

**RESOLUTION NO. 4789**

**A RESOLUTION IN SUPPORT OF SB 100, AN ACT RELATING TO  
MUNICIPAL LIENS**

**WHEREAS**, Senate Bill 100, sponsored by Senator Dennis Egan, is designed to fix an unintended consequence of a 1998 bill enacted to end unauthorized common law liens that were being used to harass public servants; and

**WHEREAS**, liens are a tool used by local governments across America to recoup the unpaid costs of providing services and abating dangerous buildings; and

**WHEREAS**, in Alaska, many rural municipalities provide utility services for their communities, and those municipalities use liens to collect from people who use those services but do not pay for them; and

**WHEREAS**, liens have historically also been used to recover the cost to local governments when they have to abate dangerous, dilapidated, or public nuisance properties; and

**WHEREAS**, in 2012 the Alaska Supreme Court held that because liens based solely on municipal law were not included in the code of civil procedure, municipal liens without a connection to some other state law were not valid; and

**WHEREAS**, SB 100 restores to municipalities their pre-2012 authority by giving liens under municipal law the same authority as state and federal law liens under Alaska statutes.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council that the City Council supports passage of SB 100.

**PASSED and APPROVED this 24th Day of April 2017.**

  
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Jim Matherly, City Mayor

YEAS: PASSED and APPROVED on the CONSENT AGENDA  
NAYS: None  
ABSENT: None  
APPROVED: April 24, 2017

ATTEST:

  
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D. Danyelle Snider, CMC, City Clerk

APPROVED AS TO FORM:

  
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Paul J. Ewers, City Attorney