

**CITY OF CORDOVA, ALASKA
ORDINANCE 1201**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA
REPEALING CORDOVA MUNICIPAL CODE TITLE 16 “BUILDING CODES” AND
ENACTING TITLE 16 “BUILDINGS AND CONSTRUCTION” TO ADOPT THE BUILDING
CODES ADOPTED BY THE STATE OF ALASKA AND LOCAL AMENDMENTS TO THOSE
BUILDING CODES TAILORED TO CORDOVA; AMEND CMC 1.28.085 TO UPDATE THE
FINE SCHEDULE TO REFLECT CHANGES IN TITLE 16; AMEND CMC 1.04.025, 18.08.010,
18.17.100, 18.18.010, 18.26.040, 18.32.055, 18.33.010, 18.33.030, 18.33.050, 18.33.060, 18.33.080,
18.33.100; 18.33.110, 18.33.130, 18.34.070, 18.34.080, 18.34.100, 18.38.050-18.38.100, 18.39.100,
18.39.130, 18.44.010-18.44.030, 18.46.030 TO REFLECT REVISIONS TO TITLE 16; REPEALING
AND REENACTING CMC CHAPTER 18.42 “SITE PLAN REVIEW” TO STREAMLINE THE
SITE PLAN REVIEW PROCESS AND PROVIDE A HEARING AND REVIEW PROCESS FOR
SUSPENDED OR REVOKED SITE PLAN APPROVAL; REPEALING 18.33.070 “LOT
COVERAGE,” 18.76.070 “BUILDING PERMIT”, AND 18.80.020 “BUILDING PERMIT-SCOPE
AND VALIDITY.”**

WHEREAS, Title 16 has not been updated since 1997, and as such refers to code that is now more than 20 years out of date; and

WHEREAS, the 1997 codes currently referenced in Title 16 were repealed September 15, 2001 by the State of Alaska for all lands within the State and replaced by the International Codes; and

WHEREAS, the International Codes are a consensus type code that gets updated every three years; and

WHEREAS, by changing the code to the state adopted codes, the City ensures that its own laws are automatically updated when the state legislature makes changes and adopts the newest International codes through the public legislative process; and

WHEREAS, the adoption of local amendments permits the City to tailor the International Code to the unique environment in Cordova; and

WHEREAS, revisions to Title 16 also required changes to Title 18 to ensure consistent site plan review procedures and land use and construction regulations; and

WHEREAS, it serves the City’s best interest to update the definitions and requirements in both Title 16 and Title 18 while implementing the adoption of the building codes,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cordova, that:

Section 1. Cordova Municipal Code 1.04.025, “Business days”, is enacted to read as follows:

1.04.025- Business days

"Business days" means days during which the City Clerk's office is open and excludes City holidays and weekends. "Working days" has the same meaning as business days.

Section 2. Cordova Municipal Code 1.28.070, “License revocation procedures”, is hereby repealed.

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Section 3. Cordova Municipal Code 1.28.085(C), “Minor offense fine schedule”, is amended to read as follows:

C. The following violations of this code are amenable to disposition without court appearance upon payment of a fine in the amount listed below:

...

16.10.020 “Adoption of Cordova Building Codes” \$300

16.30.010 “Building permit required” \$300

16.30.060(B) “Stop work order-Authority” \$300

Section 4. Title 16 of the Cordova Municipal Code, “Building Codes”, is repealed and reenacted as Title 16, “Buildings and Construction”, to read as follows:

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 16.75 Housing and Urban Development

Chapter 16.80 Mobile Home Parks

Chapter 16.90 Trailers and Trailer Camps

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.

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“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.

16.10.020 - 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.

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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 – CORDOVA BUILDING CODE LOCAL 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

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SUBJECT TO DAMAGE FROM	Weathering	Severe
	Frost Line Depth	24"
	Termite	No
WINTER DESIGN TEMP		1° F
ICE BARRIER UNDERLAYMENT REQUIRED		Yes
FLOOD HAZARDS		2015 FIRM 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:

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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 superseded 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.

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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:

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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.

16.30.030-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.

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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.

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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 eCity ~~m~~Manager of the eCity 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.

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.

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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.

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.

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

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home park license shall cover the period from January 1st to December 31st. Such annual license shall not be transferable.

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.

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.

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

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no outstanding and unpaid fines or fees. A decision not to renew a license or renewal may be appealed to the building board.

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.

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.

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

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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; and3.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.

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

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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.

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.

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.

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.

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.

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

New language is bold and underlined; ~~deleted language is stricken through~~

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.

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. 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.

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.

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.

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

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maintain the automobile trailer camp in an orderly, safe, and sanitary condition shall be grounds for revocation of the license by the city council.

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.

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.

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.

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.

New language is bold and underlined; ~~deleted language is stricken through~~

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 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.

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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.

...

Section 5. Cordova Municipal Code 18.08.010, "Definitions", is amended to read as follows:

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 that public way~~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.

"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 15~~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" or "accessory building" 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.

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"Building, agricultural" **or “agricultural building”** 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~~ **Cordova Building Codes as adopted by reference in Title 16 of this Code.**

"Building, existing" **or “existing building”** 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 ~~O~~official" means the officer charged with the administration and enforcement of this title. The ~~City Planner~~ **public works director** shall act as ~~the B~~building ~~O~~official **unless otherwise designated by the City Manager.**~~until the city council otherwise designates.~~

"Building, principal," **“principal building”** 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.

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"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" **or "public garage"** 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" **or "storage garage"** means any building or portion thereof **a building**, 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" **or "corner lot"** 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" **or "corner lot front lot line"** means the shortest street line of a corner lot.

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

New language is bold and underlined; ~~deleted language is stricken through~~

"Lot line, rear" **or “rear lot line”** 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" **or “side lot line”** 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" **or “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.

"Mobile home, single-wide" **or “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 non-transient 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 non-transient 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 **any natural person, sole proprietorship, organization, partnership, corporation or other entity.** ~~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 **20**~~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" **or “business services”** means services that support a business or commercial enterprise, including but not limited to accounting, consulting, legal, and management services.

New language is bold and underlined; ~~deleted language is stricken through~~

"Services, retail" **or “retail services”** 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" **or “accessory use”** 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.

New language is bold and underlined; ~~deleted language is stricken through~~

"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 ~~20%~~~~twenty percent~~ of the total square footage of the building not to exceed ~~seven hundred fifty square~~ **750 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" **or "front yard"** 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" **or "rear yard"** 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" **or "side yard"** 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.

Section 6. Cordova Municipal Code 18.17.100, "Special provisions", is amended to read as follows:

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.

Section 7. Cordova Municipal Code 18.18.010, "Permitted uses", is amended to read as follows:

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18.18.010 – Permitted uses.

A. ~~Except as otherwise provided in this Chapter, any legal use of property is permitted in the~~ **Unrestricted D**istrict is intended to allow any legal use of property.

B. ~~Before construction or use is initiated in the UR District, Construction will require compliance with~~ **all permitting requirements in Title 16 of this Code must be met and an administrative site plan must be filed, reviewed, and approved under Section 18.42.010 of this Code.** ~~provisions of Chapter 16.30, Site Development Permit Procedures.~~

Section 8. Cordova Municipal Code 18.26.040, “Site plan review”, is amended to read as follows:

18.26.040 – Commission sSite plan review- Required.

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~~ **is approved by the Planning Commission under Section 18.42.020** ~~after a recommendation from the planning commission.~~

Section 9. Cordova Municipal Code 18.32.100, “Rear and side yard requirements”, is amended to read as follows:

18.32.055 - Rear and side yard requirements.

There are no rear or side yard requirements in the I District. ~~None,~~ except as necessary to **comply with other provisions of this Code, including compliance with** ~~provide required off-street parking and loading requirements as per~~ **under** Chapter 18.48 of this **Title** code.

Section 10. Cordova Municipal Code 18.33.010, “Purpose”, is amended to read as follows:

18.33.010 - Purpose.

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

A. ~~The **W**aterfront Industrial **D**istrict is intended to **include**~~ ~~be applied to~~ land with direct access or close proximity to navigable tidal waters within the **C**ity. Uses within ~~the waterfront industrial~~ **this** 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.

B. ~~The Waterfront Industrect District may also be referred to as the WI District in this Code.~~

Section 11. Cordova Municipal Code 18.33.030, “Permitted accessory uses and structures”, is amended to read as follows:

18.33.030 - Permitted accessory uses and structures.

A. The following accessory uses and structures are permitted in the WI District:

A1. Bunkhouses **used** in conjunction with permitted principal uses;

B2. Residential dwelling for watch ~~person~~ **man** or caretaker employed on the premises, or owner-operator and members of **the owner-operator’s** ~~his~~ family, **used** in conjunction with permitted principal uses;

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€3. Retail business when use is accessory to a permitted principal use.

Section 12. Cordova Municipal Code 18.33.050, “Prohibited uses and structures”, is amended to read as follows:

18.33.050 - Prohibited uses and structures.

Any use or structure that is not a permitted use, accessory use or conditional use under this Chapter is prohibited in the WI District. ~~not of a character as indicated under permitted uses, accessory uses, or conditional uses~~

Section 13. Cordova Municipal Code 18.33.060, “Setbacks”, is amended to read as follows:

18.33.060 - Setbacks.

A. The mMinimum sSetbacks in the WI District are as follows:-

1. Front yard-~~Twenty~~20 Ffeet.
2. Side yard and rear yard: None~~subject to Uniform Building Code regarding fire walls and separation of buildings.~~

Section 14. Cordova Municipal Code 18.33.080, “Height”, is amended to read as follows:

18.33.080 - Height.

~~U~~The A. Mmaximum height of buildings and structures in the WI District is: ~~subject to Uniform Building Code regarding building heights.~~three stories or 50 Feet.

Section 15. Cordova Municipal Code 18.33.100, “Minimum lot requirements”, is amended to read as follows:

18.33.100 - Minimum lot requirements.

A. The Mminimum lLot rRequirements in the WI District are as follows:-

1. Lot width: 100 Ffeet.
2. Lot size: 10,000 Ffeet.

Section 16. Cordova Municipal Code 18.33.110, “Signs”, is amended to read as follows:

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 requirements in Chapter 18.44 of this Ceode.

Section 17. Cordova Municipal Code 18.33.130, “Site plan review”, is amended to read as follows:

18.33.130 – Commission sSite plan review-Required.

New language is bold and underlined; ~~deleted language is stricken through~~

~~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.~~ **Any construction, modification or improvement in the Waterfront Industrial District shall be subject to a site plan review by the Planning Commission under Section 18.42. 020 of this Code.**

B. No site plan shall be approved for the Waterfront Industrial District unless any exterior siding or roof on any building or structure is finished in earthtone colors as those colors are identified by the Planning Director. ~~The exterior siding and roof shall be finished in earthtone colors.~~

Section 18. Cordova Municipal Code 18.34.070, “Minimum setback requirements”, is amended to read as follows:

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.~~ **None.**

Section 19. Cordova Municipal Code 18.34.080, “Maximum heights of buildings and structures”, is amended to read as follows:

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

A. Principal buildings and structures: ~~Seventy five (75) f~~ **75 Feet.**

B. Accessory buildings and structures: ~~Fifty (50) f~~ **50 Feet.**

C. ~~The planning and zoning e~~ **Planning C**ommission may grant conditional use permits for taller buildings **that exceed the maximum heights imposed in this Section** subject to requirements **Chapter 18.60 of this Title.** ~~of the uniform building code and applicable~~ the policies in the Cordova coastal management plan regarding the maintenance of visual access to coastal waters.

Section 20. Cordova Municipal Code 18.34.100, “Signs”, is amended to read as follows:

18.34.100 - Signs.

Signs are permitted **in the WHD** subject to ~~the Uniform Sign Code and Chapter 18.44 of this~~ **Title**.

Section 21. Cordova Municipal Code 18.38.050, “Prohibited uses and structures”, is amended to read as follows:

18.38.050 - Prohibited uses and structures.

Any use or structure not of a character **that is a permitted use under this Chapter is prohibited in the PLI District, except uses or structures that have been approved by a conditional use permit in compliance with Section 18.38.040 of this Chapter.** ~~indicated under permitted uses and structures or permitted as a conditional use if prohibited.~~

New language is bold and underlined; ~~deleted language is stricken through~~

Section 22. Cordova Municipal Code 18.38.060, “Minimum lot requirements”, is amended to read as follows:

18.38.060 - Minimum lot requirements.

The following are the minimum lot requirements **in the PLI District:**

- A. **Lot width: 100 Feet.** ~~Lot width, one hundred feet;~~
- B. Lot area: **15,000 Square Feet.** ~~fifteen thousand square feet.~~

Section 23. Cordova Municipal Code 18.38.070, “Minimum yard requirements”, is amended to read as follows:

18.38.070 - Minimum yard requirements.

The following are the minimum yard requirements **in the PLI District:**

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

Section 24. Cordova Municipal Code 18.38.080, “Maximum lot coverage”, is amended to read as follows:

18.38.080 - Maximum lot coverage.

The maximum lot coverage by all buildings **permitted in the PLI District is 50** ~~is fifty~~-percent.

Section 25. Cordova Municipal Code 18.38.090, “Special provisions”, is amended to read as follows:

18.38.090 - Maximum height of structures.

The ~~maximum~~ height of **a building or** structures **in the PLI District** is unrestricted, except that **buildings and** structures **in this district** shall not interfere with Federal Aviation Administration Regulations on airport approaches, and conform with the Uniform Building Code.

Section 26. Cordova Municipal Code 18.38.100, “Signs”, is amended to read as follows:

18.38.100 - Signs.

Signs may be allowed in connection with any permitted use, subject to the supplementary district regulations and **Chapter 18.44 of this Title.** ~~the Uniform Sign Code.~~

Section 27. Cordova Municipal Code 18.39.100, “Signs”, is amended to read as follows:

18.39.100 - Signs.

New language is bold and underlined; ~~deleted language is stricken through~~

Signs are permitted **in the WCP District** subject to Chapter 18.44 of this **T**itle.

Section 28. Cordova Municipal Code 18.39.130, “Site plan review”, is amended to read as follows:

18.39.130 – Commission sSite plan review-Required.

The development plan of any proposed development in the WCP **D**istrict shall be subject to a site plan review **and approval under Section 18.42.020** conducted in accordance with Chapter 18.42.

Section 29. Cordova Municipal Code Chapter 18.42, “Site Plan Review”, is repealed and reenacted to read as follows:

Chapter 18.42 - SITE PLAN REVIEW

- 18.42.010-Administrative site plan review and approval.
- 18.42.020-Site plan review and approval-Planning Commission.
- 18.42.030-Site plan-Residential-level.
- 18.42.040-Site plan-Commercial-level.
- 18.42.050-Other land use applications and permits.
- 18.42.060-Modifications.
- 18.42.070-Suspension and revocation of permits.
- 18.42.080-Permit expiration.
- 18.42.090-Site plan approval-transferable.

18.42.010-Administrative site plan review and approval.

A. When an administrative site plan review is required under this Title, the application for site plan approval shall be reviewed and approved as follows:

1. All plans and specifications for site plan approval shall be submitted by the applicant on an administrative site plan application form provided by and available from the Planning Department.
2. Upon the filing of a completed application, the City Planner shall have 30 business days to process the application and either approve the site plan, deny it or approve it with conditions or modifications. The City Planner shall notify an applicant in writing no more than 10 days after receiving the application and, if additional documents or information is needed to complete the application and permit the City Planner to make a determination, the City Planner shall notify the applicant at the address specified in the application of the information or documentation needed.
3. The City Planner shall review the site plan and determine if it complies with this Code, the City Comprehensive Plan, and any applicable local laws and regulations.
4. The City Planner shall issue a written decision approving the application, denying it or approving it with conditions or modifications. The written decision shall state the reasons underlying the decision and notice of the right to appeal the Planning Director’s decision as provided in this Section.
5. The Planning Director shall supplement any pending building permit application on the same property with a copy of the City Planner’s written decision under this Section.

B. An applicant may appeal the denial of a site plan under this Section to the Planning Commission as provided in Section 18.64.040.

New language is bold and underlined; ~~deleted language is stricken through~~

18.42.020- Site plan review and approval-Planning Commission.

When a site plan review is required under this Title and the review is not expressly identified as administrative, the application for site plan approval shall be reviewed and approved as follows:

A. The owner or the owner's designated agent shall submit a comprehensive site plan and a completed comprehensive site plan application to the Planning Department. Once the Planning Director determines that a complete site plan and application has been submitted, the Planning Director will schedule a public hearing before the Planning Commission. A completed application shall be submitted to the Planning Commission for consideration no more than 45 business days after it is filed with the Planning Department.

B. The Commission must hold a hearing on the site plan at its next regularly scheduled meeting unless that meeting is less than five business days from the date a completed application has been filed. If the complete application is filed less than 15 business days before the next Planning Commission meeting, the application shall be considered no more than 45 days after it has been filed. The Planning Commission shall determine, after reviewing the application and any statements of support or opposition regarding the site plan, if the proposed plan complies with this Code, the City Comprehensive Plan, and any applicable local laws and regulations. The Commission shall provide the applicant, the Planning Director, and members of the public an opportunity to be heard regarding the site plan.

C. The Commission shall issue a written decision approving the site plan, denying it or approving it subject to conditions or modifications no more than 30 days after the public hearing on the site plan. The written decision shall state the reasons underlying the decision and notice of the right to appeal the decision as provided in this Section.

D. An applicant may appeal the denial of a site plan under this Section to City Council sitting as the Board of Adjustment as provided in Section 18.64.030.

18.42.030 Site plan –Residential-level.

A. When a residential-level site plan is required, the site plan shall show on a survey, map or plan of the subject property, drawn to a scale of not less than one-inch equals 20 feet, all of the following:

1. The precise location of the lot boundaries and all setbacks and easements;
2. The precise location and dimensions of all existing and proposed structures, including any proposed changes to the exterior dimensions of existing structures;
3. Elevation drawings and dimensions of all existing and proposed structures, including any proposed changes to exterior dimensions of existing structures;
4. Existing site features and conditions, including topography, drainage, streams, water bodies, wetlands, lines of mean high tide, storm berms, areas prone to erosion, and the general location of vegetation;
5. The precise dimensions of all existing and proposed structures in relation to existing and proposed property lines, streets and other rights-of-way;
6. Access, including proposed driveway and curb cuts, with arrows indicating vehicular traffic patterns into and out of the site and to and from all parking areas;

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7. On-site traffic and pedestrian circulation systems, and a detailed parking plan;
 8. Pedestrian access to adjacent public lands, waters, walkways and trails. Where practical, safe, and where other means of access have not been provided, access easements may be required;
 9. A grading and drainage plan indicating all cuts, fills and areas of disturbance. The plan shall display elevation changes and cut and fill quantities; and
 10. The location of the site in relation to other existing uses on neighboring properties.
- B. When site plan approval is required under this Title but the level of site plan has not been expressly identified, the site plan shall comply with this Section.

18.42.040 Site plan – Commercial-level.

When a commercial-level site plan is required, the site plan shall show on a survey, map or plan of the subject property, drawn to a scale of not less than one-inch equals 20 feet, all of the following:

1. All information required in residential site plans;
2. Access, including proposed driveway and curb cuts, with arrows indicating vehicular traffic patterns into and out of all loading berths or areas;
3. Turning radius for vehicles;
4. The location and proposed screening of open storage areas;
5. Basic floor plans and location of all existing and proposed structures;
6. Location of utilities;
7. Proposed signs and lighting;
8. The location of the site in relation to residential uses and other existing industrial uses on adjacent properties; and
9. Location of snow storage.

18.42.050-Other land use applications and permits.

Nothing in this Chapter shall relieve the applicant of the obligation to obtain a conditional use permit, building permit, variance, or other permit or approval required by this Code, federal or state law.

18.42.060- Modifications.

- A. Once a site plan is approved, minor modifications to the plan may be approved by the City Planner if the City Planner determines that the modifications would not substantially change the character of the site plan or the basis for approval of that plan.
- B. Substantial modifications to a site plan after approval require submission and approval of an application for substantial modification. An application of substantial modification shall be considered in

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the same manner as the original application for site plan approval required under this Chapter. An applicant may request expedited consideration of an application for modifications to a site plan which the City Planner may grant if the City Planner finds good cause for expediting the application.

18.42.070 - Suspension and revocation of permits.

A. Permit suspension.

1. Upon violation of this Chapter or the conditions of approval of a site plan, the City Planner may suspend approval of that site plan pending corrective action by the applicant.

2. At least ten days before suspension of a site plan approval becomes effective, the City Planner must provide written notice of the suspension to the applicant at the address identified in the site plan application. The notice must identify the period of suspension, the reasons for suspension, and what action is necessary to remove the suspension.

B. Permit revocation.

1. Upon violation of this Chapter or the conditions of approval of a site plan, and a determination by the City Planner that corrective action is not possible, practicable or in the public interest, the City Planner may recommend revocation of the site plan approval to the Planning Commission. The City Planner shall provide the applicant with notice of potential revocation. This notice shall provide the reasons for recommending revocation of the site plan approval, the reasons corrective action is not possible, practicable or in the public interest, the date of the hearing before the Planning Commission, and the applicant's right to attend and participate in that hearing.

2. Except as otherwise provided in this Chapter, the Planning Commission may not revoke a site plan approval without a determination by the Commission at a public hearing that the applicant, property owner or an agent or representative of the applicant or owner fundamentally misrepresented the character of the development and/or use of the site, that the misrepresentation resulted in a failure to comply with the provisions of this Code or applicable federal or state law, and that corrective action is not possible, practicable or does not serve the public interest.

C. Notice of suspension or recommended revocation of a site plan approval shall require all work under the site plan approval to stop unless the City Planner or the Planning Commission issues written approval permitting development to continue during the appeal period. Any site improvements made while suspension is in effect shall be a violation of this Title.

D. Appeal.

1. The applicant may appeal suspension of site plan approval by the City Planner under this Section to the Planning Commission. The Commission shall hold a public hearing within 40 days of filing of the notice. If the Commission determines that the suspension of the site plan was warranted, the Commission may affirm the suspension and either affirm the corrective actions imposed by the City Planner or modify the required corrective action. In the event the Commission determines that suspension or corrective action is not warranted, the Commission may dismiss the suspension and reinstate the site plan approval or modify the corrective action required for reinstatement.

2. Except as otherwise provided in this Section, the applicant may appeal revocation of a site plan approval by the Planning Commission under this Section to City Council sitting as the Board of

New language is bold and underlined; ~~deleted language is stricken through~~

Adjustment as provided in Section 18.64.030. City Council shall take such action as may be necessary to ensure compliance with this Title. City Council shall hold a public hearing regarding a revocation of a site plan approval at its next regularly scheduled meeting or within 15 business days after receiving the notice of appeal, whichever date is sooner.

18.42.080-Permit expiration.

A. Unless a longer time shall be specifically established as a condition of approval, a site plan approval shall expire 18 months following the date on which such approval becomes effective if the work depicted in the site plan has not begun.

B. A site plan approval may be renewed by the City Planner for an additional period of one year so long as a written request for an extension is filed with the Planning Department before the date of expiration.

18.42.090 – Site plan approval-transferable.

Site plan approval pursuant to this Chapter shall continue to be valid upon a change of ownership of the site or structure which was the subject of the application so long as the character of the development or use of the property does not change from the use and development depicted on the approved site plan.

Section 30. Cordova Municipal Code 18.44.010, “Definitions”, is amended to read as follows:

18.44.010 - Definitions.

For the purposes of this chapter, certain terms, phrases, words and their derivatives shall be construed as specified in the applicable Cordova Building Codes as adopted in Chapter 16 of this Code, ~~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.~~

Section 31. Cordova Municipal Code 18.44.020, “General Provisions”, is amended to read as follows:

18.44.020 - General provisions.

All signs shall conform in design and construction to the applicable Cordova Building Codes adopted by reference in Chapter 16 of this Code, ~~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.

Section 32. Cordova Municipal Code 18.44.030, “Permit required”, is amended to read as follows:

18.44.030 - Permit required.

A permit shall be obtained from the Bbuilding Oofficial prior to the installation of any sign in any zoning district, except for those signs exempted from the permit requirement under this Chapter, ~~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.~~

New language is bold and underlined; ~~deleted language is stricken through~~

Section 33. Cordova Municipal Code 18.46.030, “Design and construction requirements”, is amended to read as follows:

18.46.030 - Design and construction requirements.

A. A wind energy system shall conform to the **requirements in this Section and any and all applicable code requirements in the Cordova Building Codes.**

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 **required under Title 16 of this Code shall require,** ~~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~~ **Chapter and Chapter 16 of this Code,** or an approved conditional use permit authorizing any deviations from ~~these~~ **requirements of this Chapter has been approved.** 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 ~~P~~**lanning D**epartment.

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.

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

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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.

Section 34. Cordova Municipal Code 18.33.070, "Lot coverage", is hereby repealed.

Section 35. Cordova Municipal Code 18.76.070, "Building permit", is hereby repealed.

Section 36. Cordova Municipal Code 18.80.020, "Building permit-Scope and validity", is hereby repealed.

Section 37. This ordinance shall be effective thirty (30) days after its passage and publication. This ordinance shall be enacted in accordance with Section 2.13 of the Charter of the City of Cordova, Alaska, within ten (10) days after its passage.

1st reading: June 15, 2022

2nd reading and public hearing: July 6, 2022

PASSED AND APPROVED THIS 6th DAY OF JULY 2022.



David Allison, Mayor

ATTEST:

Susan Bourgeois, CMC, City Clerk

New language is bold and underlined; ~~deleted language is stricken through~~