowledge of historic preservation and three of the additional members shall be professionals, as defined by the National Park Service Regulations, from the disciplines of history, architecture or architectural history, and archaeology.
- B. Ex Officio Members. The Mayor and the City Manager shall be ex officio members of the Commission and shall be permitted to participate in discussions as members of the Commission, but shall not vote on matters before the Commission.
- C. Terms of Office. Members of the Commission shall be appointed for three-year terms, provided however, that in the first instance two members shall be appointed for one year, two members appointed for two years and three members appointed for three years.
- D. Filling of Vacancies. Appointments to fill vacancies shall be for the unexpired term of the vacated position.

(Ord. No. 1181, § 1, 12-19-2019; Ord. No. 1195, § 2, 4-21-2021)

18.90.020 Cordova Historic Preservation Commission—Officers.

- A. The Commission shall annually organize and elect a chair, vice-chair, and secretary at the first meeting of a new fiscal year.
- B. The chairperson shall preside over the meetings of the Commission and shall exercise all powers usually incident to the office and shall have the power to participate in discussions and vote on all matters before the Commission.
- C. The Vice-Chairperson shall assume the duties of the Chair in the Chairperson's absence. In case of the absence of both the Chair and the Vice-Chair, the members present may elect a temporary chair for the meeting who shall, during such meeting, have full powers of the Chair.
- D. The Secretary shall be responsible for taking and typing minutes of all meetings of the Commission, and for providing the minutes to the City Clerk for distribution and recordkeeping.

(Ord. No. 1181, § 1, 12-19-2019; Ord. No. 1195, § 3, 4-21-2021)

18.90.030 Cordova Historic Preservation Commission—Meetings.

- A. The Commission shall meet regularly at a time and place set by the Commission. The Commission will meet twice a year at a minimum. The commission shall conduct business in accordance with the Open Meeting Laws of Alaska. The Commission shall publish notice of the time, place, and agenda items for all meetings. Notice of postponement of any regular meeting must be given to each member and to the public at least 24 hours in advance.
- B. Special meetings may be called by the Chairperson and at such times as the Commission may determine necessary provided that at least 24 hours' notice of a special meeting is given to the public and to Commission members at their established residences or businesses.

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- C. The Commission shall keep minutes of its proceedings showing the vote on each issue and the number absent or failing to vote. The Commission shall keep records of its official actions, all of which shall be filed in the office of the City Clerk and shall be kept as a public record.
 - D. A majority of the membership of the Commission shall constitute a quorum for the transaction of business. A public hearing may be opened and comments received without a quorum of the Commission present, and action taken at the next meeting at which a quorum is present. Commission members may participate in and vote on a matter even if they were not present at the public hearing so long as they have been provided the minutes from the public hearing before voting on the matter.
 - E. The Commission shall conduct business using the latest edition of Robert's Rules of Order. All main motions shall be made in the affirmative.
 - F. Any member of the Commission anticipating an absence from Commission meetings shall so advise the Commission. A member who misses three consecutive regular meetings without prior excuse shall automatically be recommended for replacement to the Mayor.
 - G. All recommendations by the Commission to the Planning Commission or to City Council shall be made by resolution. Resolutions shall be numbered consecutively within each year according to the sequence of approval and shall be signed by the chair and secretary.
 - H. Rules and procedures of the Commission may be amended at any regular or special meeting by a majority vote of the membership of the Commission.

(Ord. No. 1181, § 1, 12-19-2019; Ord. No. 1195, § 4, 4-21-2021)

18.90.040 Cordova Historic Preservation Commission—Powers and duties designated.

- A. Develop a local historic preservation plan providing for identification, protection, and interpretation of Cordova's significant cultural resources. This plan is to be compatible with the Alaska historic preservation plan.
- B. Review and make recommendations about local projects that might affect properties identified in the historic preservation plan.
- C. Review Proposed Nominations to the National Register of Historic Places. The commission shall review and comment to the State Historic Preservation Officer on all proposed National Register nominations for properties within the boundaries of the community. When the commission considers a National Register nomination which is normally evaluated by professionals in a commission, the commission will seek expertise in this area before rendering its decision.
- D. Provide Advice and Information. The commission shall act in an advisory role to the Cordova planning and zoning commission who will make recommendations to the Cordova city council. It shall also advise and assist other city officials and departments and the public regarding the identification, protection, and enhancement of local historic and archaeological resources. The commission shall work toward continuing education of citizens regarding historic preservation. It shall assist property owners in any way necessary including help with getting their property on the National Register and in identifying funding sources for specific projects.
- E. The commission shall support the enforcement of the Alaska Historic Preservation Act (AS 41.35).
- F. The commission shall support the enforcement of any local preservation laws that may be passed.
- G. The commission shall draft or make recommendations on local preservation ordinances, a preservation plan, or an overall development plan with a preservation or "building style" theme and make recommendations to the planning and zoning commission who, in turn, will make recommendations to the city council.

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(Supp. No. 80)

(Ord. No. 1181, § 1, 12-19-2019)

(Supp. No. 80)

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~~CURRENT~~
PROPOSED

Title 16 ~~BUILDING CODES~~ BUILDINGS AND CONSTRUCTION

~~Chapter 16.05~~ BUILDING REGULATION

~~Chapter~~ CHAPTER 16.10 - BUILDING CODE ADMINISTRATION

~~Chapter 16.15~~ CHAPTER 16.20 - CORDOVA BUILDING CODE LOCAL AMENDMENTS ~~TO THE UNIFORM~~

CHAPTER 16.30 - BUILDING PERMITS

CHAPTER 16.10 - BUILDING CODE, 1985 EDITION

~~Chapter 16.17~~ SITE DEVELOPMENT PERMIT PROCEDURES

~~Chapter 16.20~~ LOCAL AMENDMENTS TO THE UNIFORM MECHANICAL CODE 1985 EDITION

~~16.20.010~~ Local amendments to the Uniform Mechanical Code, 1985 Edition.

~~16.20.203~~ Board of appeals.

~~16.20.204~~ Violation.

~~16.20.304(a)~~ Permit fee.

~~16.20.404~~ B definitions and abbreviations.

~~16.20.704~~ Prohibited installations.

~~16.20.1404(5)~~ Exception 1.

~~Chapter 16.25~~ LOCAL AMENDMENTS TO THE UNIFORM PLUMBING CODE, 1979 EDITION

~~16.25.010~~ Local amendments to the Uniform Plumbing Code, 1979 Edition.

~~16.25.20.3~~ Violations and penalties.

~~16.25.20.7~~ Cost of permit—Schedule of fees.

~~16.25.20.14~~ Board of plumber examiners.

~~16.25.203(d)~~ Use of copper tubing.

~~16.25. Table A.~~ Table A—Plumbing material standards.

~~16.25.401(a)~~ Materials.

~~16.25.612(h)~~ Chemical wastes.

~~16.25.612(i)~~ Chemical wastes.

~~16.25.1003(k)~~ Water-cooled compressors, degreasers of any other water-cooled equipment.

~~16.25.1004(a)~~ Materials.

~~16.25.1309~~ Prohibited locations.

~~16.25.1326~~ Check valves.

~~16.25—App.D.~~ Rainwater systems.

~~Chapter 16.30~~ LOCAL AMENDMENTS TO THE NATIONAL ELECTRICAL CODE, 1984 EDITION

I. ADMINISTRATION

16.30.010—Prohibited acts-DEFINITIONS.

16.30.015—Permits—Required—Exceptions.

16.30.020—Permit—Application—Plans to accompany issuance-ADOPTION OF CORDOVA BUILDING CODES.

16.10.030-COPIES ON FILE.

16.30.025—Permits—Approval10.040-BUILDING OFFICIAL-AUTHORITY.

16.10.010-DEFINITIONS.

For purposes of this chapter, the following terms shall be defined as follows:

"Accessory uses and structures" means uses and structures necessary or desirable adjuncts to permitted principal uses and structures, where such necessary uses and structures are under the management or control of the owner responsible for the permitted principal use or structure.

"Automobile trailer" means any vehicle used for sleeping or living quarters and propelled either by its own power or by other power-driven vehicles to which it may be attached. rejection—KeepingThis includes travel trailers, recreational vehicles, camper units on job—Deviationspickups.

"Automobile trailer camp" means any lot or parcel of ground arranged for the parking of automobile trailers, referred to in this chapter as "camp." Automobile trailer camps are primarily for recreational vehicles whose stay will be short term or seasonal.

"Building code" means the building code and/or other building regulations applicable to the city.

"Building, existing" means a building erected prior to the adoption of the ordinance codified in this chapter or one for which a legal building permit has been issued.

"Contractor" means a person or entity that enters into a contract or agreement to construct a building or to provide or install specialized portions of the construction.

"Person" means any natural person, sole proprietorship, organization, partnership, corporation or other form of business entity.

"Structurally modify" means to change the structural elements of an existing building, including but not limited to changes to the footprint or height of a structure.

"Structurally improve" means to construct improvements on an existing building or structure that change the structural elements of that building or structure.

16.10.20 - Adoption of Cordova Building Codes.

A. Except as otherwise provided in this title, the City, as authorized by Section 2-15 of its Home Rule Charter, adopts by reference the following codes for the regulation of buildings and structures which are constructed, improved or modified within the City as defined in this title:

1. International Mechanical Code, as adopted by 13 AAC 50.023;

2. [International Building Code, as adopted by 13 AAC 50.020;](#)
3. [Uniform Plumbing Code, as adopted by 08 AAC 63.010;](#)
4. [National Electrical Code, as adopted by 08 AAC 70.025;](#)
5. [International Fire Code, as adopted by 13 AAC 50.025;](#)
6. [International Fuel and Gas Code, as adopted by 13 AAC 50.024;](#)
7. [The current International Residential Code adopted by the Alaska Housing Finance Corporation Alaska including their specific amendments or current adopted Alaska Finance House Corporation code for residential structures containing three or fewer dwellings and townhouses not more than three stories above grade plane and their accessory structures.](#)

[1997 Uniform Code for Abatement of Dangerous Buildings.](#) ~~16.30.030 – Permit – Fees – When paid.~~

~~16.30.035 – Inspections – Notices – Time.~~

~~16.30.040 – Inspections – Installation authorization.~~

~~16.30.045 – Inspections – Defects found – Notice – Correction – Time.~~

~~16.30.050 – Suspension of work – Notice – Causes – Continuing after building.~~

~~16.30.055 – Permit – Expiration when work not commenced or abandoned – New permit.~~

~~16.30.060 – Temporary installations – Permit – Time – Cancellation.~~

~~16.30.065 – Fee designated.~~

8. ~~H.~~

- B. [The codes adopted by this section are amended by the local amendments set forth in Chapter 16.20 of this Code.](#)
- C. [The codes adopted by reference in this Section may be referred to as the “Cordova Building Codes.”](#)
- D. [Where the codes adopted in this section conflict with the Cordova Municipal Code or Charter, the Code and Charter provisions shall preempt application of such codes.](#)

16.10.020-Copies on file.

[An electronic copy of the codes referenced in this Section shall be retained by the City and available for review at City Hall.](#)

16.10.030 - Building Official-Authority.

[The Building Official shall administer and enforce this Title. The Planning Director shall act as the Building Official unless the City Manager otherwise designates.](#)

Chapter 16.20 – LOCAL BUILDING CODE AMENDMENTS

Sections

16. ~~30.070 – 20.010~~ [Local amendments to the National Electrical Code, 1984 Edition adopted.](#)

~~16.30.210-5 – Color code for branch circuits.~~

~~16.30.210-19 – Conductors – Minimum ampacity and size.~~

[16.20.020 Local Amendments to International Building Code.](#)

[16.20.030 Local Amendments to International Residential Code.](#)

~~16.30.210-23—Permissible loads.~~
~~16.30.210-52(a)—Dwelling unit.~~
~~16.30.210-70—Lighting outlets required.~~
~~16.30.220-3—Branch circuits required.~~
~~16.30.230-28—Service masts as supports.~~
~~16.30.230-41—Sizing and rating.~~
~~16.30.230-70(a)—Service equipment—Disconnecting means location.~~
~~16.30.310-2(b)—Conductor material.~~
~~16.30.336-3(e)—Uses permitted or not permitted.~~
~~16.30.700(12)(f)—Unit equipment.~~
Chapter 16.40—LOCAL AMENDMENTS TO THE UNIFORM SIGN CODE, 1985 EDITION

16.40.010—Local amendments to the Uniform Sign Code, 1985 Edition adopted.

~~16.40.103(d)—Violations.~~
~~16.40.301—Permits required.~~
~~16.40.302—Application for permit.~~
~~16.40.303—Exemptions.~~
Chapter 16.45—LOCAL AMENDMENTS TO THE UNIFORM FIRE CODE, 1985 EDITION

16.45.010—Local~~The local~~ amendments ~~to~~in this chapter amend the ~~Uniform Fire~~Cordova Building Codes adopted in Chapter 16.10 of this Code, ~~1985 Edition~~.

~~16.45.2.201—Inspections and unsafe buildings.~~
~~16.45.2.302—Board of appeals.~~
~~16.45.10.206—Obstruction of fire protection equipment.~~
~~16.45.10.207(f)—Vertical clearance.~~
~~16.45.10.207(i)—Signs.~~
~~16.45.10.307(a).~~

Chapter 16.50—PRIVATE FIRE ALARM SYSTEMS

~~16.50.010—Connection to municipal circuit—Permit required.~~
~~16.50.16.20.020—Permit—Standards.~~
~~16.50.030—Permit—Restriction.~~
~~16.50.040—Permit—Revocation.~~
~~16.50.050—Radio fire alarm box—Payment of costs—Maintenance of system.~~
~~16.50.060—Unauthorized connection or disconnection unlawful.~~
~~16.50.070—Connection, inspection and permit fees.~~
~~16.50.080—Prohibited acts.~~

Chapter 16.70—LOCAL AMENDMENTS TO THE UNIFORM HOUSING CODE, 1979 EDITION

16.70.010—Local amendments to the Uniform Housing~~International Building~~ Code, ~~1979 Edition~~.

A. ~~16.70.202 – Section 202~~ The International Building Code, 2012 Edition shall be amended as follows when applicable to construction, modification or improvement of a building or structure within the City:

1. Section 1609.3 of the International Building Code, 2012 edition, Basic wind speed, is amended by adding the following requirement:

The basic wind speed in MPH, for the determination of the wind loads shall be 110 MPH.

16.20.030 Local Amendments to International Residential Code.

A. The International Residential Code, 2018 Edition shall be amended as provided in this section when applicable to construction, modification or improvement of a building or structure within the City. In this section, the section number and title provided in each subsection identify the section and title in the International Residential Code, 2018 edition.

1. R101.1, Title, is amended to read as follows:

This code shall be known as the 2018 International Residential Code (IRC) with amendments and shall be cited as such. It is referred to herein as 'the code'.

2. R101.2, Scope, is amended to read as follows:

The 2018 IRC with Amendments shall be the referenced code for residential structures containing three or fewer dwellings and townhouses not more than three stories above grade plane in height and their accessory structures.

3. Part 2, Administration and Enforcement, is deleted.

16.70.203 – Housing advisory and appeals board.

16.70.801 – Exits.

4. Table R301.2(1), Climatic and Geographic Design Criteria, is amended to read as follows:

<u>GROUND SNOW LOAD</u>		<u>100 lbs. per sq. foot</u>
<u>WIND DESIGN</u>	<u>Speed (mph)</u>	<u>110 miles per hour</u>
	<u>Topographic Effects</u>	<u>No</u>
<u>SEISMIC DESIGN CATEGORY</u>		<u>D2</u>
	<u>Weathering</u>	<u>Severe</u>
<u>SUBJECT TO DAMAGE FROM</u>	<u>Frost Line Depth</u>	<u>24"</u>
	<u>Termite</u>	<u>No</u>
<u>WINTER DESIGN TEMP</u>		<u>1° F</u>
<u>ICE BARRIER UNDERLAYMENT REQUIRED</u>		<u>Yes</u>
<u>FLOOD HAZARDS</u>		<u>2015 FIRMS and FIS</u>
<u>AIR FREEZING INDEX</u>		<u>2500</u>
<u>MEAN ANNUAL TEMP</u>		

5. R302.2, Townhouses, is amended in the exception, to add at the beginning of the paragraph:

If the building is not constructed utilizing a fire-suppression system, a common 2-hour fire-resistance-rated wall shall be used. If it is constructed with an approved fire-suppression system...

6. R303.3, Bathrooms, is amended to read as follows, with the exception deleted:

Bathrooms, water closet compartments and other similar rooms shall be provided with exhaust ventilation in accordance with the requirements of ANSI/ASHRAE 62.2-2010 as amended in R403.5 of the 2012 Building Energy Efficiency Standard and per manufacturer requirements.

7. R303.4, Mechanical ventilation, is amended to read as follows:

Whole-house and spot ventilation shall be installed per the requirements of ANSI/ASHRAE 62.2-2010 as amended in R403.5 of the 2012 Building Energy Efficiency Standard (chapter 11 of the code with Alaska-specific amendments).

8. R303.5.1. Intake openings, is amended to:

a. Add to the last sentence of the first paragraph: "... and 3 feet horizontally from the contaminant source."

b. Delete the second paragraph and replace it with the following:

All mechanical ventilation shall be in accordance with ANSI/ASHRAE 62.2-2010 as amended in R403.5 of the 2012 Building Energy Efficiency Standard (chapter 11 of the code with Alaska-specific Amendments).

9. R309.5, Fire sprinklers, is amended so the first sentence reads as follows:

Private garages shall be protected by fire sprinklers where required by the Department of Public Safety and/or where the garage wall has been designed based on Table R302.1(2) Footnote a.

10. R310.2.2, Window well drainage, is amended to add the following sentence before the exception:

Window wells shall be designed to minimize the potential of the well becoming filled with snow and/or standing water which impedes operation of the egress fenestration.

11. R313, Automatic Fire Sprinkler Systems, is amended to read as follows:

R313.1 Townhouse automatic fire sprinkler systems. If installed, automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with Section P2904 or NFPA 13D. R313.2 One- and two-family dwellings automatic fire sprinkler systems. If installed, automatic residential fire sprinkler systems for one- and two-family dwelling units shall be designed and installed in accordance with Section P2904 or NFPA 13D.

12. R317.1, Location required, is amended to delete words "naturally durable wood or" from the first sentence.

13. R501.3, Fire protection of floors, is added to read as follows:

Floor assemblies located directly over a crawl space containing a direct-vent, sealed combustion appliance with forced draft exhaust; combustion air intake must terminate to the building exterior. Application of this exception requires installation of a smoke alarm in the crawl space in accordance with the requirements of Section R314 Smoke Alarms, with the exception of R314.3 Location, and a carbon monoxide alarm in accordance with the requirements of Section R315 Carbon Monoxide Alarms.

14. R703.3.3, Panel siding, is added to read as follows:

Exterior type plywood siding with a grooved pattern shall not be installed horizontally and used as the weather resistant siding.

15. R806.1, Ventilation required, is amended to add the following words to the beginning of the first sentence "When located outside of the building thermal envelope..." and to delete the exception.

16. Table R806.5, Insulation for Condensation Control, is replaced with the following table:

TABLE R-A806.5
INSULATION FOR CONDENSATION CONTROL

<u>Air-Permeable Insulation R-Value</u>	<u>Minimum Air-Impermeable Insulation R-Value^a</u>
<u>R-15</u>	<u>R-30</u>
<u>R-19</u>	<u>R-38</u>
<u>R-21</u>	<u>R-42</u>
<u>R-25</u>	<u>R-50</u>
<u>R-30</u>	<u>R-60</u>
<u>R-38</u>	<u>R-76</u>
<u>R-N</u>	<u>2*(R-N)^b</u>
<u>*Installed on the warm-in-winter side</u>	<u>*Installed on the cold-in-winter side</u>

a. Contributes to but doesn't not supersede the requirements in Section N1102.

b. Air-Impermeable Insulation R-Value shall equal, at minimum, twice the R-value of the Air Permeable insulation.

17. R807.1, Attic access, is amended to add the following to the end of the paragraph:

Attic access shall not be located in a room containing one or more fixtures in the Bathroom Group. Access may be located in closets with minimum depth of 23 inches and minimum width of 48 inches.

18. Chapter 11, Energy Efficiency, is deleted and replaced with the following:

Energy Efficiency as required by the most currently adopted Alaska Housing Finance Corporation minimum standards.

19. Chapter 12, Mechanical Administration, is deleted.

20. M1301.2, Identification, is deleted and replaced with the following:

Each length of uncut pipe and tubing, and each pipe fitting utilized in a mechanical system shall bear the identification of the manufacturer.

21. M1501.1, Outdoor discharge, is amended to delete the exception.

22. M1502.4.2, Duct installation, is amended as follows:

a. In the first sentence, '12' is deleted and replaced with '10' to conform with section R1604.1.3, Support.

b. The following words from the third sentence are removed: "...and shall be mechanically fastened..." and replaced with the words: "...except where in conflict with the requirements of M1502."

c. The following shall be added after last sentence:

Dryer exhaust ducts shall not be joined with screws or similar fasteners that protrude into the duct.

23. M1504.3, Exhaust openings, is amended to:

a. Add the following requirement to those listed:

...Not less than 3 feet (914 mm) horizontally from the air intake.

b. Add the following exception:

Exhaust and intake openings that are part of a system engineered to prevent entrainment of exhaust air are exempt; the exemption applies only to the exhaust and intake that is part of the engineered system only, adjacent exhaust and inlet openings are not exempt.

c. Add the following exception:

A ventilation system's supply and exhaust vents on the exterior of a building may be separated less than 10 feet as long as they are separated a minimum of 6 feet horizontally. (To conform with Alaska-specific amendments to ANSI/ASHRAE 62.2-2010)

24. M1505, Mechanical ventilation is replaced with the following:

Mechanical Ventilation shall be installed per the requirements of ANSI/ASHRAE 62.2-2010 as amended in R403.5 of the 2012 Building Energy Efficiency Standard and per manufacturer requirements.

25. M1602.1, Return air, is amended to add to the end of the second sentence:

only if an exhaust fan is installed with automated control such that a positive pressure is not exerted on the structure while the furnace supply air handler is operating. Supply only systems and/or systems designed to induce a positive pressure inside the dwelling with reference to the outdoors are not permitted in Alaska.

26. M1602.2, Prohibited sources, is amended to add to the end of 1 "...and at least 3' horizontally from the air intake."

27. Chapter 23, Solar Energy Systems, is deleted and replaced with the following:

Per AS 18.60.705 (a)(1): the 1997 edition of the Uniform Solar Energy Code published by the International Association of Plumbing and Mechanical Officials and adopted at the 67th annual conference, September 1996, excluding pages 1-7 of Part I, Administration.

28. G2412.9, Identification, is deleted and replaced with the following:

Each uncut length of pipe and tubing and each pipe fitting, utilized in a fuel gas system, shall bear the identification of the manufacturer.

CHAPTER 16.30 BUILDING PERMITS

16.30.010-Building permit required.

16.30.020-Building permit fees.

16.30.020-Exemptions.

16.30.040-Appeals.

16.30.050-Enforcement.

16.30.060-Stop work order-Authority.

16.30.070-Violations.

16.30.010 - Building permit required.

A. Buildings and structures may not be constructed, structurally improved, structurally modified, or enlarged within the City unless a building permit has been issued by the City Planner approving the construction, improvement or modification.

-
- B. Application for a building permit shall be filed with the Building Official on the application form created by the Planning Department. Application forms shall be available at the Planning Department and the office of the City Clerk. If the application meets the requirements of this Chapter, the Building Official shall issue a building permit.
- C. No building permit shall be issued by the Building Official unless and until:
1. The State of Alaska Fire Marshall has provided any approval by the Fire Marshall required under state or local law.
 2. A final decision has been issued on any variance, conditional use permit or site plan review permit required for the permit site under this Code and a final decision has been issued on any appeal or the time period for an appeal has expired.
 3. The City Planner has reviewed the application and found that the construction, modification or improvement complies with this Code, including Title 18. Any permit issued in conflict with the zoning title shall be null and void.
- D. The building permit or copy of it shall be displayed at the work site until completion of the construction, modification or improvement approved by the permit.
- E. It shall be the duty and responsibility of every person who performs work for the construction, modification or improvement of a building or structure within the City to comply with this Title and all federal, state, and local laws.
- F. Approval of a building permit shall not be used as permission to or defense against the violation of this Code, federal or state law. A building permit may be revoked by the Building Official if necessary to comply with local, federal or state law. Revocation or an appeal of a revocation of a building permit shall comply with Section 1.28.070 of this Code.

16.30.020 – Building permit fees.

- A. There shall be a fee for the permit application process. Fees shall be established by resolution of the City Council and shall be due at the time a permit application is filed with the Building Official. A building permit application will not be accepted by the Planning Department without payment.
- B. A late fee shall be charged for building permit applications submitted after the start of work as that term is defined in this Chapter.

16.30.030 - Exemptions.

- A. Permits shall not be required for one-story detached accessory structures so long as the floor area does not exceed 200 square feet and 12 feet in height.
- B. An exemption under this section is not an exemption of any other requirements under this code.

16.30.040 - Appeals.

- A. An applicant may appeal a decision by the Building Official regarding a building permit as authorized in this Chapter to the Planning Commission as set forth in Section 18.64.040 of this Code.
- B. An applicant or aggrieved party may appeal a decision by the Planning Commission approving a building permit, denying it or approving it with conditions in the manner set forth in Section 18.64.030 of this Code.

16.30.050 – Enforcement.

- A. The Building Official shall have authority to enforce the provisions of this Title.

-
- B. When the Building Official determines it is necessary to inspect a work site or property to enforce the provisions of this Title, or when the Building Official has reasonable cause to believe that a condition on the property or work site is a violation of this Title or makes the building or premises unsafe, dangerous, or hazardous, the Building Official may enter onto the property and into the building or premises at reasonable times to inspect or investigate compliance with this Title.
 - C. Before entering a premises or building under this Section, the Building Official shall locate the owner or the owner's agent with authority to grant access onto the premises and request permission to enter onto the property or work site and into any building or premises on the property for investigation.
 - D. If a person fails to grant a right of entry and inspection under this Section, the City may seek an order from the superior court compelling the person to submit to entry and inspection.

16.30.060 - Stop work order-Authority.

- A. If the Building Official determines work on a building or structure is being performed in violation of this Code or in an unsafe or dangerous manner, the Building Official may order the owner or the owner's agent to immediately stop all work on the property, including any and all construction, modifications, and improvements on the property. An order issued under this Section must be issued in writing and must clearly state the conditions under which work will be permitted to resume.
- B. Any person who continues any work in or on the building or structure in violation of a stop work order issued under this Section shall be in violation of this Chapter and shall be liable for penalties arising and resulting from the violation.

16.30.070 – Violations.

- A. Failure to comply with any provision of this Title or any rule, order or regulation issued under this Title is a violation.
- B. Each day a violation occurs is a separate violation. The minimum penalty for a single violation of this Chapter is specified in Chapter 1.28 of this Code.

Chapter 16.75 - HOUSING AND URBAN DEVELOPMENT

16.75.010 - Powers—Adopted.

16.75.020 - Powers—Limitations.

16.75.030 - Contract and implementation authority.

16.75.010 - Powers—Adopted.

Housing and urban development powers are adopted and assumed by the city.

16.75.020 - Powers—Limitations.

Housing and urban development powers are limited to development of a senior citizens housing project.

16.75.030 - Contract and implementation authority.

The city manager of the city is authorized to enter into such contracts and agreements necessary to implement and carry out the powers assumed in Sections 16.75.010 and 16.75.020 above.

16.75.010 - Powers—Adopted.

[16.75.020 - Powers—Limitations.](#)

[16.75.030 - Contract and implementation authority.](#)

Chapter 16.80 - MOBILE HOME PARKS

16.80.010 - Definitions.

16.80.020 - License—Required—Term—Transferability.

16.80.030 - License—Applications fees—Site plan.

16.80.040 - License—Denial—Fees—Revocation—Reinstatement.

16.80.045 - License—Renewals.

16.80.050 - Conditional use permit.

16.80.055 - Inspections—Changed conditions.

16.80.060 - Specifications.

16.80.065 - Temporary placement of travel trailers.

16.80.070 - Supervision.

16.80.080 - Accessory structures.

16.80.090 - Certain violations designated.

16.80.100 - Fine—Liability for violations.

~~**Chapter 16.90 - TRAILERS AND TRAILER CAMPS**~~

~~**16.90.010 - Definitions.**~~

~~**16.90.020 - License—Required—Term—Transferability.**~~

~~**16.90.030 - License—Applications.**~~

~~**16.90.040 - License—Fees—Revocation.**~~

~~**16.90.050 - Conditional use permit.**~~

~~**16.90.060 - Specifications.**~~

~~**16.90.070 - Supervision.**~~

~~16.00.080 – Violations designated.~~

a. ~~Chapter 16.05 BUILDING REGULATION~~

~~16.05.010 Adoption - Definitions.~~

For the purposes of codes,

The city, pursuant to Section 2-15 of its Home Rule Charter, adopts by reference this chapter, the following codes of technical regulation:

- A. ~~Uniform Building Code, current adopted state code;~~
- B. ~~Uniform Mechanical Code, current adopted state code;~~
- C. ~~Uniform Plumbing Code, current adopted state code;~~
- D. ~~National Electrical Code, current adopted state code;~~
- E. ~~Uniform Sign Code, current adopted state code;~~
- F. ~~Uniform Fire Code, current adopted state code.~~
- G. ~~terms 1997 Uniform Code for Abatement of Dangerous Buildings.~~

~~(Ord. 804 § 1, 1998; Ord. 608 (part), 1986; Ord. 606 (part), 1986; Ord. 604 (part), 1985; Ord. 600 (part), 1985; Ord. 532 § 1(part), 1982).~~

~~(Ord. No. 1107, § 7, 3-20-2013)~~

~~16.05.020 Copies on file.~~

~~At least one copy of each code of technical regulation adopted by reference in Section 16.05.010 shall be kept in the office of the clerk.~~

~~(Ord. 532 § 1(part), 1982).~~

b. ~~Chapter 16.10 BUILDING CODE ADMINISTRATION~~

~~16.10.010 Board of building regulations, mechanical, plumbing, electrical and fire examiners and appeals board designated.~~

- A. ~~The seven member planning commission shall act as the building board and are to pass on matters pertaining to building construction.~~
- B. ~~Four members of the building board shall constitute a quorum for the transaction of any business. For any affirmative action on quasi-judicial matters by the building board, there must be a concurring vote of four members.~~
- C. ~~The board shall hear and decide appeals from the actions of administrative officials relating to building, mechanical, plumbing, electrical and fire regulations under Title 16. The board may determine the suitability~~

of alternative materials and methods of construction, mechanical, plumbing, electrical and fire codes, and may recommend to the council legislation as is consistent therewith.

- D. ~~The board shall also determine and recommend such amendments to Title 16 and to all building regulations as may be deemed necessary.~~
- E. ~~The board shall meet as frequently as necessary, and shall follow the rules and regulations as defined in Chapter 3.40 of the Cordova Municipal Code.~~
- F. ~~The building board is the final appellate board of the city for matters heard by it.~~
- (Ord. 532 § 1(part), 1982).

~~16.10.015 State license required.~~

- A. ~~It is unlawful to engage in business in the city as a building contractor without having first complied with the provisions of AS 08.18.011, and it is unlawful to engage in business in the city as an electrical contractor without having first obtained a license and certificate of fitness as required by AS 08.18.026, AS 08.40.090 and AS 18.62.010.~~
- B. ~~Any person doing business as a subcontractor to any building or electrical contractor shall be construed as engaged in the business being a building or electrical contractor, for which a license is required by this code.~~
- C. ~~The term "building contractor" as used in this section means and includes anyone engaged in the business of cement or concrete contracting, either flat, form or wallwork, or as a masonry contractor; or as a carpenter contractor; or as a general building contractor; and any person engaged in the construction, alteration or repair of buildings or other structures, or sidewalk or street pavements.~~

~~The term "electrical contractor" as used in this section means and includes any person, firm or corporation engaged in the business of installing or altering equipment for the utilization of electricity supplied by light, heat, or power, not including radio apparatus or equipment for wireless reception or sounds and signals, and not installed by or for public utilities, including common carriers.~~

- D. ~~City building officials shall be given free access during reasonable working hours to any premises where building, contracting, or electrical contracting work, subject to the licensing requirements of AS 08.18.011, AS 08.18.026, AS 08.40.090 and AS 18.62.010 is being performed. It shall be the duty of the licensee or the person in charge of the premises to be inspected to admit thereto for the purpose of making the inspection, the building official who is authorized or directed to make such inspection, and to present to the building official upon request of the official, evidence of compliance with the provisions of this code.~~

(Ord. 564, 1983).

~~16.10.020 Violation.~~

~~Failure to obey or comply with any provision of this chapter or any rule, order or regulation issued thereunder is a violation. The minimum penalty upon conviction of a single violation of this chapter shall be a fine of three hundred dollars.~~

(Ord. 688 § 26, 1991).

c. ~~Chapter 16.15 LOCAL AMENDMENTS TO THE UNIFORM BUILDING CODE, 1985 EDITION~~

~~16.15.010 Local amendments to the Uniform Building Code, 1985 Edition.~~

The amendments to the 1985 edition of the Uniform Building Code are listed hereafter by section. The last digits of the section number (after the title and chapter digits) are the section of the Uniform Building Code to which the amendment refers i.e., 16.15.104(e) refers to amendments to Section 104(e) of the Uniform Building Code, 1985 Edition.

(Ord. 604 (part), 1985; Ord. 532 § I(part), 1982).

~~16.15.204 Board of appeals.~~

~~Amend this section to read~~ as follows:

~~For the purpose of this section, the building board as designated in Section 16.10.010 of this title shall be constituted as and shall serve as the Board of Appeals.~~

(Ord. 532 § I(part), 1982).

~~16.15.301(b) Exempted work.~~

Amend by adding paragraphs 12, 13 and 14 as follows:

~~—12. Permits will not be required for ordinary maintenance on a building or structure in Groups R-3 and M occupancies. Ordinary maintenance of a building or structure shall not include the cutting away or addition of any wall, portion or portion thereof, the removal of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure; nor shall ordinary maintenance include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste vent or similar piping, electrical wiring, mechanical or other work affecting public health or safety. All ordinary maintenance shall be made only in accordance with the applicable provisions of the building code and other construction or safety codes of the City. No permit will be required for work up to and including \$100.00 total valuation.~~

~~—13. Permits shall not be required for direct replacement work of value of one thousand dollars or less.~~

~~—14. Permits shall not be required for new construction in the UR zoning district. Building in the UR District will require compliance with provisions of Chapter 16.17, Site Development Permit Procedures.~~

(Ord. 755 § 1, 1995; Ord. 604 (part), 1985; Ord. 532 § I(part), 1982).

~~16.15.302(b) Plans and specifications.~~

Add the following:

~~—(b) Plans and Specifications. With each application for a building permit, for new construction or substantial changes to an existing structure, there shall be submitted the following documents with the application.~~

~~—1. Two complete sets of construction drawings for all Group R-3 and M Occupancies.~~

~~—A. Three complete sets of construction drawings for R-1 Occupancies of not more than four units.~~

~~—B. Three complete sets of construction drawings prepared and signed by an architect and/or applicable engineers by discipline registered in the State of Alaska, are required for all other building occupancies.~~

~~C. Plot or site plans for all Group R-3 and M Occupancies shall indicate proposed or existing upper floor building projections and roof overhangs and shall indicate proposed finished grades at building corners, lot corners and final drainage patterns.~~

~~D. Plot or site plans for all other occupancies shall indicate, in addition to the requirements of Group R-3 and M Occupancies, all off-site easements and overhead utility lines adjacent to the property.~~

~~2. When required by the Building Official for the enforcement of any provision of this code, the following additional information shall be submitted:~~

~~A. Lot survey prepared and signed by a land surveyor registered in the State of Alaska. The lot survey shall be legible scale with drawing scale and north arrow indicated, and shall include dimensions and bearings of the property lines, adjacent streets or rights of way, on-site easements and overhead utility lines, existing and proposed structures with overall dimensions and setbacks, and the existing grade elevations at lot corners, existing buildings corners, and within five feet of proposed building corners and other locations to adequately determine the lot drainage.~~

~~B. In the field, the land surveyor of record shall accurately place or locate survey field markers at the property rods by 30 inches long, or two inch square by 18 inch long wooden stakes, driven full depth into the ground.~~

~~(Ord. 532 § 1(part), 1982).~~

16.15.304(b) Plan review fees.

Amend the last sentence in paragraph one to read as follows:

Said plan review fee shall be 25% of the Building permit fee as shown in Table 3-A for Group R-3 Occupancies and 50% for all other occupancies.

Amend by adding a third paragraph as follows:

A plan review fee for identical plans submitted simultaneously for structures within a design subdivision or planned unit development shall be charged full fee for one original set and thirty (30%) percent of the full fee for all additional plans.

Exception: When it is determined by the building official that the submitted plans need to be reviewed by another agency or organization to determine compliance with the building, electrical, plumbing and mechanical codes, the plan review fee collected by the city shall reflect the actual cost incurred by the city to have the plans reviewed.

~~(Ord. 591, 1985; Ord. 532 § 1(part), 1982).~~

16.15 Table 3-A Building permit fees.

Delete Table 3-A and insert as follows:

TABLE 3-A BUILDING PERMIT FEES

1. — New Construction and Additions

<u>Occupancy Class</u>	<u>Fee Per Square Foot (\$/F)*</u>	
<u>A</u>	<u>Under 2,000 sq. ft. 2,001 s/f to</u>	<u>\$0.05 s/f 0.07 " 0.09 "</u>
	<u>5,000 s/f 5,001 s/f and over</u>	

B	Under 2,000 sq. ft. 2,001 s/f to 5,000 s/f	0.07 s/f 0.09 " 0.12 "
E		\$0.09 s/f
H		\$0.12 s/f
I		\$0.09 s/f
M	Under 2,000 sq. ft. 2,001 and over	\$0.05 s/f 0.07 "
R	Under 200 sq. ft. 201 s/f to 2,500 s/f 2,501 and over	\$0.05 s/f 0.07 " 0.09 "

* Square footage for new construction shall be determined from the outside dimensions of all portions of a structure encompassing the occupancy determination. In the case of multiple occupancy, the fee shall be the sum of applicable occupancy fees for the structure. The total square footage is the sum of all floors, including finished basements and attics in Residential Occupancies.

2. — Alterations, Repairs or Replacements. (Including wood stoves, interior repairs, new furnaces, etc.). The fee for permits for this class of work shall be calculated as follows:

Total Valuation of Work to be Done/Fee

\$1.00 to \$500.00	\$5.00
\$501.00 to \$2000.00	\$5.00 for the first \$500.00 plus \$1.00 for each additional \$100.00 or fraction thereof, to and including \$2000.00.
\$2001.00 to \$25,000.00	\$20.00 for the first \$2000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$25,000.00.
\$25,001.00 to \$50,000.00	\$89.00 for the first \$25,000.00 plus \$2.50 for each additional thousand or fraction thereof to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$151.50 for the first \$50,000.00 plus \$1.50 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,001.00 and up	\$226.50 for the first \$100,000.00 plus \$1.00 for each additional thousand or fraction thereof.

3. — The minimum building permit fee shall be five dollars.
(Ord. 604 (part), 1985; Ord. 532 § I(part), 1982).

16.15.402 A definitions and abbreviations.

Delete the definition of "alley" and insert the following:

— ALLEY. An alley is a public space or thoroughfare, 20 feet or less, but not less than 10 feet in width, which has been dedicated for public use.

(Ord. 532 § I(part), 1982).

~~16.15.403 B definitions and abbreviations.~~

Add the following definition:

~~—BUILDING, PUBLIC. Shall be any structure which is other than Group R-3 Occupancy or Group M-1 Occupancy.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.15.408 G definitions and abbreviations.~~

Amend to read as follows:

~~—GRADE. (Adjacent ground elevation) is the finished ground elevation at any point immediately adjacent to the exterior wall of a building. In case walls are parallel to and within five feet of a public sidewalk, alley or other public way, the finished ground elevation at any point shall be considered to be the elevation of the sidewalk, alley or public way.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.15.413 L definitions and abbreviations.~~

Add the following definition:

~~—LEANTO. Leanto is any addition to the exterior of a mobile home which exceeds 48 square feet in floor area.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.15.417 P definitions and abbreviations.~~

Add the following definition:

~~—PORCH. A porch is an addition to the exterior of a building which is less than 48 square feet of floor area and is used solely as a protection for the entry way and not used for storage. A porch may not project beyond the exterior of a mobile home in excess of six feet.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.15.1204 Exit facilities.~~

Amend the third paragraph, fourth sentence to read as follows:

~~—Where windows are provided as a means of egress or rescue, they shall have a finished sill height not more than 48 inches above the floor.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.15.1707(e) Vapor barriers.~~

Add paragraph (d) as follows:

~~—(d) Vapor Barriers. All exterior wall, ceiling, roof and floor assemblies which enclose heated spaces and which are exposed to outdoor ambient temperatures shall be protected against water vapor transmission. Assemblies not otherwise of impermeable construction shall have installed, on the heated side of insulation or air spaces, vapor barriers having a perm rating of 0.08° minimum. Vapor barriers shall be metal foil, polyethylene sheeting or other material approved by the Building Official.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.15.2305(d) Snow loads.~~

~~The minimum snow load shall be one hundred pounds per square foot ground snow load.~~

~~(Ord. 828 (part), 1999; Ord. 577, 1984; Ord. 532 § 1(part), 1982).~~

~~(Ord. No. 1095, § 1, 7-5-2012; Ord. No. 1131, § 1, 7-1-2015)~~

~~16.15.2311(a) General.~~

~~Delete the second sentence and substitute the following:~~

~~—In the wind pressure Table 23-F, the basic 25-psf column shall be used.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.15.2311(b) Basic wind speed.~~

~~Add to the end of paragraph:~~

~~—Wind pressure as set forth in Table 23-F for a basic wind speed of 100 mph shall be used.~~

~~(Ord. 604 (part), 1985).~~

~~16.15.2312(c) Symbols and notations.~~

~~Amend the exception to read as follows:~~

~~—Exception: "W" shall be equal to the total dead load plus 25% of the floor live load for storage and warehouse occupancies and shall be equal to the total dead load plus 25% of the snow load for all roofs.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.15.2907(a) General.~~

~~Be amended to read as follows:~~

~~—Section 2907(a) General. Footings and foundations, unless otherwise specifically provided, shall be constructed of masonry, concrete or treated wood in conformance with UBC Standard No. 29-3 and in all cases shall extend a minimum of 24 inches below grade. Footings of concrete and masonry shall be of solid material. Foundations supporting wood shall extend at least six (6) inches above the adjacent finish grade. Footings shall be of, at least, minimum construction as specified in Table No. 29-A except as follows:~~

~~—Exception: The Building Official may upon presentation of a footing design prepared and signed by an engineer licensed to practice in the State of Alaska waive or modify the 24 inches minimum footing depth design criteria.~~

~~(Ord. 575, 1984; Ord. 532 § I(part), 1982).~~

~~16.15.2907(b) Bearing walls.~~

~~Amend Exception 1 to read as follows:~~

~~—EXCEPTIONS: 1. A one-story wood or metal frame building not used for human occupancy and not over 1,000 sq. ft. in floor area may be constructed on grade on a wood or concrete foundation when approved by the Building Official.~~

~~(Ord. 532 § I(part), 1982).~~

~~16.15.4507 Doors.~~

~~Delete and substitute the following:~~

~~—Doors, either fully opened or when opening, shall not project beyond the property line. No operating sash or windows eight feet or less above the sidewalk shall be allowed to project over public property.~~

~~(Ord. 532 § I(part), 1982).~~

~~16.15 App. 12 Requirements for Group R, Division 3, Occupancies.~~

~~Delete in entirety.~~

~~(Ord. 604 (part), 1985).~~

~~16.15 App. 70 Table 70-A Grading Plan Review Fees.~~

~~Delete Table 70-A and insert the following in lieu thereof:~~

~~Table 70-A GRADING PLAN REVIEW FEES~~

50 cubic yards or less	No fee
51 to 100 cubic yards	\$ 5.00
101 to 1000 cubic yards	\$ 7.50
1001 to 10,000 cubic yards	\$10.00
10,001 to 100,000 cubic yards — \$10.00 for the first 10,000 cubic yards, plus \$5.00 for each additional 10,000 cubic yards or fraction thereof.	
100,001 to 200,000 cubic yards — \$55.00 for the first 100,000 cubic yards, plus \$3.00 for each additional 10,000 cubic yards or fraction thereof.	
200,001 cubic yards or more — \$85.00 for the first 200,000 cubic yards, plus \$1.00 for each additional 10,000 cubic yards or fraction thereof.	
OTHER FEES:	

~~Additional plan review required by changes, additions or revisions to approve plans \$30.00/hour¹
(minimum charge—one half hour)~~

~~Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.~~

~~(Ord. 604 (part), 1985).~~

~~16.15 App. 70 Table 70-B Grading Permit Fees.~~

~~Delete Table 70-B and insert the following in lieu thereof:~~

~~TABLE NO. 70-B GRADING PERMIT FEES²~~

50 cubic yards or less	\$5.00
51 to 100 cubic yards	\$7.50
101 to 1000 cubic yards—\$7.50 for the first 100 cubic yards plus \$3.50 for each additional 100 cubic yards or fraction thereof.	
1001 to 10,000 cubic yards—\$39.00 for the first 1000 cubic yards, plus \$3.00 for each additional 1,000 cubic yards or fraction thereof.	
10,001 to 100,000 cubic yards—\$66.00 for the first 10,000 cubic yards plus \$13.50 for each additional 10,000 cubic yards or fraction thereof.	
100,001 cubic yards or more—\$187.50 for the first 100,000 cubic yards, plus \$7.50 for each additional 10,000 cubic yards or fraction thereof.	
OTHER INSPECTION AND FEES:	
1. Inspections outside of normal business hours(minimum charge—2 hours)	\$30.00/hr²
2. Reinspection fees assessed under provisions of Section 305(g)	\$30.00/hr²
3. Inspections for which no fee is specifically indicated(minimum charge, one half hour)	\$30.00/hr²

~~(Ord. 604 (part), 1985).~~

~~d. Chapter 16.17 SITE DEVELOPMENT PERMIT PROCEDURES~~

¹ ~~The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.~~

² ~~The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.~~

~~Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.~~

~~16.17.010 Administration.~~

~~The city planning department shall be responsible for the administration of the site development procedure, under the authority of the planning commission.~~

~~(Ord. 755 § 2(part), 1995).~~

~~16.17.020 Application and fee.~~

~~Application for site plan review shall be filed with the city planning department. The application shall include the following, on a form provided by the planning department:~~

- ~~A. — Name and address of owner and applicant;~~
- ~~B. — Address and legal description of property;~~
- ~~C. — If the applicant is not the legal owner of the property, a statement that the applicant is the authorized agent of the owner;~~
- ~~D. — A brief description of the proposed use, including information pertinent to Chapter 18.18, UR district regulations;~~
- ~~E. — Identification of present zoning district;~~
- ~~F. — A site plan, drawn to scale and sufficiently dimensioned as required to show the following:~~
 - ~~1. — The date, scale, north arrow, title, name of owner and name of person preparing the site plan; need not be an engineer, architect or other professional;~~
 - ~~2. — The location and dimensions of boundary lines, easements and required yards and setbacks identified in Chapter 18.18;~~
 - ~~3. — The location, height and intended use of existing and proposed buildings or structures on the site;~~
 - ~~4. — Location of existing and/or proposed sewage disposal system and potable water supply;~~
- ~~G. — Notwithstanding other fee schedules, a nonrefundable site development permit fee of twenty five dollars shall be required.~~

~~(Ord. 755 § 2(part), 1995).~~

~~16.17.030 Standards for evaluating the application.~~

- ~~A. — The planning department shall review and evaluate the site plan permit application based on the following criteria:~~
 - ~~A. — Conformance with the "UR Unrestricted District" regulations;~~
 - ~~B. — Compatibility with adjacent sites, in terms of setbacks, open spaces, drainage, site development and access and circulation features.~~

~~(Ord. 755 § 2(part), 1995).~~

~~16.17.040 Action on application.~~

- ~~A. — Within ten days of receipt of the application, the planning department shall act upon the application. Action may be to approve, to approve subject to modification, or to disapprove the site plan.~~
 - ~~B. — If approved, the permit will be issued.~~
 - ~~C. — If approved subject to modifications, the applicant shall be notified in writing and by telephone, when possible, of the modifications required. The permit shall be issued after the applicant has agreed, in writing, to the modifications.~~
 - ~~D. — If denied, the applicant shall be notified in writing and by telephone, when possible, of the denial and the reasons thereof.~~
 - ~~E. — If denied, the applicant may appeal pursuant to the provisions of Section 16.17.070.~~
- ~~(Ord. 758, 1995; Ord. 755 § 2(part), 1995).~~

~~16.17.050 Modifications.~~

- ~~A. — Once the site plan is approved, no modifications may take place without written consent of the planning department. The applicant shall submit an application for modification of the approved site plan. Minor revisions or modifications may be approved by the planning director if it is determined that the circumstances or conditions applicable at the time of the original approval remain valid, and the changes would not affect the findings described in Section 16.17.030.~~
 - ~~B. — Major modifications will require the filing of an additional application, and will be subject to the process outlines in Chapter 16.17.~~
- ~~(Ord. 755 § 2(part), 1995).~~

~~16.17.060 Lapse of permit.~~

- ~~A. — Unless a longer time shall be specifically established as a condition of approval, a site plan approval shall lapse and shall become void eighteen months following the date on which such approval becomes effective.~~
 - ~~B. — A site plan approval subject to lapse may be renewed by the planning director for an additional period of one year; provided, that prior to the expiration date, a written request for renewal is filed with the planning department by the applicant.~~
- ~~(Ord. 755 § 2(part), 1995).~~

~~16.17.070 Suspension and revocation of permits.~~

- ~~A. — Upon violation of any applicable provisions of this title, or if granted subject to conditions, upon failure to comply with the conditions, the site plan approval shall be suspended.~~
- ~~B. — The applicant may appeal the decision to suspend site plan approval to the planning and zoning commission. The planning and zoning commission shall hold a public hearing within forty days of filing of the notice. If not satisfied that the provisions of the approval of this title are being complied with by the applicant, the planning and zoning commission may revoke the site plan approval or take such action as may be necessary to ensure compliance with this title.~~

C. ~~The applicant may appeal the decision of the planning and zoning commission to the city council. The city council shall hold a public hearing within forty days of the filing of the public notice. The city council shall take such action as may be necessary to ensure compliance with this title. The city council decision is final, and shall take effect immediately.~~

D. ~~Suspension of site plan approval shall remain in effect during the appeal process. Any site improvements made while suspension is in effect shall be subject to the penalties set forth in Section 16.10.020.~~

~~(Ord. 755 § 2(part), 1995).~~

~~16.17.080 Approval to run with land.~~

~~Site plan approval pursuant to these provisions shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the application.~~

~~(Ord. 755 § 2(part), 1995).~~

e. ~~Chapter 16.20 LOCAL AMENDMENTS TO THE UNIFORM MECHANICAL CODE 1985 EDITION~~

~~16.20.010 Local amendments to the Uniform Mechanical Code, 1985 Edition.~~

~~The amendments to the 1985 edition of the Uniform Mechanical Code are listed hereafter by section. The last digits of the section number (after the title and chapter digits) are the section of the Uniform Mechanical Code to which the amendment refers, i.e., 16.20.202 refers to amendments to Section 202 of the Uniform Mechanical Code, 1985 edition.~~

~~(Ord. 608 (part), 1986).~~

~~16.20.203 Board of appeals.~~

~~Amend by adding the following:~~

~~For the purposes of this section, the Building Board designated by Section 16.10.010 of the title shall be constituted as, and shall serve as, the Board of Appeals.~~

~~(Ord. 608 (part), 1986).~~

~~16.20.204 Violation.~~

~~Failure to obey or comply with any provision of this chapter or any rule, order or regulation issued thereunder is a violation. The minimum penalty upon conviction of a single violation of this chapter shall be a fine of three hundred dollars.~~

~~(Ord. 688 § 27, 1991).~~

~~16.20.304(a) Permit fee.~~

~~Delete and replace with the following:~~

~~The fee for any work covered by this code shall be included within the fee as set forth in Table 3-A of the Uniform Building Code.~~

~~(Ord. 608 (part), 1986).~~

~~16.20.404 B definitions and abbreviations.~~

~~Amend by inserting after the definition of "building official" the following definition:~~

~~—BUILDING PUBLIC shall be any structure which is other than Group R-3 occupancy or Group M occupancy, as defined in the current Uniform Building Code.~~

~~(Ord. 608 (part), 1986).~~

~~16.20.704 Prohibited installations.~~

~~Amend by adding the following:~~

~~8. — Under stairways, landings or egress passageways~~

~~Exception: Where one-hour fire resistive construction is used.~~

~~(Ord. 608 (part), 1986).~~

~~16.20.1404(5) Exception 1.~~

~~Amend to read as follows:~~

~~—Boilers, central heating plants or hot — water supply boilers where the combined pieces of fuel equipment do not exceed 400,000 Btu per hour input.~~

~~(Ord. 608 (part), 1986).~~

~~f. — Chapter 16.25 LOCAL AMENDMENTS TO THE UNIFORM PLUMBING CODE, 1979 EDITION~~

~~16.25.010 Local amendments to the Uniform Plumbing Code, 1979 Edition.~~

~~Amendments to the 1979 Uniform Plumbing Code are listed hereafter by section. The last digits after the title and chapter digits of the section number are the section number of the Uniform Plumbing Code to which use amendment refers, i.e., 16.25.409(a) refers to Section 409(a) of the Uniform Plumbing Code.~~

~~(Ord. 532 § 1 (part), 1982).~~

~~16.25.20.3 Violations and penalties.~~

~~Delete in its entirety and substitute 16.10.020.~~

~~(Ord. 532 § 1 (part), 1982).~~

~~16.25.20.7 Cost of permit—Schedule of fees.~~

Amend Schedule of Fees as follows:

~~—The fee for any work covered by this code shall be included within the fee as set in Table 3-A as amended.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.25.20.14 Board of plumber examiners.~~

Amend to read as follows:

~~—For the purpose of this section, the Board of Plumber Examiners as designated by Section 16.25.010 of this title shall be constituted as and shall serve as the Board of Appeals.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.25.203(d) Use of copper tubing.~~

Amend to delete the words "or underground outside of structures."

~~(Ord. 532 § 1(part), 1982).~~

~~16.25. Table A. Table A—Plumbing material standards.~~

Delete from Table A, page 23, the following:

"Homogenous bituminized fiber drain and sewer pipe."

~~(Ord. 532 § 1(part), 1982).~~

~~16.25.401(a) Materials.~~

Add the following exception:

~~(3) That no ABS or PVC pipe shall be used underground without prior approval of the Building Official.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.25.612(h) Chemical wastes.~~

Amend paragraph (h) by adding a clause to the last sentence as follows:

~~—(h)... except that copper piping material for drainage shall be prohibited to the point of dilution.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.25.612(i) Chemical wastes.~~

Add paragraph (i) as follows:

-
- ~~(i) Vacuum dental systems may be installed with schedule 40 PVC pipe and fittings, above grade. Protection of this piping shall conform to City code.~~

~~(Ord. 532 § I(part), 1982).~~

~~16.25.1003(k) Water-cooled compressors, degreasers of any other water-cooled equipment.~~

~~Amend by adding a third paragraph before the exception to read as follows:~~

- ~~—Installation, operation or use of air conditioning or cooling unit employing water or other fluids as a cooling agent without a recovery and recirculation unit is prohibited.~~

~~(Ord. 532 § I(part), 1982).~~

~~16.25.1004(a) Materials.~~

~~Amend by deleting the second sentence.~~

~~(Ord. 532 § I(part), 1982).~~

~~16.25.1309 Prohibited locations.~~

~~Delete exception and last sentence. Add a sentence as follows:~~

- ~~—Fuel burning appliances shall not be allowed under a stairway, landing or egress passageway.~~

~~(Ord. 532 § I(part), 1982).~~

~~16.25.1326 Check valves.~~

~~Amend Chapter 13 by adding Section 1326 to read as follows:~~

- ~~—Check valves shall not be installed on any domestic water heater installation on the cold water supply branch, unless approved by the administrative authority.~~

~~(Ord. 532 § I(part), 1982).~~

~~16.25 App.D. Rainwater systems.~~

~~Amend Appendix D, Part A. D1.O. Materials, subsection (c) by deleting the subsection and inserting as follows:~~

- ~~(c) Rainwater piping located underground within a building shall be of service weight cast iron soil pipe, type DWV copper tube or other approved materials.~~

~~(Ord. 532 § I(part), 1982).~~

~~g. Chapter 16.30 LOCAL AMENDMENTS TO THE NATIONAL ELECTRICAL CODE, 1984 EDITION~~

~~i. I. ADMINISTRATION~~

~~16.30.010 Prohibited acts.~~

- A. ~~It shall be unlawful for any person, firm, association or corporation to install, alter, modify, repair or maintain electrical equipment within or on any building, structure or premises, whether publicly or privately owned, except in compliance with the provisions of this title and the 1984 edition of the National Electrical Code, adopted by reference in this title.~~
- B. ~~Any person, firm, association or corporation who violates this section shall be guilty of a misdemeanor and shall be subject to the penalties and remedies set forth in Section 16.10.020 of this title.~~
- ~~(Ord. 600 (part), 1985; Ord. 532 § 1(part), 1982).~~

~~16.30.015 Permits—Required—Exceptions.~~

~~No electrical equipment shall be installed within or on any building, structure, premises, publicly or privately nor shall any alteration or addition be made in any such existing equipment without a permit therefor first being secured from the building official.~~

~~Exceptions:~~

- A. ~~Minor repair work, the replacement of lamps or the connection of portable electrical equipment to suitable permanent installed receptacles;~~
- B. ~~The installation, alteration, or repair of electrical equipment for the operation of signals or electrical transmission under the exclusive control of public utilities;~~
- C. ~~The installation, alteration or repair of electrical equipment installed by or for an electricity supply agency for the use of such agency in the generation, transmission, distribution or metering of electricity;~~
- D. ~~Any work involved in the manufacturing, testing, servicing, altering or repairing of electrical equipment or apparatus, except that this exemption shall not include any permanent wiring other than that required for testing purposes.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.30.020 Permit—Application—Plans to accompany issuance.~~

~~Applications for such permit, describing the work to be done, shall be made in writing to the building official by the person installing the work. The application shall be accompanied by two sets of plans, specifications and schedules as may be necessary to determine whether the installation as described will be in conformity with the requirements of this chapter. If it is found that the installation as described will conform with all legal requirements, and if the applicant has complied with all provisions of this chapter, a permit for such installation shall be issued.~~

~~(Ord. 532 § 1 (part), 1982).~~

~~16.30.025 Permits—Approval or rejection—Keeping on job—Deviations.~~

- A. ~~As soon as reasonably possible after the submission of the plans and specifications, the building official shall approve or reject them in accordance with the standards herein set forth. If approved, the plans and specifications shall be stamped "approved" and dated and initialed by the building official who shall file one copy. It shall thereafter be unlawful to change the plans and specifications. If the plans and specifications are~~

rejected, the building official shall give the applicant a concise statement in writing, including reference to paragraphs or sections of the national code involved, of his reason for rejecting the same. No plans and specifications shall be approved following rejection thereof until the necessary changes have been made therein. All approved plans and specifications shall be kept on the job by the applicant during the period of installation and shall be available to the building official at all times.

B. ~~No deviation may be made from the installation described in the permit without the written approval of the building official.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.30.030 Permit—Fees—When paid.~~

~~Before any permit is granted for the installation or alteration of electrical equipment, the person making application for such permit shall pay to the building official a fee in such amount as is prescribed by ordinance and set out in the schedule of fees contained in Chapter 16.15 of this title.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.30.035 Inspections—Notices—Time.~~

~~Upon completion of the work which has been authorized by the issuance of any permit, it shall be the duty of the permittee installing the same to notify the building official who shall inspect installations as soon thereafter as is practicable, exclusive of Saturdays, Sundays and holidays.~~

~~(Ord. 532 § 1 (part), 1982).~~

~~16.30.040 Inspections—Installation authorization.~~

~~Where the building official finds installations to be in conformity with this title, he shall authorize the use of the installations and connections to the source of supply and shall send notice of such authorization to the electrical utility furnishing the electrical service.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.30.045 Inspections—Defects found—Notice—Correction—Time.~~

~~Any electrical system deemed unsafe by the building official because of wear, damage, neglect, defects or hazardous location shall upon written notice from the building official be repaired, replaced or altered in accordance with this chapter upon receipt of said notice.~~

~~(Ord. 600 (part), 1985).~~

~~16.30.050 Suspension of work—Notice—Causes—Continuing after building.~~

~~The building official shall have authority to order the immediate suspension of all or any portion of the work of installing, altering, repairing or removing of electrical equipment, by attaching notice to that effect on the premises wherever it is found by him that such work is being performed without a lawful permit or that the drawing or specifications bearing the approval stamp of his office is not on the premises and available for examination, or that the work is not being installed as per plans and specifications, or that the materials and workmanship are not in compliance with the provisions of this chapter or that they are not in compliance with the~~

permit, or that such suspension is necessary for the proper inspection of work previously performed. It is unlawful for any person to continue the work of installing, altering, repairing or removing such electrical equipment after the suspension of the work has been ordered herein provided.

(Ord. 532 § 1(part), 1982).

~~16.30.055 Permit—Expiration when work not commenced or abandoned—New permit.~~

Unless otherwise particularly stated in this code, every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within ninety days from date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty days. Before such work is recommenced, a new permit shall be first obtained, and the fee shall be one half the amount required for the initial permit.

(Ord. 532 § 1(part), 1982).

~~16.30.060 Temporary installations—Permit—Time—Cancellation.~~

If the building official finds that the safety of life and property will not be jeopardized, he shall issue permits for temporary electrical installations for use during the construction of buildings or for carnivals, conventions, festivals, fairs, holding of religious services, temporary lighting of streets and events of a similar nature. Permission to use such temporary installation shall not be granted for a greater length of time than thirty days, except that a permit for a temporary installation to be used for the construction of a building may be issued for the period of construction. Should such temporary lighting be over the street area, the proper authority for such use of the street must first be obtained. All such temporary installations shall be made in a manner as nearly as practicable in conformance with the requirements of this code for permanent work, provided that the building official may permit deviations which will not permit hazards to life and property, and provided whenever such hazards are deemed by the building official to exist, he may at once cancel the permit covering such installation and disconnect, or order the disconnection of, all energy to such equipment.

(Ord. 532 § 1 (part), 1982).

~~16.30.065 Fee designated.~~

Any person desiring an electrical permit required by ~~Sections~~ 16.30.015 through 16.30.060, at the time of filing the application for such permit, shall pay to the building official the amount prescribed in the fee schedule listed in Chapter 16.15.

(Ord. 532 § 1(part), 1982).

~~ii. II. LOCAL AMENDMENTS~~

~~16.30.070 Local amendments to the National Electrical Code, 1984 Edition.~~

The amendments to the 1984 edition to the National Electrical Code are listed hereafter by section. The last digits of the section number (following the title and chapter digits) are the section of the National Electrical Code to which the amendment refers, i.e., Section 16.30.210-5 refers to Section 210-5 of the National Electrical Code, 1984 Edition.

(Ord. 600 (part), 1985; Ord. 532 § 1(part), 1982).

~~16.30.210-5 Color code for branch circuits.~~

Amend by addition of a new subsection (c) to read as follows:

- (c) ~~—Ungrounded Conductor. Where installed in raceways, as open work or as concealed knob-and-tube work, the unground conductor shall be identified by any color other than as specified in (a) and (b) above. Unground conductors of a 3-phase, 4-wire 120/208 system shall be colored black, red, blue. Ungrounded conductors of a 3-phase, 4-wire 277/480 system shall be yellow, brown, orange.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.30.210-19 Conductors—Minimum ampacity and size.~~

Add the following subsections (d) and (e):

- (d) ~~—Storage-type Electric Water Heaters. For each storage-type electric water heater, a minimum of No. 10 copper conductors shall be provided.~~
- (e) ~~—Minimum Conductor. No conductor less than No. 14 copper shall be used on control circuits carrying line voltage.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.30.210-23 Permissible loads.~~

Add the following subsection (d):

- (d) ~~—Outlets Per Circuits. No more than eight duplex outlets are allowed on one branch circuit. Appliance branch circuits are limited to four duplex outlets.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.30.210-52(a) Dwelling unit.~~

Add the following subparagraphs to Section 210-52(a):

- (1) ~~—There shall be one outlet in each hallway of 10 or more lineal feet.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.30.210-70 Lighting outlets required.~~

Add the following subsection (c):

- (c) ~~—Basements or Attics for Occupancy. All basements or attics suitable for occupancy and with unfinished partitions installed shall be wired completely.~~

~~(Ord. 637 (part), 1988; Ord. 600 (part), 1985; Ord. 532 § 1(part), 1982).~~

~~16.30.220-3 Branch circuits required.~~

Add the following subsections (e) and (f) to read as follows:

~~(e) —Dishwashers. A separate 20-ampere circuits shall be installed for each dishwasher.~~

~~(f) —Central Heating System Appliances. All central heating systems appliances using electrical controls shall be permanently connected into a separate circuit(s) for the heating system only.~~

~~(Ord. 532 § 1(part), 1982).~~

16.30.230-28 Service masts as supports.

Add the following subsections (a) through (d):

~~(a) —Service Mast—When Required. When it is necessary to locate a meter loop on the low side of a structure with a pitched roof, a service mast shall be installed to protect the wiring from ice and snow. Only rigid street conduit shall be used for service masts.~~

~~(b) —Conduit Size. Rigid conduit used for penscope shall be a minimum size of two inches and must extend at least three feet above the surface of the roof. An extension higher than three feet must be braced or guyed.~~

~~(c) —Protection for Meter. If a meter is subject to damage from rain, ice or snow, it shall be protected.~~

~~(d) —Location of Meter. Subject to utility approval.~~

~~(Ord. 532 § 1(part), 1982).~~

16.30.230-41 Sizing and rating.

Add subsection (d) to read:

~~(d) —Service Entrance. The service entrance shall be sized not less than 200 amperes for duplexes.~~

~~(Ord. 532 § 1(part), 1982).~~

16.30.230-70(a) Service equipment—Disconnecting means location.

Add subsection (a) as follows:

~~(a) —All service equipment main disconnects for all occupancies other than single family dwelling, duplex, triplex and private garages which are not readily accessible on the ground floor of a structure or building shall have either the main disconnect or a shunt trip device located in the exterior of the structure a minimum of eight (8) feet and a maximum of ten (10) feet above the ground. The location of the main disconnect or shunt trip device for all occupancies other than R-3 and M shall be approved by the Building Official.~~

~~(Ord. 600 (part), 1985).~~

16.30.310-2(b) Conductor material.

Amend by adding the following paragraph:

~~—Aluminum and copper clad aluminum conductors shall not be used in any structure beyond the service entrance equipment.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.30.336-3(c) Uses permitted or not permitted.~~

Amend subsection (c) by the addition of subparagraph (9) as follows:

~~—(9) Exposed work in habitable areas.~~

~~16.30.700(12)(f) Unit equipment.~~

Amend by adding the following sentence to the second paragraph:

~~—Receptacle outlets for emergency illumination equipment shall not be readily accessible to the general public.~~

~~(Ord. 532 § 1(part), 1982).~~

~~h. Chapter 16.40 LOCAL AMENDMENTS TO THE UNIFORM SIGN CODE,
1985 EDITION~~

~~16.40.010 Local amendments to the Uniform Sign Code, 1985 Edition.~~

The amendments to the 1985 edition of the Uniform Sign Code are listed hereafter by section. The last digits of the section number (after the title and chapter digits) are the section of the Uniform Sign Code to which the amendment refers, i.e., 16.40.103(d) refers to amendment to Section 103(d) of the Uniform Sign Code, 1985 Edition.

~~(Ord. 606 (part), 1986; Ord. 532 § 1(part), 1982).~~

~~16.40.103(d) Violations.~~

Amend by deleting the second paragraph and substitution as follows:

~~—Any person, firm or corporation violating any of the provisions of this code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued or permitted, and shall be subject to the penalties and remedies provided in Section 15.10.020 of this title.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.40.301 Permits required.~~

Amend by adding the following:

~~—No permit for the erection of a permanent sign shall be issued unless the proposed sign fully conforms to all requirements of the zoning ordinance.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.40.302 Application for permit.~~

Amend by adding the following paragraph:

~~—Submission Requirements. Any application for a sign permit must contain the following material:~~

-
- ~~1. A drawing to scale showing design of the sign including dimensions, sign size, method of attachment, structural specifications, source of illumination and showing the relationship to any building or structure to which it is or is proposed to be installed or affixed or to which it relates.~~
 - ~~2. A plot plan to scale indicating the location of the sign relative to property lines, streets and sidewalks, buildings and other signs or structures.~~
 - ~~3. A photograph showing the proposed location of the sign.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.40.303 Exemptions.~~

Amend by adding the following:

- ~~4. Building construction signs. One (1) on-site building construction sign on each construction site in any zoning district provided that:~~
 - ~~A. Maximum display surface area:~~
 - ~~8 square feet in all R-Districts~~
 - ~~32 square feet in all other Districts,~~
- ~~5. Real estate signs,~~
- ~~6. Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other non-combustible material,~~
- ~~7. Municipal signs, as approved by the Planning Commission,~~
- ~~8. Signs, painted on, or affixed to glass surfaces of windows or doors and pertaining to the lawful business conducted therein, and~~
- ~~9. All signs located within a building that are not visible to the public outside said building.~~

~~(Ord. 606 (part), 1986).~~

~~i. Chapter 16.45 LOCAL AMENDMENTS TO THE UNIFORM FIRE CODE, 1985 EDITION~~

~~16.45.010 Local amendments to the Uniform Fire Code, 1985 Edition.~~

~~The amendments to the 1985 edition of the Uniform Fire Code are listed hereafter by section. The last digits of the section number (after the title and chapter digits) are the section of the Uniform Fire Code to which the amendment refers, i.e. Section 16.45.2.201 refers to § 2.201 of the Uniform Fire Code, 1985 Edition.~~

~~(Ord. 635 (part), 1988).~~

~~16.45.2.201 Inspections and unsafe buildings.~~

Amend by adding a subsection (c) to read as follows:

- ~~(c) The chief or his authorized representative may issue a closure and vacate order without prior notice or hearing where there is imminent danger to life from faulty equipment and appliances, blocked or inadequate exits, disaster damage or extremely hazardous, solid and liquid materials.~~

~~(Ord. 635 (part), 1988).~~

~~16.45.2.302 Board of appeals.~~

Amend the first sentence by substituting "seven" for "five" members. Add a second paragraph as follows:

~~For the purpose of this section, the Building Board created under § 16.10.010 of this title shall be constituted as and shall serve as the Board of Appeals.~~

~~(Ord. 635 (part), 1988).~~

~~16.45.10.206 Obstruction of fire protection equipment.~~

Amend to read as follows:

~~No vehicle shall be parked within 15 feet of the front and 10 feet of the sides of a fire hydrant, Fire Department connection or fire protection control valve on private or public property. Fire Department connections and fire protection system control valves will be posted with an approved City "no parking" sign. The cost of such signs shall be borne by the property owner.~~

~~(Ord. 635 (part), 1988).~~

~~16.45.10.207(f) Vertical clearance.~~

Amended to read as follows:

~~All fire apparatus access roads shall have an unobstructed vertical clearance of not less than 14 feet.~~

~~(Ord. 635 (part), 1988).~~

~~16.45.10.207(l) Signs.~~

Amend by adding the following sentence:

~~"No Parking" signs shall be City approved signs and the cost of such signs shall be borne by the property owner.~~

~~(Ord. 635 (part), 1988).~~

~~16.45.10.307(a).~~

Delete the first paragraph (a) and insert the following:

~~(a) Every apartment house and every hotel shall have installed therein an approved automatic or manually operated fire alarm system designed to warn the occupants of the building in the event of fire. Such fire alarm system shall be so designed that all occupants of the building may be warned simultaneously. The alarm system shall include provisions for smoke detection and manual operation in interior corridors and automatic detection in storage rooms, laundry rooms, furnace rooms and similar common areas.~~

~~(Ord. 635 (part), 1988).~~

j. ~~Chapter 16.50 PRIVATE FIRE ALARM SYSTEMS~~

~~16.50.010 Connection to municipal circuit—Permit required.~~

~~A person having a private fire alarm system may connect the system to the city fire alarm circuit or directly connect the system to the fire alarm headquarters, after obtaining a permit for the connection from the fire chief.
(Ord. 532 § 1(part), 1982).~~

~~16.50.020 Permit—Standards.~~

~~The fire chief shall issue a permit for the connection if the fire chief finds that the connection:~~

- ~~A. —Will be compatible with the city fire alarm circuit or system;~~
- ~~B. —Will connect an adequate, properly installed and maintained private alarm system; and~~
- ~~C. —Will substantially benefit the city fire prevention system.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.50.030 Permit—Restriction.~~

~~The permit required by Section 16.50.010 will be issued subject to the fire department rules and regulations and shall be conditioned upon such reasonable requirements, terms and conditions as the fire chief may require.
(Ord. 532 § 1(part), 1982).~~

~~16.50.040 Permit—Revocation.~~

~~A permit may be revoked by the fire chief for noncompliance with the permit standards, rules, regulations, conditions or restrictions. The permit may be revoked by the fire chief if the chief, in his discretion, finds that the disconnection of the private alarm system is in the best interests of the city. The permit holder may appeal a decision to revoke a permit to the city manager, who shall conduct an administrative hearing pursuant to Chapter 3.60 of this code within fifteen days to review the wisdom, legality and appropriateness of that decision. The prior granting of a permit or the expenditure of moneys by the permit holder will not create any vested right in the permit holder or act to estop the city from taking any action authorized by law to enforce the provisions of this chapter.~~

~~(Ord. 532 § 1 (part), 1982).~~

~~16.50.050 Radio fire alarm box—Payment of costs—Maintenance of system.~~

~~The permit holder shall pay the city for the cost of a radio fire alarm box or for the converting of the initial hookup. The permit holder shall pay the cost of providing, installing and maintaining the private system up to the radio fire alarm box. The maintenance of the private system must be by a qualified person engaged in the business of installing and maintaining a supervisory fire alarm system, who shall use the insurance services office's and National Fire Protection Association's standards that are approved by the fire chief. After the private alarm system is properly connected, it shall be deemed part of the city fire alarm system.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.50.060 Unauthorized connection or disconnection unlawful.~~

~~It is unlawful for a person not authorized by the fire chief to connect or disconnect, temporarily or otherwise, a private fire alarm system, or other wires or conduits leading to a city fire alarm circuit or city fire system. The fire chief shall authorize specific connection or disconnection by written permit.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.50.070 Connection, inspection and permit fees.~~

~~The permit holder shall pay the following fees for the connection of the private fire alarm system to the city fire system:~~

- ~~A. — Permit fee;~~
- ~~B. — Initial connection fee;~~
- ~~C. — Cost to convert existing radio alarm box to accept private fire alarm system;~~
- ~~D. — New radio alarm box;~~
- ~~E. — Monthly inspection fee.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.50.080 Prohibited acts.~~

~~It shall be unlawful for any person, firm, association or corporation to do any act required under this chapter or to fail to do any act required under this chapter. Any person, firm, association or corporation who violates this section shall be guilty of a misdemeanor and shall be subject to the penalties and remedies set forth in Section 16.10.020 of this title.~~

~~(Ord. 532 § 1 (part), 1982).~~

~~k. — Chapter 16.70 LOCAL AMENDMENTS TO THE UNIFORM HOUSING
CODE, 1979 EDITION~~

~~16.70.010 Local amendments to the Uniform Housing Code, 1979 Edition.~~

~~The amendments to the 1979 edition of the Uniform Housing Code are listed hereafter by section. The last digits of the section number (after the title and chapter digits) are the section of the Uniform Housing Code to which the amendment refers, i.e. 16.70.202 refers to amendments to Section 202 of the Uniform Housing Code, 1979 Edition. (Chapter 10 through 16 not adopted by this chapter.)~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.70.202 Section 202 deleted.~~

~~Delete in entirety.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.70.203 Housing advisory and appeals board.~~

Amend to read as follows:

~~Section 203. For the purpose of this section, the Building Board designated in Section 10.10.010 of this title shall be constituted as and shall serve as the Housing Advisory and Board of Appeals.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.70.801 Exits.~~

Amend the third paragraph, fourth sentence to read as follows:

~~Where windows are provided as a means of egress or rescue, they shall have a finished sill height not more than forty-eight inches above the floor.~~

~~(Ord. 532 § 1(part), 1982).~~

~~l. Chapter 16.75 HOUSING AND URBAN DEVELOPMENT~~

~~16.75.010 Powers—Adopted.~~

~~Housing and urban development powers are adopted and assumed by the city.~~

~~(Ord. 32 § 1(part), 1982).~~

~~16.75.020 Powers—Limitations.~~

~~Housing and urban development powers are limited to development of a senior citizens housing project.~~

~~(Ord. 532 § 1(part), 1982).~~

~~16.75.030 Contract and implementation authority.~~

~~The city manager of the city is authorized to enter into such contracts and agreements necessary to implement and carry out the powers assumed in Sections 16.75.010 and 16.75.020 above.~~

~~(Ord. 532 § 1(part), 1982).~~

~~m. Chapter 16.80 MOBILE HOME PARKS~~

~~16.80.010 Definitions.~~

~~For the purposes of this chapter, the following terms shall be defined as follows:~~

A. ~~A.~~ "Lean to" means a portable, demountable, or permanent room enclosure adjoining a mobile home and used for human occupancy, storage or entryway.

B. ~~B.~~ "Mobile home" means a detached residential dwelling unit designed for transportation after fabrication on streets or highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and

assembly operations, location on jacks, or other temporary or permanent foundation, connection to utilities, and the like.

1. ~~1.~~ "Single-wide mobile home" means a transportable single-family dwelling which may be towed on its own running gear, and which may be temporarily or permanently affixed to real estate, used for nontransient residential purposes and constructed with the same or similar electrical, plumbing, and sanitary facilities as immobile housing.

2. ~~2.~~ "Double-wide mobile home" means two portable units designed and built to be towed on their own separate chassis and permanently combined on-site to form a single immobile dwelling unit.

C. ~~C.~~ "Mobile home park" means a parcel of land under single ownership which has been planned and improved for the placement of two or more mobile homes for nontransient use.

D. ~~D.~~ "Habitable room" means a room or enclosed floor space arranged for living, eating, food preparation, or sleeping purposes that does not include bathrooms, toilet compartments, laundries, pantries, artc entries, foyers, hallways, and other accessory floor space.

E. ~~E.~~ "Rafted roof" means any freestanding roof or shade structure, installed or erected above a mobile home or any portion thereof.

F. ~~F.~~ "Trailer" means a mobile home.

G. ~~G.~~ "Building board" means the building board created pursuant to Section 16.10.010.

~~(Ord. 869 (part), 2000; Ord. 680 § 1(part), 1991).~~

16.80.020- License—Required—Term—Transferability.

It is unlawful for any person, persons, firm or corporation to establish, operate, manage or maintain or begin the operation of any mobile home park within the city without first having obtained an annual license therefor from the city building inspector authorizing the operation of such mobile home park. A mobile home park license shall cover the period from January 1st to December 31st. Such annual license shall not be transferable.

~~(Ord. 869 (part), 2000; Ord. 680 § 1(part), 1991).~~

16.80.030- License—Applications fees—Site plan.

Each application for a mobile home park license shall be submitted to the city building inspector on a form provided by the city and containing such information as is requested on the form, and shall be accompanied by (1) a nonrefundable fee of thirty-five dollars or three dollars per space in the mobile home park, whichever is greater, and (2) a plan drawn to scale showing the external boundaries of the park, the size and locations of all mobile home spaces, buildings and structures, sewer lines and their connections, electric lines and their connections, water lines and their connections, power poles and meter locations. All water and sewer lines must also have complete engineered drawings. All electrical services supplying mobile homes shall be maintained in a serviceable condition and conform to the provisions of the National Electrical Code under which they were installed. Any electrical services that are replaced or newly installed shall conform to the edition of the National Electrical Code in effect at the time of replacement or installation. Each mobile home space shall be given a number on the plan.

~~(Ord. 869 (part), 2000; Ord. 680 § 1(part), 1991).~~

16.80.040- License—Denial—Fees—Revocation—Reinstatement.

A. ~~A.~~ The city building inspector may deny a license for good cause. Denial of a license may be appealed to the building board.

B. ~~B.~~ The city council may revoke a license issued under this chapter or Chapter 18.60 upon a determination of the city building inspector that a violation or violations of this chapter have occurred in connection with the licensee's mobile home park and such violations have not been cured within thirty days after the licensee receives notice thereof, including the payment of fines for such violations. Revocation of a license shall not be appealable, but a revoked license may be reinstated in accordance with subsection C of this section. Upon revocation, in addition to any other remedy or penalty provided by this chapter, the city may seek injunctive relief to restrain the operation, management or maintenance of the mobile home park in violation of this chapter. Upon application for injunctive relief and a finding that a person, persons, firm or corporation is operating, managing, or maintaining a mobile home park in violation of this chapter, the superior court shall grant injunctive relief to restrain the violation or violations.

C. ~~C.~~ The city building inspector may reinstate a license revoked under subsection B upon receiving (1) a written request for reinstatement, (2) satisfactory evidence that the violation or violations upon which the license revocation was based have been cured, and the licensee and the mobile home park are otherwise in full compliance with the provisions of this chapter, and (3) full payment of any outstanding and unpaid fines, and payment of a reinstatement fee. A reinstated license shall expire on the license's original expiration date. Denial of a request for reinstatement of a revoked license may be appealed to the building board.

~~(Ord. 869 (part), 2000; Ord. 680 § 1(part), 1991).~~

16.80.045- - License—Renewals.

The city building inspector may renew a license issued under this chapter, or a renewal thereof, for an additional one-year period upon the expiration of such license or renewal period upon (1) receiving a written request for renewal from the licensee not less than thirty days prior to the expiration of the license or renewal period, accompanied by payment of a nonrefundable renewal fee of thirty-five dollars or three dollars per space in the mobile home park, whichever is greater, and (2) determining that the mobile home park is being operated, managed and maintained in full compliance with the provisions of this chapter, and that there are no outstanding and unpaid fines or fees. A decision not to renew a license or renewal may be appealed to the building board.

~~(Ord. 869 (part), 2000).~~

16.80.050- - Conditional use permit.

Mobile home parks may be permitted in any zoning district as a conditional use. Conditional use permits must be obtained as required in Chapter 18.60 of this code.

~~(Ord. 680 § 1(part), 1991).~~

16.80.055- - Inspections—Changed conditions.

A. ~~A.~~ Mobile home parks may be inspected by the city building inspector or his designee periodically for compliance with this chapter.

B. ~~B.~~ Changes in the boundaries or design of, or the addition of a mobile home or homes to, a mobile home park shall not be performed without the licensee first submitting to and having approved by the city building inspector or his designee a revised site plan specifying the changes or additions. The city building inspector or his designee shall approve or disapprove any proposed changes or additions within thirty days of receiving

the revised site plan. A decision not to approve of a change or addition may be appealed to the building board.

~~(Ord. 869 (part), 2000).~~

16.80.060 - Specifications.

- A. ~~A.~~ The management of every mobile home park shall maintain in good repair and appearance all sanitary facilities, utilities, and appliances which are owned and operated by the park owners. Supervision and equipment sufficient to prevent littering of the premises with rubbish, garbage, or other refuse shall be provided and maintained at all times.
- B. ~~B.~~ Each mobile home park shall provide not less than one thousand nine hundred fifty square feet of space (sixty-five feet by thirty feet minimum) for each mobile home space. Except as specified in Section 16.80.060(M), there shall be a five-foot setback from all exterior park boundaries or property lines. Any portion of the mobile home (excluding the tongue), lean-to or rafted roof shall not be located closer than ten feet side-to-side, ten feet end-to-side, or ten feet end-to-end horizontally from any other trailer, lean-to or rafted roof unless the exposed composite walls and roofs of both structures are without openings and constructed of materials that will provide a one-hour fire rating or the structures are separated by a one-hour fire-rated barrier. At no time shall the distance be less than six feet. The distance shall be measured wall-to-wall; eaves shall not extend into the setback more than sixteen inches.
- C. ~~C.~~ Mobile home parks shall establish and maintain a fire apparatus access roadway not less than twenty feet wide and an unobstructed vertical clearance of not less than fifteen feet between rows of mobile homes that are not situated end-to-end. Roadways shall be well maintained in summer and winter, and shall remain free and clear of all obstacles including parked vehicles at all times. Roadways and mobile home spaces shall be well marked in daylight and well lighted at night so that space numbers and addresses can be easily read from the road, and walking along road and pathways is not hazardous.
- D. ~~D.~~ Mobile home parks shall be well drained and free from insect breeding places. Fires in parks shall be made only in stoves or other equipment provided for that purpose, and open, unattended fire shall not be permitted.
- E. ~~E.~~ An adequate supply of safe water for drinking and domestic purposes shall be provided. The water supply shall be easily obtainable from a pipe distribution system. Individual water distribution pipes shall be conveniently located on each mobile home space. Effective with the passage of the ordinance codified in this chapter the following shall also apply:
1. ~~1.~~ Individual water shutoff valves shall be provided and conveniently located on each mobile home space in all new installations;
 2. ~~2.~~ Private water systems must be DEC approved; and
 3. ~~3.~~ The water system must be connected to the public water system when the public water system is within one hundred fifty feet of the exterior property on any side of the mobile trailer park.
- F. ~~F.~~ All mobile homes shall be connected to a private or public sewer system and all sewage shall be disposed of through same. Effective with the passage of the ordinance codified in this chapter the following shall also apply:
1. ~~1.~~ Where the public sewer system is within one hundred fifty feet of the exterior property line on any side of the mobile home park, the park shall be connected to the public sewer system and all sewage shall be disposed of through same; and

2. ~~2.~~—Private sewer systems must be DEC approved.

G. ~~G.~~ Wastewater from sinks, showers, toilets, and other plumbing fixtures in the mobile home park shall not be deposited on the surface of the ground and all fixtures shall be connected to the private or public sewer system in an approved manner.

H. ~~H.~~ The park manager shall provide or require that park residents provide garbage containers with close-fitting covers in convenient locations and ample numbers. The containers shall not be permitted to become foul smelling, unsightly, or breeding places for flies. All garbage, trash, and rubbish shall be disposed of in such manner as is provided by ordinances of the city.

I. ~~I.~~ Each mobile home space shall have an individual electrical hookup installed by a registered electrician and inspected by the city building inspector before a mobile home is connected to the hookup. No mobile home shall be connected to the electric system of the mobile home park if the building inspector finds the hookup to be hazardous. In the event a mobile home is removed and replaced with another, the replacement mobile home shall not be connected to an existing hookup until it is reinspected by the city building inspector.

J. ~~J.~~ Mobile home parks shall have adequate fire protection. No mobile home shall be more than five hundred feet from the nearest fire hydrant and hydrant spacing shall not exceed eight hundred feet between hydrants. In closely built areas these requirements may be tightened if that is determined to be necessary by the fire chief to ensure the public safety.

K. ~~K.~~ Mobile home parks shall provide adequate snow dumps or otherwise provide for the adequate disposal of snow.

L. ~~L.~~ Each mobile home, except any located in temporary spaces as provided in Section 16.80.065, placed in a mobile home subsequent to the passage of the ordinance codified in this chapter must be certified as a manufactured mobile home.

M. ~~M.~~—All mobile homes placed in a mobile home park subsequent to the passage of the ordinance codified in this chapter shall be required to maintain a minimum setback of twenty feet from any part of the mobile home and/or lean-to from any lake, stream waters or wetlands. Any additional requirements of the Cordova coastal management plan shall also apply.

N. ~~N.~~ A site development permit must be issued by the city prior to the placement or replacement of any mobile home.

~~(Ord. 869 (part), 2000; Ord. 680 § 1(part), 1991).~~

16.80.065- Temporary placement of travel trailers.

Travel trailers that are not classified as manufactured mobile homes as defined in Section 16.80.010 (B) may be temporarily placed in a mobile home park between April 1st and October 31st. All specifications as given in Section 16.80.060 shall apply.

~~(Ord. 869 (part), 2000).~~

16.80.070- Supervision.

Each mobile home park, while occupied, shall be under the supervision and control of a responsible attendant or caretaker who shall be responsible, together with the licensee, for full compliance with the provisions of this chapter.

~~(Ord. 680 § 1(part), 1991).~~

16.80.080 - Accessory structures.

Lean-tos and rafted roofs must be designed to meet the minimum wind and snow loads. Lean-tos, rafted roofs and outbuildings may be constructed only after obtaining a building permit from the city building inspector, and then only in accordance with the city's construction rules relating to temporary structures.

A. ~~A.~~ Lean-tos. Every habitable room in a lean-to shall have access to at least one exterior opening suitable for exiting directly to the outside without passing through the trailer. Where a lean-to encloses two doors of a trailer or an emergency exit window, an additional exterior door shall be installed. This exterior door shall not be less than twenty-eight inches in width and six feet two inches in height. All lean-tos shall be of finished construction and if sealed, sheetrock or other fire resistant material shall be used.

B. ~~B.~~ Rafted Roofs. A rafted roof may exceed the height and extend over the mobile home to which it is attached provided that the roof free-spans the mobile home over which it is constructed.

C. ~~C.~~ Outbuildings. Any building not directly attached to the mobile home is considered an "outbuilding." There shall be a setback of five feet from the exterior property line for all outbuildings. Outbuildings constructed entirely of materials that do not support combustion shall not be placed closer than five feet to a mobile home and/or lean-to. Outbuildings constructed of combustible materials shall not be placed closer than ten feet to a mobile home and/or lean-to.

~~(Ord. 869 (part), 2000: Ord. 680 § 1(part), 1991).~~

16.80.090 - Certain violations designated.

A. ~~A.~~ Failure to operate, manage or maintain a mobile home park in accordance with this chapter or in compliance with provisions, terms, conditions, and specifications of an application or site plan approved, or a license issued, under this chapter shall be a violation of this chapter.

~~(Ord. 869 (part), 2000: Ord. 680 § 1(part), 1991).~~

16.80.100 - Fine—Liability for violations.

A. ~~A.~~ There shall be a fine of one hundred dollars per day for each violation of this chapter after notice thereof.

B. ~~B.~~ The mobile home park owner shall be liable, individually and jointly with any other responsible person or entity, for any violation of this chapter associated with the owner's mobile home park, whether such violation occurs on or off the mobile home park premises, and for payment of the fines for such violation or violations. For the purposes of this chapter, "other responsible person or entity" includes, without limitation, a park manager, caretaker, attendant, supervisor, mobile home owner, mobile home renter, or park resident, whether residing within or outside the authorized park boundaries, who the city building inspector determines was responsible for or substantially contributed to a violation of this chapter.

Chapter 16.90 - TRAILERS AND TRAILER CAMPS

16.90.010 - Definitions.

16.90.020 - License—Required—Term—Transferability.

16.90.030 - License—Applications.

16.90.040 - License—Fees—Revocation.

16.90.050 - Conditional use permit.

16.90.060 - Specifications.

16.90.070 - Supervision.

16.90.080 - Violations designated.

~~(Ord. 869 (part), 2000).~~

~~n. Chapter 16.90 TRAILERS AND TRAILER CAMPS~~

16.90.010 - Definitions.

For the purposes of this chapter, the following terms shall be defined as follows:

~~A. "Automobile trailer" means any vehicle used for sleeping or living quarters and propelled either by its own power or by other power-driven vehicles to which it may be attached.~~ "Automobile trailer" means any vehicle used for sleeping or living quarters and propelled either by its own power or by other power-driven vehicles to which it may be attached. This includes travel trailers, recreational vehicles, camper units on pickups, and the like.

~~B. "Automobile trailer camp" means any lot or parcel of ground arranged for the parking of automobile trailers, referred to in this chapter as "camp." Automobile trailer camps are primarily for recreational vehicles whose stay will be short term or seasonal.~~

~~(Ord. 681 (part), 1991).~~

16.90.020 - License—Required—Term—Transferability.

It is unlawful for any person, persons, firm or corporation to establish, operate, manage, or maintain or begin the operation of any automobile trailer camp within the city without first having obtained a license therefor from the city building inspector authorizing the operation of such automobile trailer camp. An automobile trailer camp license shall cover the period from January 1st to December 31st. Such automobile trailer camp license shall not be transferable.

~~(Ord. 681 (part), 1991).~~

16.90.030 - License—Applications.

Each application for a trailer camp license shall be accompanied by a plan drawn to scale showing the external boundaries of the camp, the size and location of all trailer spaces, buildings and structures, sewer lines and their connections, electric lines and their connections, water lines and their connections, power poles and meter locations. The clearance of all electric connections must conform to city codes and the latest edition of the National Electrical Code. Each trailer space shall be given a number on the plan.

~~(Ord. 681 (part), 1991).~~

16.90.040- - License—Fees—Revocation.

The fee to be paid for a license for an automobile trailer camp shall be a minimum fee of thirty-five dollars per year or three dollars per space per year, whichever is greater. Any failure on the part of management to maintain the automobile trailer camp in an orderly, safe, and sanitary condition shall be grounds for revocation of the license by the city council.

~~(Ord. 681 (part), 1991).~~

16.90.050- - Conditional use permit.

Automobile trailer camps may be permitted in any zoning district as a conditional use. Conditional use permits must be obtained as required in Chapter 18.60 of this code.

~~(Ord. 681 (part), 1991).~~

16.90.060- - Specifications.

- A. ~~A.~~ The management of every automobile trailer camp shall maintain in good repair and appearance all sanitary facilities and appliances. Supervision and equipment sufficient to prevent littering of the premises with rubbish, garbage, or other refuse shall be provided and maintained at all times.
- B. ~~B.~~ No trailer shall be placed closer than ten feet to the next adjoining trailer on the side and ten feet on the end. There shall be a fifteen-foot setback from all exterior camp boundaries or property lines. This setback cannot be used as a roadway. A minimum of ten percent of the total camp area shall be provided as an open green area for recreation, picnics and other activities. The exterior boundary setback may be used to fulfill this requirement. Camps shall have roadways at least twenty feet wide between rows of shall have roadways at least twenty feet wide between rows of trailers. Roadways shall be well maintained. Roadways and trailer spaces shall be well marked in day-light and well lighted at night.
- C. ~~C.~~ Automobile trailer camp areas shall be well drained and free from insect breeding places. Fires in such areas shall be made only in stoves, fireplaces, or pits provided for that purposes, and open, unattended fire shall not be permitted.
- D. ~~D.~~ An adequate supply of safe water for drinking and domestic purposes shall be provided. The water supply shall be easily obtainable from a pipe distribution system. Water faucets shall not be more than seventy-five feet from any trailer space.
- E. ~~E.~~ The premises occupied by the trailer camp shall be connected with the public sewer in an approved manner and all sewage shall be discharged through the same. In limited cases, other disposal systems may be acceptable if they are approved by the city and the Department of Environmental Conservation.
- F. ~~F.~~ Wastewater from sinks, showers, toilets, and other plumbing fixtures in the automobile trailer shall be deposited in a plumbing fixture connected to the public sewer system and not on the surface of the ground.
- G. ~~G.~~ The trailer camp manager shall provide garbage containers with close-fitting covers in convenient locations and in ample numbers. The containers shall not be permitted to become foul smelling, unsightly, or breeding places for flies. All garbage, rubbish, and trash shall be disposed of in such manner as is provided by ordinances of the city.
- H. ~~H.~~ No trailer shall be connected to the electric system of the city if the building inspector finds the wiring of any such trailer to be hazardous.

~~(Ord. 681 (part), 1991).~~

16.90.070- ~~Supervision.~~

Each trailer camp, while occupied, shall be under the supervision and control of a responsible attendant or caretaker who shall be responsible, together with the licensee, for full compliance with the provisions of this chapter.

~~(Ord. 681 (part), 1991).~~

16.90.080- ~~Violations designated.~~

~~A.~~ A. There shall be a fine of one hundred dollars for each violation of this chapter.

~~B.~~ B. It is unlawful for any person to own or maintain any automobile trailer when it is being used as a dwelling place at any place other than the licensed trailer camp. Automobile trailers operated by tourists or visitors who are visiting Cordova or Cordova residents, are staying less than thirty days, and are parked on private land or another lawful location, are exempt. Exceptions to this section may be made on a case by case basis for people using auto-mobile trailers as a primary residence for a period longer than thirty days provided that:

- ~~1.~~ 1. A permit to camp outside of a trailer camp has been obtained from the city. The fee for such permit shall be thirty-five dollars per month and permits shall be is-sued for the duration of the stay. Permits for camping outside of automobile trailer camps shall be issued for the period April 1st through October 31st;
- ~~2.~~ 2. The trailer is parked on private land with the permission of the landowner. Landowners may not charge a fee for this service nor operate a trailer camp without obtaining a license to do so from the city. Automobile trailers shall be limited to one per lot in residential areas;
- ~~3.~~ 3. The camp situation is not an unreasonable in-convenience or nuisance to neighboring landowners;
- ~~4.~~ 4. Adequate arrangements have been made for garbage and sewage disposal;
- ~~5.~~ 5. The trailer has access to an adequate supply of safe drinking water;
- ~~6.~~ 6. The trailer is not parked on the right-of-way of any city street or alley, on public lands such as parks unless otherwise authorized, on unoccupied city-owned commercial or industrial lands, or any other areas which are inappropriate for this use as determined by the planning commission;
- ~~7.~~ 7. Adequate off-street parking must be provided for the automobile trailer. The space provided shall be in addition to the spaces required in Chapter 18.48 of this code. The parking of trailers shall not result in the displacement of other vehicles such that they must then park in the street.

~~C.~~ C. The administration of this section shall be determined by the city manager. These permitting provisions may be revoked by ordinance if the council finds that to be in the best interest of the city.

~~D.~~ D. It is unlawful for any person to remove the wheels or other transportation device from any automobile trailer or otherwise affix said trailer permanently to the ground so as to prevent ready removal, unless a

permit to do so is obtained as required for the construction of a new building. Any alterations of an automobile trailer which converts the same into a permanent dwelling shall be subject to the requirements of the building code and zoning ordinances of the city.

E. ~~E.~~ It is unlawful to occupy for sleeping or other residence purposes any automobile trailer which has been rendered immobile by the removal of the wheels or placing the same on foundations or the ground unless such trailer is connected to water, electric, and sewer facilities above mentioned, and the construction and location of the same complies with the ordinances applicable to single-family dwellings.

F. ~~F.~~ The building board may grant an exception from subsections A, B and C of this section for up to twelve months to allow a lot owner to place temporary living quarters on a lot provided that:

1. ~~1.~~ A building permit has been issued;
2. ~~2.~~ Water, sewer, and electric utilities have been installed;
3. ~~3.~~ A foundation has been constructed and approved;
4. ~~4.~~ Only the lot owner may be allowed to occupy the temporary residence, and that such temporary residence may not be inhabited by other than the lot owner's immediate family;
5. ~~5.~~ The temporary living quarters must be removed from the lot or vacated prior to the issuance of a certificate of occupancy for the residence or at the end of the twelve-month period.

~~(Ord. 713, 1993; Ord. 681 (part), 1991).~~

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[2.5.](#)

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PROPOSED

Title 16 - BUILDINGS AND CONSTRUCTION

CHAPTER 16.10 - BUILDING CODE ADMINISTRATION

CHAPTER 16.20 - CORDOVA BUILDING CODE LOCAL AMENDMENTS

CHAPTER 16.30 - BUILDING PERMITS

CHAPTER 16.10 - BUILDING CODE ADMINISTRATION

16.10.010-DEFINITIONS.

16.10.020-ADOPTION OF CORDOVA BUILDING CODES.

16.10.030-COPIES ON FILE.

16.10.040-BUILDING OFFICIAL-AUTHORITY.

16.10.010-DEFINITIONS.

For purposes of this chapter, the following terms shall be defined as follows:

"Accessory uses and structures" means uses and structures necessary or desirable adjuncts to permitted principal uses and structures, where such necessary uses and structures are under the management or control of the owner responsible for the permitted principal use or structure.

"Automobile trailer" means any vehicle used for sleeping or living quarters and propelled either by its own power or by other power-driven vehicles to which it may be attached. This includes travel trailers, recreational vehicles, camper units on pickups.

"Automobile trailer camp" means any lot or parcel of ground arranged for the parking of automobile trailers, referred to in this chapter as "camp." Automobile trailer camps are primarily for recreational vehicles whose stay will be short term or seasonal.

"Building code" means the building code and/or other building regulations applicable to the city.

"Building, existing" means a building erected prior to the adoption of the ordinance codified in this chapter or one for which a legal building permit has been issued.

"Contractor" means a person or entity that enters into a contract or agreement to construct a building or to provide or install specialized portions of the construction.

"Person" means any natural person, sole proprietorship, organization, partnership, corporation or other form of business entity.

"Structurally modify" means to change the structural elements of an existing building, including but not limited to changes to the footprint or height of a structure.

"Structurally improve" means to construct improvements on an existing building or structure that change the structural elements of that building or structure.

16.10.20 - Adoption of Cordova Building Codes.

- A. Except as otherwise provided in this title, the City, as authorized by Section 2-15 of its Home Rule Charter, adopts by reference the following codes for the regulation of buildings and structures which are constructed, improved or modified within the City as defined in this title:
1. International Mechanical Code, as adopted by 13 AAC 50.023;
 2. International Building Code, as adopted by 13 AAC 50.020;
 3. Uniform Plumbing Code, as adopted by 08 AAC 63.010;
 4. National Electrical Code, as adopted by 08 AAC 70.025;
 5. International Fire Code, as adopted by 13 AAC 50.025;
 6. International Fuel and Gas Code, as adopted by 13 AAC 50.024;
 7. The current International Residential Code adopted by the Alaska Housing Finance Corporation Alaska including their specific amendments or current adopted Alaska Finance House Corporation code for residential structures containing three or fewer dwellings and townhouses not more than three stories above grade plane and their accessory structures.
 8. 1997 Uniform Code for Abatement of Dangerous Buildings.
- B. The codes adopted by this section are amended by the local amendments set forth in Chapter 16.20 of this Code.
- C. The codes adopted by reference in this Section may be referred to as the "Cordova Building Codes."
- D. Where the codes adopted in this section conflict with the Cordova Municipal Code or Charter, the Code and Charter provisions shall preempt application of such codes.

16.10.020-Copies on file.

An electronic copy of the codes referenced in this Section shall be retained by the City and available for review at City Hall.

16.10.030 - Building Official-Authority.

The Building Official shall administer and enforce this Title. The Planning Director shall act as the Building Official unless the City Manager otherwise designates.

Chapter 16.20 – LOCAL BUILDING CODE AMENDMENTS

Sections

16.20.010 Local amendments adopted.

16.20.020 Local Amendments to International Building Code.

16.20.030 Local Amendments to International Residential Code.

16.20.010 Local amendments adopted.

The local amendments in this chapter amend the Cordova Building Codes adopted in Chapter 16.10 of this Code.

16.20.020 Local amendments to International Building Code.

- A. The International Building Code, 2012 Edition shall be amended as follows when applicable to construction, modification or improvement of a building or structure within the City:
1. Section 1609.3 of the International Building Code, 2012 edition, Basic wind speed, is amended by adding the following requirement:

The basic wind speed in MPH, for the determination of the wind loads shall be 110 MPH.

16.20.030 Local Amendments to International Residential Code.

- A. The International Residential Code, 2018 Edition shall be amended as provided in this section when applicable to construction, modification or improvement of a building or structure within the City. In this section, the section number and title provided in each subsection identify the section and title in the International Residential Code, 2018 edition.

1. R101.1, Title, is amended to read as follows:

This code shall be known as the 2018 International Residential Code (IRC) with amendments and shall be cited as such. It is referred to herein as 'the code'.

2. R101.2, Scope, is amended to read as follows:

The 2018 IRC with Amendments shall be the referenced code for residential structures containing three or fewer dwellings and townhouses not more than three stories above grade plane in height and their accessory structures.

3. Part 2, Administration and Enforcement, is deleted.
4. Table R301.2(1), Climatic and Geographic Design Criteria, is amended to read as follows:

GROUND SNOW LOAD		100 lbs. per sq. foot
WIND DESIGN	Speed (mph)	110 miles per hour
	Topographic Effects	No
SEISMIC DESIGN CATEGORY		D2
	Weathering	Severe
SUBJECT TO DAMAGE FROM	Frost Line Depth	24"
	Termite	No
WINTER DESIGN TEMP		1° F
ICE BARRIER UNDERLAYMENT REQUIRED		Yes
FLOOD HAZARDS		2015 FIRMS and FIS
AIR FREEZING INDEX		2500
MEAN ANNUAL TEMP		

5. R302.2, Townhouses, is amended in the exception, to add at the beginning of the paragraph:

If the building is not constructed utilizing a fire-suppression system, a common 2-hour fire-resistance-rated wall shall be used. If it is constructed with an approved fire-suppression system...

6. R303.3, Bathrooms, is amended to read as follows, with the exception deleted:

Bathrooms, water closet compartments and other similar rooms shall be provided with exhaust ventilation in accordance with the requirements of ANSI/ASHRAE 62.2-2010 as amended in R403.5 of the 2012 Building Energy Efficiency Standard and per manufacturer requirements.

7. R303.4, Mechanical ventilation, is amended to read as follows:

Whole-house and spot ventilation shall be installed per the requirements of ANSI/ASHRAE 62.2-2010 as amended in R403.5 of the 2012 Building Energy Efficiency Standard (chapter 11 of the code with Alaska-specific amendments).

8. R303.5.1. Intake openings, is amended to:
 - a. Add to the last sentence of the first paragraph: "... and 3 feet horizontally from the contaminant source."
 - b. Delete the second paragraph and replace it with the following:

All mechanical ventilation shall be in accordance with ANSI/ASHRAE 62.2-2010 as amended in R403.5 of the 2012 Building Energy Efficiency Standard (chapter 11 of the code with Alaska-specific Amendments).

9. R309.5, Fire sprinklers, is amended so the first sentence reads as follows:

Private garages shall be protected by fire sprinklers where required by the Department of Public Safety and/or where the garage wall has been designed based on Table R302.1(2) Footnote a.

10. R310.2.2, Window well drainage, is amended to add the following sentence before the exception:

Window wells shall be designed to minimize the potential of the well becoming filled with snow and/or standing water which impedes operation of the egress fenestration.

11. R313, Automatic Fire Sprinkler Systems, is amended to read as follows:

R313.1 Townhouse automatic fire sprinkler systems. If installed, automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with Section P2904 or NFPA 13D. R313.2 One- and two-family dwellings automatic fire sprinkler systems. If installed, automatic residential fire sprinkler systems for one- and two-family dwelling units shall be designed and installed in accordance with Section P2904 or NFPA 13D.

12. R317.1, Location required, is amended to delete words "naturally durable wood or" from the first sentence.

13. R501.3, Fire protection of floors, is added to read as follows:

Floor assemblies located directly over a crawl space containing a direct-vent, sealed combustion appliance with forced draft exhaust; combustion air intake must terminate to the building exterior. Application of this exception requires installation of a smoke alarm in the crawl space in accordance with the requirements of Section R314 Smoke Alarms, with the exception of R314.3 Location, and a carbon monoxide alarm in accordance with the requirements of Section R315 Carbon Monoxide Alarms.

14. R703.3.3, Panel siding, is added to read to read as follows:

Exterior type plywood siding with a grooved pattern shall not be installed horizontally and used as the weather resistant siding.

15. R806.1, Ventilation required, is amended to add the following words to the beginning of the first sentence "When located outside of the building thermal envelope..." and to delete the exception.

16. Table R806.5, Insulation for Condensation Control, is replaced with the following table:

TABLE R-A806.5
INSULATION FOR CONDENSATION CONTROL

Air-Permeable Insulation R-Value	Minimum Air-Impermeable Insulation R-Value ^a
R-15	R-30
R-19	R-38
R-21	R-42
R-25	R-50

R-30	R-60
R-38	R-76
R-N	2*(R-N) ^b
*Installed on the warm-in-winter side	*Installed on the cold-in-winter side

- a. Contributes to but doesn't not supersede the requirements in Section N1102.
- b. Air-Impermeable Insulation R-Value shall equal, at minimum, twice the R-value of the Air Permeable insulation.

17. R807.1, Attic access, is amended to add the following to the end of the paragraph:

Attic access shall not be located in a room containing one or more fixtures in the Bathroom Group. Access may be located in closets with minimum depth of 23 inches and minimum width of 48 inches.

18. Chapter 11, Energy Efficiency, is deleted and replaced with the following:

Energy Efficiency as required by the most currently adopted Alaska Housing Finance Corporation minimum standards.

19. Chapter 12, Mechanical Administration, is deleted.

20. M1301.2, Identification, is deleted and replaced with the following:

Each length of uncut pipe and tubing, and each pipe fitting utilized in a mechanical system shall bear the identification of the manufacturer.

21. M1501.1, Outdoor discharge, is amended to delete the exception.

22. M1502.4.2, Duct installation, is amended as follows:

- a. In the first sentence, '12' is deleted and replaced with '10' to conform with section R1604.1.3, Support.
- b. The following words from the third sentence are removed: "...and shall be mechanically fastened..." and replaced with the words: "...except where in conflict with the requirements of M1502."
- c. The following shall be added after last sentence:

Dryer exhaust ducts shall not be joined with screws or similar fasteners that protrude into the duct.

23. M1504.3, Exhaust openings, is amended to:

- a. Add the following requirement to those listed:

...Not less than 3 feet (914 mm) horizontally from the air intake.

- b. Add the following exception:

Exhaust and intake openings that are part of a system engineered to prevent entrainment of exhaust air are exempt; the exemption applies only to the exhaust and intake that is part of the engineered system only, adjacent exhaust and inlet openings are not exempt.

- c. Add the following exception:

A ventilation system's supply and exhaust vents on the exterior of a building may be separated less than 10 feet as long as they are separated a minimum of 6 feet horizontally. (To conform with Alaska-specific amendments to ANSI/ASHRAE 62.2-2010)

24. M1505, Mechanical ventilation is replaced with the following:

Mechanical Ventilation shall be installed per the requirements of ANSI/ASHRAE 62.2-2010 as amended in R403.5 of the 2012 Building Energy Efficiency Standard and per manufacturer requirements.

25. M1602.1, Return air, is amended to add to the end of the second sentence:

only if an exhaust fan is installed with automated control such that a positive pressure is not exerted on the structure while the furnace supply air handler is operating. Supply only systems and/or systems designed to induce a positive pressure inside the dwelling with reference to the outdoors are not permitted in Alaska.

26. M1602.2, Prohibited sources, is amended to add to the end of 1 "...and at least 3' horizontally from the air intake."

27. Chapter 23, Solar Energy Systems, is deleted and replaced with the following:

Per AS 18.60.705 (a)(1): the 1997 edition of the Uniform Solar Energy Code published by the International Association of Plumbing and Mechanical Officials and adopted at the 67th annual conference, September 1996, excluding pages 1-7 of Part I, Administration.

28. G2412.9, Identification, is deleted and replaced with the following:

Each uncut length of pipe and tubing and each pipe fitting, utilized in a fuel gas system, shall bear the identification of the manufacturer.

CHAPTER 16.30 BUILDING PERMITS

16.30.010-Building permit required.

16.30.020-Building permit fees.

16.30.020-Exemptions.

16.30.040-Appeals.

16.30.050-Enforcement.

16.30.060-Stop work order-Authority.

16.30.070-Violations.

16.30.010 - Building permit required.

- A. Buildings and structures may not be constructed, structurally improved, structurally modified, or enlarged within the City unless a building permit has been issued by the City Planner approving the construction, improvement or modification.
- B. Application for a building permit shall be filed with the Building Official on the application form created by the Planning Department. Application forms shall be available at the Planning Department and the office of the City Clerk. If the application meets the requirements of this Chapter, the Building Official shall issue a building permit.
- C. No building permit shall be issued by the Building Official unless and until:
 - 1. The State of Alaska Fire Marshall has provided any approval by the Fire Marshall required under state or local law.
 - 2. A final decision has been issued on any variance, conditional use permit or site plan review permit required for the permit site under this Code and a final decision has been issued on any appeal or the time period for an appeal has expired.

3. The City Planner has reviewed the application and found that the construction, modification or improvement complies with this Code, including Title 18. Any permit issued in conflict with the zoning title shall be null and void.
- D. The building permit or copy of it shall be displayed at the work site until completion of the construction, modification or improvement approved by the permit.
- E. It shall be the duty and responsibility of every person who performs work for the construction, modification or improvement of a building or structure within the City to comply with this Title and all federal, state, and local laws.
- F. Approval of a building permit shall not be used as permission to or defense against the violation of this Code, federal or state law. A building permit may be revoked by the Building Official if necessary to comply with local, federal or state law. Revocation or an appeal of a revocation of a building permit shall comply with Section 1.28.070 of this Code.

16.30.020 – Building permit fees.

- A. There shall be a fee for the permit application process. Fees shall be established by resolution of the City Council and shall be due at the time a permit application is filed with the Building Official. A building permit application will not be accepted by the Planning Department without payment.
- B. A late fee shall be charged for building permit applications submitted after the start of work as that term is defined in this Chapter.

16.30.030 - Exemptions.

- A. Permits shall not be required for one-story detached accessory structures so long as the floor area does not exceed 200 square feet and 12 feet in height.
- B. An exemption under this section is not an exemption of any other requirements under this code.

16.30.0040 - Appeals.

- A. An applicant may appeal a decision by the Building Official regarding a building permit as authorized in this Chapter to the Planning Commission as set forth in Section 18.64.040 of this Code.
- B. An applicant or aggrieved party may appeal a decision by the Planning Commission approving a building permit, denying it or approving it with conditions in the manner set forth in Section 18.64.030 of this Code.

16.30.050 – Enforcement.

- A. The Building Official shall have authority to enforce the provisions of this Title.
- B. When the Building Official determines it is necessary to inspect a work site or property to enforce the provisions of this Title, or when the Building Official has reasonable cause to believe that a condition on the property or work site is a violation of this Title or makes the building or premises unsafe, dangerous, or hazardous, the Building Official may enter onto the property and into the building or premises at reasonable times to inspect or investigate compliance with this Title.
- C. Before entering a premises or building under this Section, the Building Official shall locate the owner or the owner's agent with authority to grant access onto the premises and request permission to enter onto the property or work site and into any building or premises on the property for investigation.
- D. If a person fails to grant a right of entry and inspection under this Section, the City may seek an order from the superior court compelling the person to submit to entry and inspection.

16.30.060 - Stop work order-Authority.

- A. If the Building Official determines work on a building or structure is being performed in violation of this Code or in an unsafe or dangerous manner, the Building Official may order the owner or the owner's agent to immediately stop all work on the property, including any and all construction, modifications, and improvements on the property. An order issued under this Section must be issued in writing and must clearly state the conditions under which work will be permitted to resume.
- B. Any person who continues any work in or on the building or structure in violation of a stop work order issued under this Section shall be in violation of this Chapter and shall be liable for penalties arising and resulting from the violation.

16.30.070 – Violations.

- A. Failure to comply with any provision of this Title or any rule, order or regulation issued under this Title is a violation.
- B. Each day a violation occurs is a separate violation. The minimum penalty for a single violation of this Chapter is specified in Chapter 1.28 of this Code.