



FAIRBANKS CITY COUNCIL
AGENDA NO. 2011-07
REGULAR MEETING April 11, 2011
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

REGULAR MEETING

I 7:00 P.M.

1. ROLL CALL

2. INVOCATION

3. FLAG SALUTATION

4. **CITIZENS COMMENTS**, oral communications to Council on any item not up for Public Hearing. Testimony is limited to five (5) minutes. Any person wishing to speak needs to complete the register located in the hallway. Normal standards of decorum and courtesy should be observed by all speakers. Remarks should be directed to the City Council as a body rather than to any particular Council Member or member of the staff. In consideration of others, kindly silence all cell phone, electronic and messaging devices.

5. **APPROVAL OF AGENDA AND CONSENT AGENDA**

(Approval of Consent Agenda passes all routine items indicated by an asterisk (*). Consent Agenda items are not considered separately unless a Council Member so requests. In the event of such a request, the item is returned to the General Agenda).

6. **APPROVAL OF PREVIOUS MINUTES**

*a) Regular Meeting Minutes of March 21, 2011.

7. SPECIAL ORDERS

- a) The Fairbanks City Council, Sitting as a Committee of the Whole, will hear interested citizens concerned with the below-referenced Liquor License Application(s) for renewal. Public Testimony will be taken and limited to five (5) minutes.

Lic #	Name	Type	Service Location	Owner Name
4950	Klondike Restaurant & Lounge	Beverage Dispensary-Tourism	1347 Bedrock Street	Harris S. Yang

- b) The Fairbanks City Council, Sitting as a Committee of the Whole, will hear interested citizens concerned with the below-referenced **Appeals of Denied Application for new City of Fairbanks Chauffeur License**. Public Testimony will be taken and limited to five (5) minutes.

- i. Applicant: Anton Amin Gregory Caldwell
- ii. Applicant: Emil Georgiev Hugny-Farr
- iii. Applicant: Trent Alexander Mueller

8. MAYOR'S COMMENTS AND REPORT

9. UNFINISHED BUSINESS

- a) Ordinance No. 5836 – An Ordinance Amending FGC Section 14-167, Regarding the Procedure for Review of Alcoholic Beverage Licenses. Introduced by Mayor Cleworth and Council Member Stiver. **SECOND READING AND PUBLIC HEARING.**
- b) Ordinance No. 5837 – An Ordinance to Amend FGC Sections 10-425 and 10-426, Adopting the 2009 International Fuel Gas Code with Amendments. Introduced by Mayor Cleworth. **SECOND READING AND PUBLIC HEARING.**
- c) Ordinance No. 5838 – An Ordinance to Amend FGC Sections 10-101 and 10-102, Adopting the 2009 International Mechanical Code with Amendments. Introduced by Mayor Cleworth. **SECOND READING AND PUBLIC HEARING.**
- d) Ordinance No. 5839 – An Ordinance to Adopt the 2011 City of Fairbanks Administrative Code as Article II, Chapter 10, FGC Section 10-31. Introduced by Mayor Cleworth. **SECOND READING AND PUBLIC HEARING.**

10. NEW BUSINESS

- *a) Resolution No. 4465 – A Resolution Authorizing the City Mayor to Apply for and Accept a Preservation Assistance Grant for Smaller Institutions from the National Endowment for the Humanities. Introduced by Mayor Cleworth.
- *b) Resolution No. 4466 – A Resolution Authorizing the City Mayor to Apply for and Accept Grants from the Alaska Highway Safety Office for Fiscal Year 2012. Introduced by Mayor Cleworth.
- *c) Resolution No. 4467 – A Resolution Authorizing the City Mayor to Apply for and Accept a Grant for Protective Ballistic Vests for Fiscal Year 2012. Introduced by Mayor Cleworth.
- *d) Resolution No. 4468 – A Resolution Authorizing the City Mayor to Apply for and Accept a Smart Policing Initiative Grant from the U.S. Bureau of Justice Assistance. Introduced by Mayor Cleworth.
- *e) Resolution No. 4469 – A Resolution Supporting Senate Bill 100, Regarding the Public Employee Retirement System (“PERS”). Introduced by Mayor Cleworth.
- *f) Ordinance No. 5840 – An Ordinance Authorizing Conveyance of an Easement Upon City Property Requested by the Alaska Department of Transportation for Construction of the Illinois Street Reconstruction Project. Introduced by Mayor Cleworth.
- *g) Ordinance No. 5841 – An Ordinance Authorizing a Utility Easement for the Chief Andrew Isaac Health Center. Introduced by Mayor Cleworth.
- *h) Ordinance No. 5842 – An Ordinance to Amend FGC Sections 10-311 and 10-312, Adopting the 2009 Uniform Swimming Pool, Spa and Hot Tub Code. Introduced by Mayor Cleworth.
- *i) Ordinance No. 5843 – An Ordinance Amending the 2011 Budget Estimate for the First Time. Introduced by Mayor Cleworth.
- *j) Ordinance No. 5844 – An Ordinance Amending Fairbanks General Code Section 78-975 Authorizing Recovery of Ignition Interlock Devices from Impounded Motor Vehicles. Introduced by Mayor Cleworth.
- *k) Ordinance No. 5845 – An Ordinance Adopting the 2011 City of Fairbanks Code for Abatement of Dangerous Buildings. Introduced by Mayor Cleworth.

11. DISCUSSION ITEMS (INFORMATION AND REPORT)
 - a) Committee Reports

12. COMMUNICATIONS TO COUNCIL
 - a) Fluoride Task Force Meeting Minutes of January 4, 2011.
 - b) Fluoride Task Force Meeting Minutes of February 1, 2011.
 - c) Fluoride Task Force Meeting Minutes of March 8, 2011.

13. COUNCIL MEMBERS' COMMENTS

14. CITY ATTORNEY'S REPORT

15. CITY CLERK'S REPORT

16. ADJOURNMENT



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, MARCH 21, 2011
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jerry Cleworth presiding and with the following Council Members in attendance:

Council Members Present: Vivian Stiver, Seat A - Telephonic
Chad Roberts, Seat B
Bernard Gatewood, Seat C
Jim Matherly, Seat D
Emily Bratcher, Seat E
John Eberhart, Seat F

Absent: None

Also Present: Clem Clooten, Electrical Inspector
Patrick B. Cole, Chief of Staff
Warren Cummings, Fire Chief
Paul Ewers, City Attorney
Janey Hovenden, City Clerk
Ernie Misewicz, Assistant Fire Chief
Tony C. Shumate, Director Personnel/Purchasing/RM
Laren Zager, Police Chief

INVOCATION

The Invocation was given by City Clerk Janey Hovenden.

FLAG SALUTATION

Mayor Cleworth led the Flag Salutation.

CITIZEN'S COMMENTS

Karen Lane, FCVB, Fairbanks. Ms. Lane provided an update on efforts of the Fairbanks Convention & Visitors' Bureau.

David Lerman, 126 2nd Ave, Fairbanks. Mr. Lerman spoke of the issues regarding the Ice Park and asked the Council to draft a resolution in support of it. Mr. Lerman spoke of his intent to run for City Council, hydronic heaters, particle emissions, his website Renovation Fairbanks, and deteriorated properties.

Mayor Cleworth informed Mr. Lerman that the City forwarded a resolution in support of the Ice Park.

APPROVAL OF AGENDA AND CONSENT AGENDA

Ms. Bratcher, seconded by **Mr. Roberts**, moved to APPROVE the Agenda and Consent Agenda.

Mr. Gatewood, pulled Ordinance No. 5836 from the Consent Agenda.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

City Clerk Hovenden read the Consent Agenda into the record.

APPROVAL OF PREVIOUS MINUTES

a) Meeting Minutes of February 28, 2011.

PASSED and APPROVED on the CONSENT AGENDA.

b) Meeting Minutes of March 7, 2011.

PASSED and APPROVED on the CONSENT AGENDA.

MAYOR'S COMMENTS AND REPORT

Mayor Cleworth informed the Council that the draft report by the Fluoride Task Force is available for public review and comment. He indicated that the Task Force would present its recommendation to the Council in April. **Mayor Cleworth** thanked the Police for its part in the successful arrests in the conspiracy case without incident. **Mayor Cleworth** called PSEA, at the encouragement of Mr. Eberhart, to schedule a meeting. He hoped that a date would be set soon. **Mayor Cleworth** provided a brief report on the renovation work done at City Hall, the Old Main School. **Mayor Cleworth** stated that the North American Sled Dog Race returned to the Fairbanks downtown area.

Linda Anderson and Yuri Morgan, at the invitation of the Mayor, provided an update on current lobbying efforts.

Assistant Fire Chief Misewicz, at the invitation of the Mayor, gave a brief report on the proposed requirements of sprinkler systems in family dwellings.

UNFINISHED BUSINESS

None.

NEW BUSINESS

a) RESOLUTION NO. 4463 – A Resolution to Provide a Local Match Contribution for the FMATS 2011 Preventative Maintenance Project. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- b) RESOLUTION NO. 4464 – A Resolution Opting to Participate in the AML-JIA Loss Control Incentive Program for the City of Fairbanks. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- c) ORDINANCE NO. 5836 – An Ordinance Amending FGC Section 14-167, Regarding the Procedure for Review of Alcoholic Beverage Licenses. Introduced by Mayor Cleworth.

Mr. Gatewood, seconded by **Mr. Matherly**, moved to ADVANCE Ordinance No. 5836.

Mayor Cleworth reported on the reason for the changes, explaining the genesis for the changes. He clarified the process for waiving protests.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

- d) ORDINANCE NO. 5837 – An Ordinance to Amend FGC Sections 10-425 and 10-426, Adopting the 2009 International Fuel Gas Code with Amendments. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

- e) ORDINANCE NO. 5838 – An Ordinance to Amend FGC Sections 10-101 and 10-102, Adopting the 2009 International Mechanical Code with Amendments. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

- f) ORDINANCE NO. 5839 – An Ordinance to Adopt the 2011 City of Fairbanks Administrative Code as Article II, Chapter 10, FGC Section 10-31. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

DISCUSSION ITEMS

- a) Committee Reports

Public Safety Commission. **Mr. Eberhart** reported briefly on the March 8, 2011 meeting.

FMATS. **Mr. Roberts** reported that he was unable to attend the FMATS policy meeting.

Fairbanks Convention and Visitor's Bureau. **Ms. Bratcher** reported that she was unable to attend the March 2, 2011 meeting.

COMMUNICATIONS TO COUNCIL

- a) Code Review Commission Meeting Minutes of February 9, 2011.
ACCEPTED on the CONSENT AGENDA.
- b) Code Review Commission Meeting Minutes of February 16, 2011.
ACCEPTED on the CONSENT AGENDA.
- c) Code Review Commission Meeting Minutes of March 2, 2011.
ACCEPTED on the CONSENT AGENDA.
- d) Public Safety Commission Meeting Minutes of February 8, 2011.
ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Ms. Stiver commented on the positive changes made in Ordinance No. 5836.

Mr. Roberts thanked Ms. Anderson and Mr. Morgan for their work in Juneau. He asked them to be very vocal with the legislature about rising heating costs in Fairbanks.

Mr. Gatewood also thanked the lobbyists for their work. He reiterated Mr. Roberts' comments on the cost of fuel. He reported on the ceremonial gathering for the Chief Isaac Andrew Center.

Mr. Eberhart also thanked the lobbyists for their work. He informed the Council that he would be out of town for the April 11, 2011 meeting of the Council. He indicated he may be available telephonically. He asked to be excused.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

Mr. Eberhart spoke about the Tanana Chiefs Conference Convention.

Ms. Brather indicated that she was looking forward to reviewing the Fluoride Task Force draft report. She shared her desire to see a positive outcome for the Ice Park dilemma.

Mr. Matherly thanked the lobbyists. **Mr. Matherly** shared that he would be attending the dinner/award ceremony for the Business Woman of the Year where the governor would be in attendance.

Mayor Cleworth shared that he spoke at the Doyon Conference and the Tanana Chiefs Conference and enjoyed both events. He thanked the crew at Public Works for its snow removal efforts.

Ms. Bratcher, seconded by **Mr. Roberts**, moved to go into Executive Session for the purpose of discussing Labor Negotiations – Fairbanks Fire Fighters Association.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

Mayor Cleworth called for a five minute recess.

EXECUTIVE SESSION

a) Labor Contract Negotiations - FFA

The City Council met in Executive Session to discuss labor negotiations and no action was taken.

ADJOURNMENT

Mr. Roberts, seconded by **Mr. Matherly**, moved to ADJOURN the meeting.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

Mayor Cleworth declared the Meeting adjourned at 9:10 p.m.

JERRY CLEWORTH, MAYOR

ATTEST:

JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DO



City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715

Fax (907)459-6710

MEMORANDUM

TO: Mayor Jerry Cleworth
City Council Members

FROM: Janey Hovenden, CMC, City Clerk

SUBJECT: Renewal of Liquor License

DATE: April 6, 2011

Attached you will find the notification of liquor license renewal from the State ABC Board for the following liquor license. You will also find responses received from the Building Department, Finance Department and Police Department:

Lic #	Establishment Name	License Type	Premise Location	Owner Name
4950	Klondike Restaurant & Lounge	Beverage Dispensary-Tourism	1347 Bedrock Street	Harris S. Yang

Pursuant to FGC Sec. 14-178 the Council must determine whether or not to protest liquor license renewals after holding a public hearing.

Please note that there are no departmental protests.

Please contact me if you need any further information.



State of Alaska
 Department of Public Safety
Alcoholic Beverage Control Board

Sean Parnell, Governor
 Joseph A. Masters, Commissioner

March 10, 2011

Renewal Application Notice

**Fairbanks North Star Borough
 Fairbanks**

DBA	Lic Type	Lic #	Owner	Premise Address
Klondike Restaurant & Lounge	Beverage Dispensary-Tourism	4950	Harris S. Yang	1347 Bedrock Street

We have received a renewal application for the above listed licenses (see attached applications) within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board and the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

Alcoholic Beverage Control Board
5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412

Note: Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. GIFFORD
Director

Lauren Edades

Lauren Edades
Records & Licensing Supervisor
269-0359
lauren.edades@alaska.gov

**Alcoholic Beverage Control Board
5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412**



City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715
Fax (907)459-6710

LIQUOR LICENSE RESPONSE FORM

TO: FINANCE DEPT.

DATE: March 10, 2011

BUILDING DEPT.

FAIRBANKS POLICE DEPT.

FROM: CITY CLERK'S OFFICE

RE: LIQUOR LICENSE ACTION - RENEWALS

DATE NOTICE RECEIVED AT CLERKS OFFICE: 03/10/2011 (60 DAY DUE DATE 05/09/11)

DATE RESPONSE DUE: **04/05/2011** for City Council Meeting of 04/11/2011

Lic #	Establishment Name	License Type	Premise Location	Owner Name	Phone
4950	Klondike Restaurant & Lounge	Beverage Dispensary-Tourism	1347 Bedrock Street	Harris S. Yang	

NO PROTEST:

COMMENTS

PROTEST REASONS:

DEPARTMENT
SIGNEE:

(Signature)

(Printed Name)

James S. Soiler

NOTE: THIS COMPLETED FORM MUST BE RETURNED TO THE CITY CLERK'S OFFICE BY THE DATE INDICATED ABOVE. YOU MAY E-MAIL OR FAX (459-6710) THE FORM. ANY QUESTIONS CALL OUR OFFICE AT 459-6774. THANK YOU.



City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715
Fax (907)459-6710

LIQUOR LICENSE RESPONSE FORM

TO: FINANCE DEPT.
 BUILDING DEPT.
 FAIRBANKS POLICE DEPT.

DATE: March 10, 2011

FROM: CITY CLERK'S OFFICE
RE: LIQUOR LICENSE ACTION - RENEWALS

DATE NOTICE RECEIVED AT CLERKS OFFICE: 03/10/2011 (60 DAY DUE DATE 05/09/11)

DATE RESPONSE DUE: **04/05/2011** for City Council Meeting of 04/11/2011

Lic #	Establishment Name	License Type	Premise Location	Owner Name	Phone
4950	Klondike Restaurant & Lounge	Beverage Dispensary-Tourism	1347 Bedrock Street	Harris S. Yang	

NO PROTEST:

COMMENTS

PROTEST REASONS:

DEPARTMENT

SIGNEE:

 | STEPHEN M. CLOUTEN
(Signature) (Printed Name)

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City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715
Fax (907)459-6710

LIQUOR LICENSE RESPONSE FORM

TO: FINANCE DEPT.
 BUILDING DEPT.
 FAIRBANKS POLICE DEPT.

DATE: March 10, 2011

FROM: CITY CLERK'S OFFICE
RE: LIQUOR LICENSE ACTION – RENEWALS

DATE NOTICE RECEIVED AT CLERKS OFFICE: 03/10/2011 (60 DAY DUE DATE 05/09/11)

DATE RESPONSE DUE: **04/05/2011** for City Council Meeting of 04/11/2011

Lic #	Establishment Name	License Type	Premise Location	Owner Name	Phone
4950	Klondike Restaurant & Lounge	Beverage Dispensary-Tourism	1347 Bedrock Street	Harris S. Yang	

NO PROTEST:

COMMENTS

PROTEST REASONS:

DEPARTMENT
SIGNEE:

(Signature)

(Printed Name)

[Handwritten Signature] LAREN J. ZAGER

NOTE: THIS COMPLETED FORM MUST BE RETURNED TO THE CITY CLERK'S OFFICE BY THE DATE INDICATED ABOVE. YOU MAY E-MAIL OR FAX (459-6710) THE FORM. ANY QUESTIONS CALL OUR OFFICE AT 459-6774. THANK YOU.

MEMORANDUM

City of Fairbanks Clerk's Office

Janey Hovenden, CMC, City Clerk

Date: April 11, 2011
To: Mayor Jerry Cleworth
City Council Members
From: Debi Osterby, CMC, Deputy City Clerk
Re: Denial of Application for City of Fairbanks Chauffeur License
Anton Amin Gregory Caldwell

Attached is a copy of Mr. Caldwell's application for a City of Fairbanks Chauffeur License. The City Clerk has denied this request for license pursuant to FGC Section 86-77(6)(c):

All applications for issuance or renewal of a chauffeur's license shall be made upon forms provided for this purpose by the city clerk, and the applications shall be submitted to the city clerk for review. The applicant shall also submit a current criminal history report obtained from the state department of public safety if a state resident or, if not, a current record obtained from the state of residency, and a current driving record. The requirements to be fulfilled prior to issuance of a chauffeur's license shall be as follows:

- (6) Except as otherwise provided in this subsection, the applicant must not have had a felony or misdemeanor conviction within ten years of:
- c. Any felony or misdemeanor which includes as an element the use of threat of force upon a person;

Page two of Mr. Caldwell's application for licensure indicates a positive response to "any felony or misdemeanor which includes as an element of the offense, the use or threat of force upon a person". Page three of his Alaska Criminal History indicates that on September 16, 2004, Mr. Caldwell was convicted of Assault in the Third Degree – Cause Fear of Injury with a Weapon, a felony offense.

Mr. Caldwell was informed of the option to appeal the decision of the City Clerk to the City Council, and requested to be placed on this agenda for your consideration.

If you have any questions, please call me at 459-6771.

Attachments

CONFIDENTIAL

Visit us on the Web at www.ci.fairbanks.ak.us



City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715

Fax (907)459-6710

REQUEST FOR APPEAL FORM

DATE: March 16, 2011

TO: Janey Hovenden, City Clerk

FROM: Anton Caldwell
(Please Print)

RE: Request for Appeal Hearing (Chauffeur's License)

Please consider this document a request for an APPEAL HEARING before the Fairbanks City Council in regards to the denial of my Chauffeur's License Application. I can be present at the City Council Meeting scheduled for:

Monday, April 11, 2011 at 7:00 P.M.

(Meetings are held in the Council Chambers located at 800 Cushman Street, 2nd Floor)

By signing below, I understand that the information and supporting documentation contained in my Chauffeur's License Application will be copied and provided to the Fairbanks City Council. I understand that there will be a public hearing, on the above date, at which time the Council will discuss my appeal. I understand that the public hearing may be reproduced electronically, digitally, and/or transmitted over the air waves. I understand that I have no right to expect privacy of the records or information contained in my application, or of any discussions that may occur during the public hearing.

AC
Acknowledgement by Applicant

Official Use Only: Clerk's Initials: *JH* Date Received: 3/16/11

Visit Us on the Web at www.ci.fairbanks.ak.us



CITY OF FAIRBANKS

RECEIVED
MAR 16 2011

CITY CLERKS OFFICE

CHAUFFEUR LICENSE APPLICATION

800 Cushman Street, Fairbanks, AK 99701
(907) 459-6716

TYPE OF LICENSE: NEW RENEWAL FEES DUE/COLLECTED: \$35.-

Name: <u>Antone Caldwell</u>	Other Name(s) Used:
Physical Address: [REDACTED]	City, State Zip: <u>North Pole, AK</u>
Mailing Address: <u>same</u>	City, State Zip: <u>99705</u>
Home Phone:	Work/Cell Phone: [REDACTED]
AK Driver's License No: [REDACTED]	E-mail Address:
Date of Birth: [REDACTED]	Place of Birth: [REDACTED]

Application Requirements

- \$25.00 Non Refundable Application Fee for New Licenses.
- \$100.00 Bi-Annual License Fee for New Applications and Renewals.
- Complete Application; including Two Notarized Affidavits (forms attached).
- Copy of Current State of Alaska Driver's License.
- Current Criminal History Report With 10 Year History. *
- Current Driving Record With 5 Year History.

*If the applicant's Alaska criminal history report does not reflect a complete ten year history, an official background check from applicant's previous state of residency is required for a complete 10-year look back. Alaska reports must be dated the same date that the completed application is submitted to the Clerk's Office. All documents must be originals and submitted with the signed application, the Clerk's Office cannot accept incomplete applications.

Length of Residency

Length of Time in Fairbanks 25 Years _____ Months

Previous Address(es)

Previous City and State of residence, other than Fairbanks, for the past 10 years:

_____	From: _____	To: _____
_____	From: _____	To: _____
_____	From: _____	To: _____

Employment

Current Employer: _____
 Address: _____
 Date Employment Began: _____ Phone: _____
 Previous Chauffeur License Held (City & State): _____
 Cab Company Applying for or Employed By: _____

Employment History (Past 10 Years)

Employer: Dave's Shop
 Dates Employed: 4-1-08 to 3-1-11 City/State: North Pole AK
 Employer: _____
 Dates Employed: _____ City/State: _____

Record of Conviction(s)

PLEASE ANSWER YES OR NO TO THE FOLLOWING QUESTIONS:

<p>Within the past 24 months, have you had a conviction for any of the following:</p> <ul style="list-style-type: none"> • A moving traffic violation which resulted in the suspension or revocation of your driver's license pursuant to AS 28.15.221 - AS 28.15.261? • Reckless or negligent driving? • Driving while license is limited, suspended, or revoked? 	<p>YES or NO</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="text-align: center;">no</td></tr> <tr><td style="text-align: center;">no</td></tr> <tr><td style="text-align: center;">no</td></tr> </table>	no	no	no				
no								
no								
no								
<p>Within the past 5 years have you received a conviction for either of the following:</p> <ul style="list-style-type: none"> • Operating or driving a vehicle while intoxicated? • Refusing to submit to a chemical test as defined in AS 28.35.032? 	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="text-align: center;">no</td></tr> <tr><td style="text-align: center;">no</td></tr> </table>	no	no					
no								
no								
<p>Within the past 10 years, have you had a felony or misdemeanor conviction for any of the following:</p> <ul style="list-style-type: none"> • Prostitution or promotion of prostitution? • Sale, transportation, possession or use of any controlled substance as defined in AS 11.71.140 - AS 11.71.190? • Any felony or misdemeanor which includes as an element of the offense, the use or threat of force upon a person? • Burglary, felony larceny, fraud, or embezzlement? • Any sexual offense? • Any homicide or assault involving operation of a motor vehicle? • Two separate felony convictions of any type? 	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="text-align: center;">no</td></tr> <tr><td style="text-align: center;">no</td></tr> <tr><td style="text-align: center;">yes</td></tr> <tr><td style="text-align: center;">no</td></tr> <tr><td style="text-align: center;">no</td></tr> <tr><td style="text-align: center;">no</td></tr> <tr><td style="text-align: center;">no</td></tr> </table>	no	no	yes	no	no	no	no
no								
no								
yes								
no								
no								
no								
no								

An Answer of YES to any of the above questions regarding your criminal history and/or driving record is grounds for denial of a Chauffeur License by the City Clerk as per Fairbanks General Code, Section 86.77. Please explain on a separate sheet of paper any convictions that meet the look-back criteria as noted above; including charges, places, dates, and sentences imposed. An Applicant has the right to appeal a denial by the City Clerk after submission of a completed application and payment of the application fee. Request for an Appeal Form can be obtained at the City Clerk's Office.

Citizenship Status

Are you a natural born or fully naturalized citizen of the United States? YES

If not, where did you obtain a permit or visa? _____

Date of entry into the United States: _____ Alien Registration No. _____

Applicant's Statement for Chauffeur License

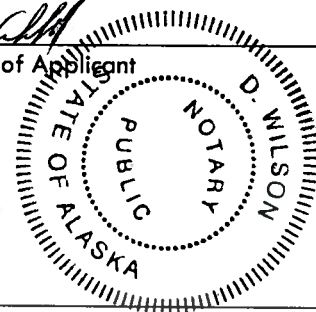
I, Antonio Anon Gregory Caldwell, being first duly sworn, depose and state that I am the individual making application for license and that the answers to the foregoing questions and other statements contained herein are true and complete to the best of my knowledge and belief. I understand that any materially false statement on this application may be subject to revocation or denial of a license.

I certify that I am at least 21 years of age or older, that I can read, write, and speak the English language, that I am not addicted to the use of intoxicants or narcotics, that I am of good moral character and repute, that I have been a resident within the Fairbanks area for a minimum of 30 days immediately prior to this application, that I have read and understand Fairbanks General Code 86.76-94, and that I understand the requirements for licensure.

[Signature]
Signature of Applicant

Sworn to before me this 16th day of March, 2011

[Signature]
Notary Public for the State of Alaska
My Commission Expires: 4/25/11



The Fairbanks General Code is attached to this application for your convenience; it is provided as a courtesy, but is the distinct responsibility of the Applicant to understand the requirements and to be compliant. The Applicant, through signing of the above Oath, acknowledges having read the Code and certifies that he/she understands it. If the Applicant has any questions regarding those responsibilities, the questions should be asked prior to issuance of a license.

Please make all necessary copies for your records before submission of your application to the Clerk's Office. There will be a per page charge for any copying requested in accordance with FGC 2-775, with the exception of a request to copy criminal history reports, as State law prohibits copying of such documents.
Thank you in advance for your cooperation.

The City Clerk's Office requires 24 hours to process all applications. Hours of operation are Monday through Friday, 8:00 am to 5:00 pm. The City of Fairbanks observes national and state holidays.

Affidavit

I, John C O'Brien, so swear and affirm that I personally know Antone Caldwell (Applicant) to be of sound mind and body, of good moral character, and considered by me to be a respectable, upstanding citizen to the best of my knowledge and belief.

John C O'Brien
Signature
314 #11 Badger Road North Pole
Mailing Address
AK 99705
City, State, Zip

Sworn to before me this _____ day of _____, 20__.

Notary Public for the State of Alaska
My Commission Expires: _____

Affidavit

I, _____, so swear and affirm that I personally know _____ (Applicant) to be of sound mind and body, of good moral character, and considered by me to be a respectable, upstanding citizen to the best of my knowledge and belief.

Signature

Mailing Address

City, State, Zip

Sworn to before me this _____ day of _____, 20__.

Notary Public for the State of Alaska
My Commission Expires: _____

Administrative Use Only

Approved By:	Date:
Denied By:	Date:
Reason for Denial:	

For additional information and/or forms, please visit the City of Fairbanks web site at:
www.ci.fairbanks.ak.us

Affidavit

I, Andor RUDOLF, so swear and affirm that I personally know Andor Caldwell (Applicant) to be of sound mind and body, of good moral character, and considered by me to be a respectable, upstanding citizen to the best of my knowledge and belief.

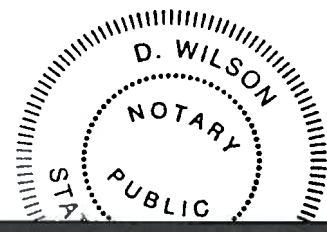
[Signature]
Signature

1883 Kitiak Dr.
Mailing Address

Fairbanks, AK 99701
City, State, Zip

Sworn to before me this 16th day of March, 2011.

[Signature]
Notary Public for the State of Alaska
My Commission Expires: 4/26/11



Affidavit

I, _____, so swear and affirm that I personally know _____ (Applicant) to be of sound mind and body, of good moral character, and considered by me to be a respectable, upstanding citizen to the best of my knowledge and belief.

Signature

Mailing Address

City, State, Zip

Sworn to before me this _____ day of _____, 20____.

Notary Public for the State of Alaska
My Commission Expires: _____

Administrative Use Only

Approved By:	Date:
Denied By:	Date:
Reason for Denial:	

For additional information and/or forms, please visit the City of Fairbanks web site at: www.ci.fairbanks.ak.us

MEMORANDUM

City of Fairbanks Clerk's Office

Janey Hovenden, CMC, City Clerk

Date: April 11, 2011
To: Mayor Jerry Cleworth
City Council Members
From: Debi Osterby, CMC, Deputy City Clerk
Re: Denial of Application for City of Fairbanks Chauffeur License
Emil Georgiev Hugny-Farr

Attached is a copy of Mr. Hugny-Farr's application for a City of Fairbanks Chauffeur License. The City Clerk has denied this request for license pursuant to FGC Section 86-77(6)(a):

All applications for issuance or renewal of a chauffeur's license shall be made upon forms provided for this purpose by the city clerk, and the applications shall be submitted to the city clerk for review. The applicant shall also submit a current criminal history report obtained from the state department of public safety if a state resident or, if not, a current record obtained from the state of residency, and a current driving record. The requirements to be fulfilled prior to issuance of a chauffeur's license shall be as follows:

- (6) Except as otherwise provided in this subsection, the applicant must not have had a felony or misdemeanor conviction within ten years of:
- a. Prostitution or promotion of prostitution;

Page two of Mr. Hugny-Farr's application for licensure indicates a positive response to "prostitution or promotion of prostitution". Page four of his Alaska Criminal History indicates that on March 30, 2010, Mr. Hugny-Farr was convicted of Prostitution, a misdemeanor offense.

Mr. Hugny-Farr was informed of the option to appeal the decision of the City Clerk to the City Council, and requested to be placed on this agenda for your consideration.

If you have any questions, please call me at 459-6771.

Attachments

CONFIDENTIAL

Visit us on the Web at www.ci.fairbanks.ak.us



City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715
Fax (907)459-6710

REQUEST FOR APPEAL FORM

DATE:

March 18, 2011

TO:

Janey Hovenden, City Clerk

FROM:

Emil Hugny-Farr
(Please Print)

RE:

Request for Appeal Hearing (Chauffeur's License)

RECEIVED
MAR 17 2011
CITY CLERKS OFFICE

Please consider this document a request for an APPEAL HEARING before the Fairbanks City Council in regards to the denial of my Chauffeur's License Application. I can be present at the City Council Meeting scheduled for:

Monday, April 11, 2011 at 7:00 P.M.

(Meetings are held in the Council Chambers located at 800 Cushman Street, 2nd Floor)

By signing below, I understand that the information and supporting documentation contained in my Chauffeur's License Application will be copied and provided to the Fairbanks City Council. I understand that there will be a public hearing, on the above date, at which time the Council will discuss my appeal. I understand that the public hearing may be reproduced electronically, digitally, and/or transmitted over the air waves. I understand that I have no right to expect privacy of the records or information contained in my application, or of any discussions that may occur during the public hearing.

Acknowledgement by Applicant

ES Hugny-Farr Yes

Official Use Only:

Clerk's Initials:

[Signature]

Date Received:

3/18/11

Visit Us on the Web at www.ci.fairbanks.ak.us



CITY OF FAIRBANKS

RECEIVED
MAR 18 2011

CITY CLERKS OFFICE

CHAUFFEUR LICENSE APPLICATION

800 Cushman Street, Fairbanks, AK 99701
(907) 459-6716

TYPE OF LICENSE: NEW RENEWAL FEES DUE/COLLECTED: _____

Name: <u>Emil Hugny-Farr</u>	Other Name(s) Used:
Physical Address: [REDACTED]	City, State Zip: <u>Fairbank 99701</u>
Mailing Address: [REDACTED]	City, State Zip:
Home Phone: [REDACTED]	Work/Cell Phone: [REDACTED]
AK Driver's License No: [REDACTED]	E-mail Address: [REDACTED]
Date of Birth: [REDACTED]	Place of Birth: [REDACTED]

Application Requirements

- \$25.00 Non Refundable Application Fee for New Licenses.**
- \$100.00 Bi-Annual License Fee for New Applications and Renewals.**
- Complete Application; Including Two Notarized Affidavits (forms attached).**
- Copy of Current State of Alaska Driver's License.**
- Current Criminal History Report With 10 Year History. ***
- Current Driving Record With 5 Year History.**

*If the applicant's Alaska criminal history report does not reflect a complete ten year history, an official background check from applicant's previous state of residency is required for a complete 10-year look back. Alaska reports must be dated the same date that the completed application is submitted to the Clerk's Office. All documents must be originals and submitted with the signed application, the Clerk's Office cannot accept incomplete applications.

Length of Residency

Length of Time in Fairbanks 19 Years 2 Months

Previous Address(es)

Previous City and State of residence, other than Fairbanks, for the past 10 years: 1988

Tanna From: 1980 To: 2008

Newana From: 2008 To: 2010

From: _____ To: _____

Employment

Current Employer: N/A
 Address: _____
 Date Employment Began: _____ Phone: _____
 Previous Chauffeur License Held (City & State): _____
 Cab Company Applying for or Employed By: _____

Employment History (Past 10 Years)

Employer: _____
 Dates Employed: N/A City/State: _____
 Employer: N/A
 Dates Employed: _____ City/State: _____

Record of Conviction(s)

PLEASE ANSWER YES OR NO TO THE FOLLOWING QUESTIONS:

Within the past 24 months, have you had a conviction for any of the following:

- A moving traffic violation which resulted in the suspension or revocation of your driver's license pursuant to AS 28.15.221 - AS 28.15.261?
- Reckless or negligent driving?
- Driving while license is limited, suspended, or revoked?

YES or NO

No
No
No

Within the past 5 years have you received a conviction for either of the following:

- Operating or driving a vehicle while intoxicated?
- Refusing to submit to a chemical test as defined in AS 28.35.032?

No
No

Within the past 10 years, have you had a felony or misdemeanor conviction for any of the following:

- Prostitution or promotion of prostitution?
- Sale, transportation, possession or use of any controlled substance as defined in AS 11.71.140 - AS 11.71.190?
- Any felony or misdemeanor which includes as an element of the offense, the use or threat of force upon a person?
- Burglary, felony larceny, fraud, or embezzlement?
- Any sexual offense?
- Any homicide or assault involving operation of a motor vehicle?
- Two separate felony convictions of any type?

~~No~~ **YES**
No
No
No
No
No

An Answer of YES to any of the above questions regarding your criminal history and/or driving record is grounds for denial of a Chauffeur License by the City Clerk as per Fairbanks General Code, Section 86.77. Please explain on a separate sheet of paper any convictions that meet the look-back criteria as noted above; including charges, places, dates, and sentences imposed. An Applicant has the right to appeal a denial by the City Clerk after submission of a completed application and payment of the application fee. Request for an Appeal Form can be obtained at the City Clerk's Office.

Citizenship Status

Are you a natural born or fully naturalized citizen of the United States? YES NO

If not, where did you obtain a permit or visa? _____

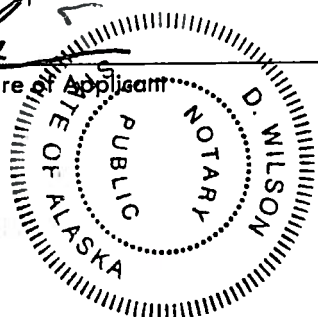
Date of entry into the United States: _____ Alien Registration No. _____

Applicant's Statement for Chauffeur License

I, ESE bmd, being first duly sworn, depose and state that I am the individual making application for license and that the answers to the foregoing questions and other statements contained herein are true and complete to the best of my knowledge and belief. I understand that any materially false statement on this application may be subject to revocation or denial of a license.

I **certify** that I am at least 21 years of age or older, that I can read, write, and speak the English language, that I am not addicted to the use of intoxicants or narcotics, that I am of good moral character and repute, that I have been a resident within the Fairbanks area for a minimum of 30 days immediately prior to this application, that I have read and understand Fairbanks General Code 86.76-94, and that I understand the requirements for licensure.

Signature of Applicant _____



NOTARY PUBLIC
D. WILSON
STATE OF ALASKA

Sworn to before me this 18th day of March, 2011.

[Signature]
Notary Public for the State of Alaska
My Commission Expires: 4/28/11

The Fairbanks General Code is attached to this application for your convenience; it is provided as a courtesy, but is the distinct responsibility of the Applicant to understand the requirements and to be compliant. The Applicant, through signing of the above Oath, acknowledges having read the Code and certifies that he/she understands it. If the Applicant has any questions regarding those responsibilities, the questions should be asked prior to issuance of a license.

Please make all necessary copies for your records before submission of your application to the Clerk's Office. There will be a per page charge for any copying requested in accordance with FGC 2-775, with the exception of a request to copy criminal history reports, as State law prohibits copying of such documents.

Thank you in advance for your cooperation.

The City Clerk's Office requires 24 hours to process all applications. Hours of operation are Monday through Friday, 8:00 am to 5:00 pm. The City of Fairbanks observes national and state holidays.

Affidavit

I, Thomas D. Kaultman, so swear and affirm that I personally know Emil Hugny-farr (Applicant) to be of sound mind and body, of good moral character, and considered by me to be a respectable, upstanding citizen to the best of my knowledge and belief.

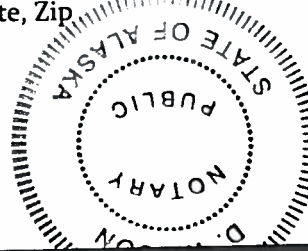
Thomas D. Kaultman
Signature

700 Fairbanks street
Mailing Address

Fairbanks AK 99709
City, State, Zip

Sworn to before me this 18 day of March, 2011.

[Signature]
Notary Public for the State of Alaska
My Commission Expires: 4/26/11



Affidavit

I, Nichole M Johnson, so swear and affirm that I personally know Emil Hugny-farr (Applicant) to be of sound mind and body, of good moral character, and considered by me to be a respectable, upstanding citizen to the best of my knowledge and belief.

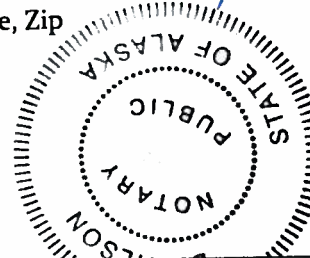
Nichole M Johnson
Signature

1625 Esquire
Mailing Address

Fairbanks, AK 99709
City, State, Zip

Sworn to before me this 18 day of March, 2011.

[Signature]
Notary Public for the State of Alaska
My Commission Expires: 4/26/11



Administrative Use Only

Approved By:	Date:
Denied By:	Date:
Reason for Denial:	

For additional information and/or forms, please visit the City of Fairbanks web site at: www.ci.fairbanks.ak.us

MEMORANDUM

City of Fairbanks Clerk's Office

Janey Hovenden, CMC, City Clerk

Date: April 11, 2011
To: Mayor Jerry Cleworth
City Council Members
From: Debi Osterby, CMC, Deputy City Clerk
Re: Denial of Application for City of Fairbanks Chauffeur License
Trent Alexander Mueller

Attached is a copy of Mr. Mueller's application for a City of Fairbanks Chauffeur License. The City Clerk has denied this request for license pursuant to FGC Section 86-77(6)(c):

All applications for issuance or renewal of a chauffeur's license shall be made upon forms provided for this purpose by the city clerk, and the applications shall be submitted to the city clerk for review. The applicant shall also submit a current criminal history report obtained from the state department of public safety if a state resident or, if not, a current record obtained from the state of residency, and a current driving record. The requirements to be fulfilled prior to issuance of a chauffeur's license shall be as follows:

- (6) Except as otherwise provided in this subsection, the applicant must not have had a felony or misdemeanor conviction within ten years of:
 - c. Any felony or misdemeanor which includes as an element the use of threat of force upon a person;;

Page two of Mr. Mueller's application for licensure indicates a positive response to "any felony or misdemeanor which includes as an element of the offense, the use or threat of force upon a person". Page three of his Alaska Criminal History indicates that on March 20, 2010, Mr. Mueller was convicted of Assault in the Fourth Degree- Cause Fear of Imminent Injury, a misdemeanor offense.

Mr. Mueller was informed of the option to appeal the decision of the City Clerk to the City Council, and requested to be placed on this agenda for your consideration.

If you have any questions, please call me at 459-6771.

Attachments

CONFIDENTIAL

Visit us on the Web at www.ci.fairbanks.ak.us



City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715
Fax (907)459-6710

REQUEST FOR APPEAL FORM

RECEIVED
MAR 25 2011
CITY CLERKS OFFICE

DATE: Trent Mueller 3-25-11
TO: Janey Hovenden, City Clerk
FROM: Trent Mueller 3-25-11
(Please Print)
RE: Request for Appeal Hearing (Chauffeur's License)

Please consider this document a request for an APPEAL HEARING before the Fairbanks City Council in regards to the denial of my Chauffeur's License Application. I can be present at the City Council Meeting scheduled for:

Monday, April 11, 2011 at 7:00 P.M.

(Meetings are held in the Council Chambers located at 800 Cushman Street, 2nd Floor)

By signing below, I understand that the information and supporting documentation contained in my Chauffeur's License Application will be copied and provided to the Fairbanks City Council. I understand that there will be a public hearing, on the above date, at which time the Council will discuss my appeal. I understand that the public hearing may be reproduced electronically, digitally, and/or transmitted over the air waves. I understand that I have no right to expect privacy of the records or information contained in my application, or of any discussions that may occur during the public hearing.

Acknowledgement by Applicant

Official Use Only: Clerk's Initials: _____ Date Received: _____

Visit Us on the Web at www.ci.fairbanks.ak.us



CITY OF FAIRBANKS

RECEIVED
MAR 25 2011

CITY CLERKS OFFICE

CHAUFFEUR LICENSE APPLICATION

800 Cushman Street, Fairbanks, AK 99701
(907) 459-6716

TYPE OF LICENSE: NEW RENEWAL FEES DUE/COLLECTED: _____

Name: <u>Trent Mueller</u>	Other Name(s) Used:
Physical Address: [REDACTED]	City, State Zip: <u>Fairbanks, AK, 99701</u>
Mailing Address: <u>Same</u>	City, State Zip: <u>Fairbanks, AK, 99701</u>
Home Phone: [REDACTED]	Work/Cell Phone: <u>Same as Home</u>
AK Driver's License No: [REDACTED]	E-mail Address: <u>N/A</u>
Date of Birth: [REDACTED]	Place of Birth: <u>Fairbanks, AK</u>

Application Requirements

- \$25.00 Non Refundable Application Fee for New Licenses.
- \$100.00 Bi-Annual License Fee for New Applications and Renewals.
- Complete Application; including Two Notarized Affidavits (forms attached).
- Copy of Current State of Alaska Driver's License.
- Current Criminal History Report With 10 Year History. *
- Current Driving Record With 5 Year History.

*If the applicant's Alaska criminal history report does not reflect a complete ten year history, an official background check from applicant's previous state of residency is required for a complete 10-year look back. Alaska reports must be dated the same date that the completed application is submitted to the Clerk's Office. All documents must be originals and submitted with the signed application, the Clerk's Office cannot accept incomplete applications.

Length of Residency

Length of Time in Fairbanks whole life Years 30 yrs Months

Previous Address(es)

Previous City and State of residence, other than Fairbanks, for the past 10 years:
1910 Turner #22 From: Oct 12, 08 To: July 5, 10
From: _____ To: _____
From: _____ To: _____

Employment

Current Employer: _____
 Address: _____
 Date Employment Began: _____ Phone: _____
 Previous Chauffeur License Held (City & State): _____
 Cab Company Applying for or Employed By: _____

Employment History (Past 10 Years)

Employer: Fairbanks Parking Authority
 Dates Employed: Aug. 06 to 5/10 City/State: Fairbanks, AK
 Employer: _____
 Dates Employed: _____ City/State: _____

Record of Conviction(s)

PLEASE ANSWER YES OR NO TO THE FOLLOWING QUESTIONS:

Within the past 24 months, have you had a conviction for any of the following:

- A moving traffic violation which resulted in the suspension or revocation of your driver's license pursuant to AS 28.15.221 - AS 28.15.261?
- Reckless or negligent driving?
- Driving while license is limited, suspended, or revoked?

YES or NO

NO
~~NO~~
 NO

Within the past 5 years have you received a conviction for either of the following:

- Operating or driving a vehicle while intoxicated?
- Refusing to submit to a chemical test as defined in AS 28.35.032?

NO
 NO

Within the past 10 years, have you had a felony or misdemeanor conviction for any of the following:

- Prostitution or promotion of prostitution?
- Sale, transportation, possession or use of any controlled substance as defined in AS 11.71.140 - AS 11.71.190?
- Any felony or misdemeanor which includes as an element of the offense, the use or threat of force upon a person?
- Burglary, felony larceny, fraud, or embezzlement?
- Any sexual offense?
- Any homicide or assault involving operation of a motor vehicle?
- Two separate felony convictions of any type?

NO
 NO
~~NO~~
 NO
 NO
 NO
 NO

An Answer of YES to any of the above questions regarding your criminal history and/or driving record is grounds for denial of a Chauffeur License by the City Clerk as per Fairbanks General Code, Section 86.77. Please explain on a separate sheet of paper any convictions that meet the look-back criteria as noted above; including charges, places, dates, and sentences imposed. An Applicant has the right to appeal a denial by the City Clerk after submission of a completed application and payment of the application fee. Request for an Appeal Form can be obtained at the City Clerk's Office.

Citizenship Status

Are you a natural born or fully naturalized citizen of the United States? Yes

If not, where did you obtain a permit or visa? _____

Date of entry into the United States: _____ Alien Registration No. _____

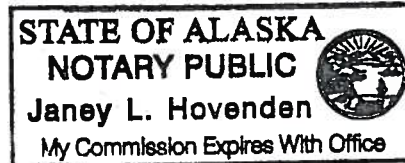
Applicant's Statement for Chauffeur License

I, Trent Mueller, being first duly sworn, depose and state that I am the individual making application for license and that the answers to the foregoing questions and other statements contained herein are true and complete to the best of my knowledge and belief. I understand that any materially false statement on this application may be subject to revocation or denial of a license.

I certify that I am at least 21 years of age or older, that I can read, write, and speak the English language, that I am not addicted to the use of intoxicants or narcotics, that I am of good moral character and repute, that I have been a resident within the Fairbanks area for a minimum of 30 days immediately prior to this application, that I have read and understand Fairbanks General Code 86.76-94, and that I understand the requirements for licensure.

Trent Mueller _____
Signature of Applicant

Sworn to before me this 25th day of March, 2011.
Janey L. Hovenden
Notary Public for the State of Alaska
My Commission Expires: with office



The Fairbanks General Code is attached to this application for your convenience; it is provided as a courtesy, but is the distinct responsibility of the Applicant to understand the requirements and to be compliant. The Applicant, through signing of the above Oath, acknowledges having read the Code and certifies that he/she understands it. If the Applicant has any questions regarding those responsibilities, the questions should be asked prior to issuance of a license.

Please make all necessary copies for your records before submission of your application to the Clerk's Office. There will be a per page charge for any copying requested in accordance with FGC 2-775, with the exception of a request to copy criminal history reports, as State law prohibits copying of such documents.
Thank you in advance for your cooperation.

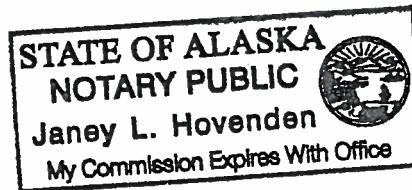
The City Clerk's Office requires 24 hours to process all applications. Hours of operation are Monday through Friday, 8:00 am to 5:00 pm. The City of Fairbanks observes national and state holidays.

Affidavit

I, Brad Finneseth so swear and affirm that I personally know Trent Mueller (Applicant) to be of sound mind and body, of good moral character, and considered by me to be a respectable, upstanding citizen to the best of my knowledge and belief.

Brad Finneseth
Signature
POB 61302
Mailing Address
Fairbanks AK 99706
City, State, Zip

Sworn to before me this 25th day of March, 2011.
Janey L. Hovenden
Notary Public for the State of Alaska
My Commission Expires: with office

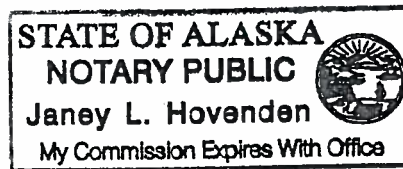


Affidavit

I, Daniel Laidner, so swear and affirm that I personally know Trent Mueller (Applicant) to be of sound mind and body, of good moral character, and considered by me to be a respectable, upstanding citizen to the best of my knowledge and belief.

Daniel Laidner
Signature
3350 Thomas St SPC 170
Mailing Address
Fairbanks, AK, 99709
City, State, Zip

Sworn to before me this 25th day of March, 2011.
Janey L. Hovenden
Notary Public for the State of Alaska
My Commission Expires: with office



Administrative Use Only

Approved By:	Date:
Denied By:	Date:
Reason for Denial:	

For additional information and/or forms, please visit the City of Fairbanks web site at: www.ci.fairbanks.ak.us

ORDINANCE NO. 5836

**AN ORDINANCE AMENDING FGC SECTION 14-167, REGARDING THE
PROCEDURE FOR REVIEW OF ALCOHOLIC BEVERAGE LICENSES**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA,
as follows:

SECTION 1. That Fairbanks General Code Chapter 74, Article III, is hereby amended as follows (new text in **underlined bold** font, deleted text in ~~strikeout~~ font):

Sec. 14-167. Procedure for review of licenses.

- (a) Upon receipt of notice from the state alcoholic beverage control board that the board intends to approve an application for a transfer, renewal or new alcoholic beverage license of any type, the city clerk shall cause the fire and police chiefs, ~~city attorney, building official,~~ **and** director of finance, ~~and fire inspector~~ to make appropriate investigations within their respective areas of responsibility and to forward written statements of any reasons why the city should object to the proposed approval by the state alcoholic beverage control board. **The building official shall be asked to review applications for premises within buildings not previously used for the sale of alcoholic beverages.**
- (b) ~~At the first regular meeting of the city council which is at least ten days after receipt of the notice of the state alcoholic beverage control board's intent to approve an alcoholic beverage license,~~ The mayor shall report to the city council any objections to the board's proposed approval of a license which have been submitted to him. If the mayor determines that an interest of the city can be protected by protesting approval of the license, he shall inform the city council.
- (c) A fee, as set forth in the city's schedule of fees and charges for services, will be charged for the city's processing of an application for a transfer, renewal or new alcoholic beverage license of any type, including an application for a temporary caterer's permit.

SECTION 2. That the effective date of this Ordinance shall be the ___ day of April, 2011.

Jerry Cleworth, City Mayor

AYES:
NAYS:
ABSENT:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, City Clerk, CMC

Paul J. Ewers, City Attorney

ORDINANCE NO. 5837

AN ORDINANCE TO AMEND FGC SECTIONS 10-425 AND 10-426, ADOPTING THE 2009 INTERNATIONAL FUEL GAS CODE WITH AMENDMENTS

WHEREAS, the Building Code Review and Appeals Commission has reviewed the 2009 International Fuel Gas Code, and the amendments thereto, and has recommended adoption with local amendments; and

WHEREAS, the City Council desires to accept the recommendations of the Building Code Review and Appeals Commission;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, AS FOLLOWS:

Section 1. Fairbanks General Code Sections 10-425 and 10-426 are hereby repealed and re-enacted as follows (substantive changes shown in bold font):

Sec. 10-425. Adoption.

The International Fuel Gas Code **2009** Edition, as published by the International Code Council, is hereby adopted by the City of Fairbanks.

Sec. 10-426. Amendments.

Section 101.3 Appendices. Add the following to this section.

Appendices A, B, C & D are hereby adopted.

Except for Sections 101, 102, and the following amendments, delete Chapter 1 in its entirety and refer to the City of Fairbanks Administrative Code.

Section 101.2 Scope. Add the following sentence after the first sentence.

The storage system for liquefied petroleum gas including tanks, containers, container valves, regulating equipment, meters, and/or appurtenances for the storage and supply of liquefied petroleum gas for any building, structure, or premises shall be designed and installed in accordance with the International Fire Code and NFPA 58.

Section 101.2 Scope. Exception Delete this exception in its entirety.

Section 101.2.4 Systems, appliances and equipment outside the scope. Delete Number 13, Temporary LP-gas piping.

Section 101.5 Severability. Add a sentence as follows:

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

Section 102.8 Referenced codes and standards. Add two subsections at the end of this section as follows:

102.8.1 Plumbing. Where reference to any Plumbing Code is made in this Code it shall be taken to mean the *Uniform Plumbing Code* as adopted and amended by the City of Fairbanks.

102.8.2 Electrical. Where reference to any Electrical Code is made in this Code it shall be taken to mean the *National Electrical Code* as adopted and amended by the City of Fairbanks.

102.8.3 Administrative. The provisions of the City of Fairbanks Administrative Code shall apply to the administration and enforcement of this code. Where provisions of the Administrative Code and this code conflict, the most restrictive shall apply.

102.8.4 Energy. Where reference is made in this Code to the International Energy Conservation Code it shall be taken to mean the *IECC* as currently adopted by the City of Fairbanks.

Section 201.3 Terms defined in other codes. Delete this section and replace as follows.

Where terms are not defined in this code and are defined in the *International Building Code*, *National Electrical Code*, *International Fire Code*, *International Fuel Gas Code* and the *Uniform Plumbing Code*, such terms shall have meanings ascribed to them as in those codes.

Section 201.4 Terms not defined. Amend this section by adding the following sentence.

Webster's Third New International Dictionary of the English Language, Unabridged shall be considered as providing ordinarily accepted meanings.

Section 301.2 Energy utilization. Delete this section in its entirety.

Section 301.16 Penetration Weatherproofing. Add this section and the following after section 301.15.

Joints at roofs and exterior walls around pipes, ducts, appurtenances or equipment shall be made watertight by the use of approved materials.

Section 301.17 Meter Protection. Add this section and the following.

It shall be the responsibility of the Gas piping system permit-holder to provide physical damage protection and adverse weather protection as approved by the Building Department for the meter-set and piping connection to it.

Section 301.18 Carbon Monoxide Alarm. Add this section numbering, title, and the following after section 301.17.

Where a fuel-fired appliance is installed or replaced in an existing dwelling an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms. A single station, battery-operated carbon monoxide alarm shall be listed as complying with UL 2034 and shall be installed according to the manufacturer's installation instructions.

Section 303.4 Protection from damage. Add the following at the end of Section 303.4.

Fuel-fired equipment and appliances located within the direct perpendicular path of a garage door opening of eight feet or less in height shall comply with Section 303.4.1

Section 303.4.1. Fuel-fired appliance protection. Fuel-fired appliances and equipment located in the direct path for vehicles as described in 303.4 shall be protected from impact with one of the following methods.

1. A minimum schedule 40 nominal 3" diameter steel pipe 30" high, with a vertical face at least 6" in the direction of vehicle approach and:
 - 1.1 Buried a minimum 2'0" deep in compacted soil and imbedded in at least 4" nominal concrete slab.
 - 1.2 Set in a minimum 1'0" x1'0"x1'0" block of concrete (slab included).
2. A platform on which the equipment sits, at least 24" high, extended at least 6" greater than the equipment footprint (including attachments such as burners and controls) in the direction of vehicle approach and in contact with the structure opposite the direction of vehicle approach.
3. An approved system of equivalent resistance to vehicle impact extending at least 6" ahead of the equipment's footprint in the direction of vehicle approach, including attachments such as burners and controls.

303.7 Pit locations. Add the following sentence at the end of this Section.

Liquefied petroleum gas piping shall not serve appliances located in a pit or basement where heavier-than-air gas might collect to form a flammable mixture.

Section 304.6 **Outdoor combustion air.** Delete this section in its entirety and replace as follows.

Combustion air for gas-fired appliances shall be provided on a basis of 1 square inch per 4000 Btu per hour of the total input rating of all equipment. In lieu of this requirement, combustion air may be provided in accordance with Table 304.6, **but shall not be less than the sum of the areas of all vent connectors in the space.** Combustion air may be provided from one opening **directly communicating with the outdoors or through a vertical or horizontal duct from the outdoors or spaces that freely communicate with the outdoors.** The opening into the enclosure containing the appliances shall be located no lower in elevation than **2/3 the distance from the top of the finished floor to the bottom of the finished ceiling in the enclosure.**

TABLE 304.6

COMBUSTION AIR - CATEGORY I GAS APPLIANCES ONLY*

Appliance Size Btuh Input Rating	C/A Duct Minimum Free Area (square inches)	Minimum Round Duct Size (inches)
Up to 120,000	28	6
120,000 to 155,000	38	7
155,000 to 175,000	50	8

*Note: Category II, III and IV gas appliances may use Table 7-1 as amended for oil-fired appliances per Chapter 7 of the **2009** International Mechanical Code.

Section 304.10 Louvers and grilles. Amend the fourth sentence as follows.

Screens shall have a mesh size not smaller than 1/2".

Section 304.11 Combustion Air Ducts. Delete #4, #5, and #6 and refer to section 304.6 as amended.

Section 304.11 Combustion air ducts. Delete # 8 and replace with the following.

8. Combustion air intake openings located on the exterior of a building shall have the lowest side of such openings located not less than 18 inches vertically from the adjoining finished ground level or an approved alternative means provided to prevent snow blockage.

Section 305.1.1 Fuel-fired equipment startup report. Add this subsection and the following.

A startup report is required for all fan-assisted or power-burner fuel-fired equipment indicating the following conditions and others which the manufacturer recommends in their installation instructions. A non-returnable copy must be provided to the inspector for insertion in the Building Department project files.

Company, Name, address, & Phone Number of Startup Technician

Manufacturer and Model No. of Equipment

Date and Time of Startup and Noted Readings

Net Stack Temperature

Overfire Draft

Breech Draft

Stack Draft

CO

CO2 or O2

Actual Rate of fuel input

Section **305.13** Area served. Add this section and the following.

Appliances serving different areas of a building other than where they are installed shall be permanently marked in an approved manner that uniquely identifies the appliance and the area it serves.

Section 310 Electrical Bonding Add subsection 310.2 and the following at the end of this section.

310.2 Prohibited connection. The required gas piping system bonding connection to the electrical service grounding system shall not be made to any part of the gas service meter set equipment owned and operated by the GasUtility Company. Bonding shall be on the customer side of the meter and regulator set. A direct bonding connection to Corrugated Stainless Steel Tubing is prohibited and bonding connections to Corrugated Stainless Steel Tubing systems shall be completed according to the specific tubing manufacturer's instructions.

Section 401.9 Prohibited future piping. Add this section and the following.

Installation of piping for future use beyond a capped or plugged tee outlet is prohibited without the extension of the installation through the gas piping outlet(s) for specified equipment and appliances.

Section 403.10.4 Metallic fittings. Revise this section by deleting the words “cast iron” in #2 and deleting #5.

Section 406.4.1 Test pressure. Amend the first sentence of this section as follows.

Test pressure to be used shall be no less than 1 ½ times the proposed maximum working pressure, but not less than 10 psig.

Section 406.8. Add a new section as follows.

Section 406.8 Temporary Gas Installations. The installation of temporary gas shall comply with this section.

406.8.1 Temporary gas approval may be given to provide heating prior to the completion of the building's primary heating system.

406.8.2 The heating appliance must be listed and labeled for its use to provide space heating and installed according to the manufacturer's installation instructions, including all the manufacturer's required clearances to combustibles.

406.8.3 The return air for furnaces used for temporary heat shall ducted from a minimum of 10 feet from the appliance.

406.8.4 Portable space heaters shall be provided with one hundred percent (100%) outside air to the back end of the heater and the regulator vented to outside the space being heated.

406.8.5 Gas hose used for temporary heaters shall be an approved type and all manufacturers' listed clearances shall be maintained. The hose shall have an internal wire mesh or braid to render it “kink proof”. This wire mesh or braid shall run the full length of the hose. Each time a section of hose is used it shall be tested at a minimum of sixty (60) psi air pressure and labeled with temporary approval by the Building Department. The absence of the temporary approval label any time after gas service is supplied shall be cause to discontinue temporary gas service.

406.8.6 Corrugated Stainless Steel Tubing used for temporary gas service must be installed and approved as a permanent installation. Unsupported, unprotected CSST is specifically prohibited.

406.8.7 Temporary gas valve outlets not connected to an appliance or equipment shall be plugged or capped leaktight.

Section 410.3.2 Regulator Vent Openings. Add the following subsection.

Regulator vent openings shall not be located closer than 10 feet horizontally to any mechanical outdoor air intake opening or 3 feet horizontally from any gravity outdoor air intake opening, including opening doors and windows, unless such vent opening is at least 2 feet above the air intake opening. Regulator vent openings must be at least 12 inches above the anticipated snow level of 18 inches. Regulator vent openings shall not be located closer than 5 feet to any electrical equipment including service disconnects, electrical meters, receptacles, etc., unless such electrical equipment meets the requirements of Article 500 and 501 of the National Electrical Code.

Section 501.3 Masonry chimneys. Add the following sentence at the end of this section.

Exterior masonry chimneys shall not be used to vent gas appliances.

Section 501.6 Positive pressure. Amend this section by adding the following paragraph and subsection at its end.

Vents taller than 15' in height serving positive pressure equipment must be provided with provisions for an atmospheric balanced draft per 501.6.1.

501.6.1.1.1 Positive pressure greater than 15 feet in height. For positive pressure equipment with venting system greater than 15 feet in height, provide an atmospheric balanced draft vent, i.e. provide a barometric draft regulator. The height of the vent shall be measured from the base of the appliance to the outlet of the chimney. Vent must be sized to prevent positive pressure. Multiple heating appliances connected to a vent greater than 15 feet in height shall be provided with separate draft or atmospheric controls for each appliance.

Section 502.5 Installation. Add the following sentence at the end of this section.

Vertical Vent terminations above a roof must extend at least 18 inches above the roof. Vent terminations through a wall must be at least above an anticipated snow depth of 18 inches.

Section 502.8 Location and support of venting systems other than masonry chimneys. Add this section with the following.

Vent terminations that penetrate a metal roof with a slope greater than 2:12 shall be protected by an ice dam or deflector of a type and design approved by the Code Official.

Section 502.9 Vent height limitations. Add this section with the following.

Vents which do not exceed 15 feet in height need not be provided with an atmospheric draft or control device unless required by Section 501.6. The height of the vent shall be measured from the base of the appliance to the outlet of the chimney. The entire length of the vent shall be factory sealable. The vent must be sized to avoid negative pressure.

Section 502.10 Vent Enclosure. Add this section with the following.

Venting systems installed with greater than 5 feet of developed length outside the building's thermal envelope shall be enclosed with at least an R-11 enclosure from the penetration of the thermal envelope to a point no greater than 5 feet from the vent's outlet.

Section 503.3.6 Above-ceiling air-handling spaces. Add the following sentence to Item No. 1:

The vent material shall have a flame spread index of not more than 25 and a smoke-developed index of not more than 50 when tested in accordance with ASTM E84.

Section 614.2 Duct penetrations. Delete this section in its entirety and replace with the following.

Ducts that exhaust clothes dryers shall not penetrate required fire-resistive assemblies unless enclosed in a fire-resistive shaft complying with the building code.

Section 2. That the effective date of this Ordinance shall be the ____ day of _____, 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney

ORDINANCE NO. 5838

AN ORDINANCE TO AMEND FGC SECTIONS 10-101 AND 10-102, ADOPTING THE 2009 INTERNATIONAL MECHANICAL CODE WITH AMENDMENTS

WHEREAS, the Building Code Review and Appeals Commission has reviewed the 2009 International Mechanical Code, and the amendments thereto, and has recommended adoption with local amendments; and

WHEREAS, the City Council desires to accept the recommendations of the Building Code Review and Appeals Commission;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, AS FOLLOWS:

Section 1. Fairbanks General Code Sections 10-101 and 10-102 are hereby repealed and re-enacted as follows (substantive changes shown in bold font):

Sec. 10-101. Adoption.

The International Mechanical Code **2009** Edition, as published by the International Code Council, is hereby adopted by the City of Fairbanks.

Sec. 10-102. Amendments.

Section 101.2.1 Appendices. Add the following to this section.

Appendix A as amended by the combustion air provisions of chapter 7 is hereby adopted.

Except for sections 101, 102, and the following amendments, delete Chapter 1 in its entirety and refer to the Administrative Code for the City of Fairbanks Building Department.

Section 102.8 Referenced codes and standards. Revise and add two subsections at the end of this section as follows:

102.8.1 Plumbing. Where reference to any Plumbing Code is made in this Code it shall be taken to mean the *Uniform Plumbing Code* as adopted and amended by the City of Fairbanks.

102.8.2 Electrical. Where reference to any Electrical Code is made in this Code it shall be taken to mean the *National Electrical Code* as adopted and amended by the City of Fairbanks.

102.8.3 Administrative. The provisions of the Administrative Code for the City of Fairbanks Building Department shall apply to the administration and enforcement of this code. Where provisions of the Administrative Code and this code conflict, the more restrictive text shall apply.

102.8.4 Energy. Where reference is made in this Code to the *International Energy Conservation Code* it shall be taken to mean the *IECC* as currently adopted by the City of Fairbanks.

Section 201.3 Terms defined in other codes. Revise this section as follows.

Where terms are not defined in this code and are defined in the *International Building Code*, *National Electrical Code*, *International Fire Code*, *International Fuel Gas Code*, or *Uniform Plumbing Code*, such terms shall have meanings ascribed to them in those codes.

Section 201.4 Terms not defined. Amend this section by adding the following sentence.

Webster's Third New International Dictionary of the English Language, Unabridged shall be considered as providing ordinarily accepted meanings.

Section 301.2 Energy utilization. Delete this section in its entirety.

Section 301.7 Electrical. Add the following sentence to the end of this subsection.

When an existing fuel-fired appliance is not equipped with the required manual disconnect and the appliance is replaced, an approved manual disconnect within clear view of the appliance shall be installed.

Section 302.6 Penetration Weatherproofing. Add this section and the following after section 302.5.3.

Joints at roofs and exterior walls around pipes, ducts, appurtenances or equipment shall be made watertight by the use of approved materials.

Section 301.16 Carbon Monoxide Alarm. Add this section numbering, title, and the following after section 301.15.

Where a fuel-fired appliance is installed or replaced in an existing dwelling an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms. A single station, battery-operated carbon monoxide alarm shall be listed as complying with UL 2034 and shall be installed according to the manufacturer's installation instructions.

Section 302.1.1 Pipe and Tubing embedded in concrete. Add this subsection with the following text.

Pipe and tubing embedded in concrete slabs or footings, including sleeves, shall not be placed at a depth below the top surface of the concrete of less than 1 ½ - inch for concrete exposed to earth or weather or ¾-inch for concrete not exposed to earth or weather. They shall not be spaced closer than 3 diameters or widths from structural steel elements.

Section 303.4 Protection from damage. Add the following at the end of Section 303.4.

Fuel-fired equipment and appliances located within the direct perpendicular path of a garage door opening of eight foot or less in height shall comply with Section 303.4.1

303.4.1 Fuel-fired appliance protection. Fuel fired appliances and equipment located in the direct path of vehicles as described in 303.4 shall be protected from impact with one of the following methods.

1. A minimum schedule 40 nominal 3" diameter steel pipe 30" high, with a vertical face of the pipe at least 6" in the direction of vehicle approach and:
 - 1.1 Buried a minimum 2'0" deep in compacted soil and imbedded in at least 4" nominal concrete slab, or
 - 1.2 Set in a minimum 1'0" x1'0"x1'0" block of concrete (slab included).
2. A platform on which the equipment sits, at least 24" high, extended at least 6" greater than the equipment footprint (including attachments such as burners and controls) in the direction of vehicle approach and in contact with the structure opposite the direction of vehicle approach.
3. An approved system of equivalent resistance to vehicle impact extending at least 6" ahead of the equipment's footprint in the direction of vehicle approach, including attachments such as burners and controls.

Section 303.8 Elevator Shafts. Delete this section in its entirety and replace as follows.

Mechanical systems shall not be located in an elevator shaft except mechanical equipment and devices exclusively serving the elevator. Discharge piping from any sump pump shall exit the hoistway as low as practicable. Sump pumps shall be sized per the Uniform Plumbing Code as amended.

Section 304.1.1 Fuel-fired equipment startup report. Add this subsection as follows.

A startup report is required for all fan-assisted or power-burner fuel-fired equipment indicating the following conditions and others which the manufacturer recommends in their installation instructions. A non-returnable copy must be provided to the inspector for insertion in the Building Department project files.

Company, Name, address, & Phone Number of Startup Technician

Manufacturer and Model No. of Equipment

Date and Time of Startup and Noted Readings

Net Stack Temperature

Overfire Draft

Breech Draft

Stack Draft

CO or Smoke

CO₂ or O₂

Actual Rate of fuel input

Section 312.1 Load calculations. Delete the last sentence of this section and substitute the following.

Alternatively, design loads shall be determined by an approved equivalent computation procedure.

Section 401.4 Intake Openings. Add the following exception.

Exception:

Passive Outdoor Air intake openings, including opening doors and windows, shall not be located closer than 3 feet horizontally to any gas pressure regulator vent opening, unless such vent opening is located at least **3** feet above the air intake opening.

Section 401.5 Outdoor opening protection. Add an exception at the end of this section as follows:

Exception: HRV weatherhoods as provided by the respective unit's manufacturer may be used for its Intake and Exhaust Air openings.

TABLE 401.5

OPENING SIZES IN LOUVERS, GRILLES AND SCREENS PROTECTING OUTDOOR EXHAUST AND AIR INTAKE OPENINGS

Delete Table 401.6 and replace with the following.

OUTDOOR OPENING TYPE	MINIMUM AND MAXIMUM OPENING SIZES IN LOUVERS, GRILLES AND SCREENS MEASURED IN ANY DIRECTION
Exhaust & Intake openings in residential occupancies	½ inch
Intake openings in other than residential occupancies	Not < ½ inch and not > 1 inch

Section 403.3 Ventilation rate. Amend this section by revising the first sentence to read as follows.

Ventilation systems shall be designed to have the capacity to supply the minimum outdoor airflow rate determined in accordance with Table 403.3 based on the occupancy of the spaces and the occupant load or in accordance with the latest edition of ASHRAE Standard 62.

Section 501.2 Exhaust discharge. Delete the exceptions to this section.

Section 502.20 Nail Salons. Add this section.

The inlet to an exhaust system shall be located in the immediate area of heaviest concentration of contaminants. The permit holder shall verify capture and containment performance of the exhaust system. This field test shall be conducted with all sources of outdoor air providing makeup

air operating and with all sources of recirculated air operating which provide conditioning for the space in which the capture & containment is required. Capture and containment shall be verified visually by observing smoke simulating contaminant emission.

Section 505.1 Domestic systems. **Delete the first paragraph of this section and substitute the following.**

Built-in Cook-top or Range-top domestic cooking appliances located within dwelling units and within areas where domestic cooking appliance operations occur shall be listed and labeled as household-type appliances for domestic use. A ventilating hood above, or an approved downdraft exhaust, shall be provided for a cook-top or range-top domestic cooking appliance, and shall discharge to the outdoors through a single-wall duct. The duct shall be sheet metal, of galvanized steel, stainless steel, aluminum or copper, airtight, and equipped with a backdraft damper. A microwave or cooking appliance that exhausts to the outdoors according to this section, is listed and labeled for installation over a cooking appliance, and conforms to the terms of the upper appliance's listing and label, shall be approved.

Delete exception #1.

Section 506.3.10 Grease duct enclosure. **Add the following sentence at the end of this section's paragraph.**

Duct enclosures penetrating wall assemblies shall have a fire-resistance rating of not less than that required for the wall assembly, but not less than 1-hour nor more than 2-hour.

506.3.10.1 Shaft enclosure. Delete and replace the second sentence of this subsection with the following.

Such grease duct systems and exhaust equipment shall have a clearance to combustible construction of not less than 18 inches, and shall have a clearance to noncombustible construction and gypsum wallboard attached to noncombustible structures of not less than 3 inches.

Section 507.1 General. Amend this section by adding the following sentence.

Design documents for commercial hoods, commercial ventilation and makeup air systems shall be designed by and bear the stamp of a professional mechanical engineer currently registered in the State of Alaska.

Section 508.1 Makeup air. Amend this section by adding the following sentence.

Design documents for commercial hoods, commercial ventilation and makeup air systems shall be designed by and bear the stamp of a professional mechanical engineer currently registered in the State of Alaska.

Section 601.4 Contamination prevention. Amend this section numbering the published Exception as noted and adding Exception 2 as follows.

Exception 1. Exhaust systems...

Exception 2.

Environmental air exhaust ducts under positive pressure may extend into or through ducts or plenums if one of the following design approaches is used.

1. Route environmental air exhaust ducts inside a shaft when passing through a duct or plenum. Install a second duct around the environmental air exhaust duct where passing through ducts and plenums to minimize leakage to the duct plenums. Seal both ends of the outer duct to the outside.
2. Install a second duct around the environmental air exhaust duct where passing through ducts and plenums to minimize leakage to the duct or plenum. Seal both ends of the outer duct to outside.
3. Seal the environmental air exhaust ducts along all seams and joints using a listed low to medium pressure duct sealant which is typically applied by brush, trowel or caulking gun.
4. Provide flexible duct with no seams in the duct or plenum. The maximum length of the flexible duct is limited to 8 feet due to high static loss. A metal duct may be sleeved by the flexible seamless duct.

Section 602.1 General. Revise this section as follows.

Supply, return, exhaust, relief and ventilation air plenums shall be limited to areas above a ceiling or below the floor, attic spaces and mechanical equipment rooms. Plenums shall be limited to one fire area. Fuel-fired appliances shall not be installed within a plenum.

Exception: Underfloor crawlspaces shall not be used as plenums.

Section 604.1 General. Revise this section as follows.

Duct insulation shall conform to the requirements of sections 604.2 through 604.13 and the *International Energy Conservation Code*. All supply, return, and exhaust ducts and plenums shall be insulated with a

minimum of R-11 insulation when located outside the building envelope. When located within a building envelope assembly, the duct or plenum shall be separated from the building exterior or unconditioned space or exempt spaces by a minimum of R-11 insulation.

Exceptions:

1. When located within equipment.
2. When the design temperature difference between the interior and exterior of the duct or plenum does not exceed 15 degrees F (8 degrees C).
3. When located within the under floor crawlspace of a one or two family dwelling unit.

607.4 Access and identification. Add the following between the 1st and 2nd sentences of this Section.

Access doors for fire dampers & smoke dampers shall be located as close as practicable to the dampers and also sized so fire damper spring catch and fusible links are accessible with two hands when the damper is closed. Duct access doors shall be a minimum size of 18 inches x 16 inches where the size of the duct permits, and a minimum size of 24 inches & 16 inches where entry of an individual is needed for the required minimum access.

CHAPTER 7 COMBUSTION AIR

Section 701.1 Scope. Delete this section in its entirety and substitute the following.

The provisions of this chapter shall govern the requirements for combustion and dilution air for fuel-burning appliances other than gas-fired appliances. Solid fuel-burning appliances shall be provided with combustion air in accordance with the appliance manufacturers' instructions. Oil-fired appliances shall be provided with combustion air in accordance with this chapter and, where not modified by this chapter, with Chapter 5 of NFPA 31. The methods of providing combustion air in this chapter do not apply to fireplaces and fireplace stoves.

Add the following after Section 701.1

701.2 Combustion and dilution air required. Every room or space containing fuel-burning appliances shall be provided with combustion air, including both air for complete fuel combustion and draft dilution, as required by this code. An approved engineered system may be used to provide combustion air as an alternative to the requirements of this chapter. An approved method shall be utilized to control the temperature

of the room or space containing fuel-burning appliances. The room or space shall be maintained between 40 degrees F and 120 degrees F. The requirements for Combustion Air in this chapter do not include what might be needed for maintaining the ambient temperature of the room or space containing the fuel-burning equipment. Exhaust fans that create a negative draft in the room or space, or other fans that might create conditions of unsatisfactory combustion or venting, are not permitted unless electrically interlocked with the fuel-burning appliances to prevent simultaneous operation.

701.3 Prohibited Sources. Combustion air shall not be obtained from a hazardous location, except where the fuel-fired appliances are located within the hazardous location and are installed in accordance with this code. Combustion air shall not be taken from a refrigeration machinery room, except where a refrigerant vapor detector system is installed to automatically shut off the combustion process in the event of refrigerant leakage. Combustion air shall not be obtained from any location below the design flood elevation, a crawlspace, or an attic.

701.4 Outdoor openings. Combustion air outdoor openings shall be located and protected according to Sections 401.4 and 401.5, as amended, and located at least 24 inches above grade.

702.0 Outdoor Air

702.1 Outdoor Air is required provided for combustion air. Combustion air as required by this chapter shall not be supplied by infiltration.

702.2 Indirect-Connection, Passive-flow Combustion Air. A minimum of one combustion air opening is required. The opening shall be sized with an effective opening to the outdoors of 1 square inch per 6000 Btu/h of the combined input rating of the fuel-burning appliances or according to Table 7-1. The opening into the enclosure containing the appliances shall be located no lower in elevation than 2/3 the distance from the top of the finished floor to the bottom of the finished ceiling in the enclosure.

**TABLE 7-1
OIL-FIRED APPLIANCE COMBUSTION AIR DUCT SIZING**

Appliance Size (Btu/hr Input)	GPH Input at 140,000 Btu/gallon	Combustion Air Duct Minimum Free Area (sq. in.)	Minimum Round Duct Size (sq. in.)
<120,000	<.85	12	4
120,000 -155,000	.85 – 1.10	19	5
155,000 – 175,000	1.10 – 1.25	28	6

702.3 Indirect-Connection, Forced-flow Combustion Air. Where combustion air is provided by a mechanical forced-air system, it shall be supplied at the minimum rate of 1 cfm per 3500 Btu/h of the combined input rating of all the fuel-burning appliances served. Each of the appliances served shall be electrically interlocked to the mechanical forced-air system so as to prevent operation of the appliances when the mechanical system is not in operation. Where combustion air is provided by the building's mechanical ventilation system, the system shall provide the specified combustion air rate in addition to the required ventilation air.

702.4 Direct-Connection. Fuel-burning appliances that are listed and labeled for direct combustion air connection to the outdoors shall be installed in accordance with the manufacturer's installation instructions.

703.0 Combustion Air Ducts.

703.1 General. Indirect-Connection Combustion air ducts shall:

- 1. Be of galvanized steel complying with Chapter 6 or of equivalent rigid, corrosion-resistant material approved for this application.**
- 2. Have a minimum cross-sectional dimension of 3 inches .**
- 3. Terminate in an unobstructed space allowing free movement of combustion air to the appliances.**
- 4. Have the same cross-sectional areas as the free area of the openings to which they connect. Each combustion air inlet shall only open into the appliance space with one, separate ducted opening of the required free area opening.**
- 5. Serve a single appliance enclosure.**
- 6. Any dampers installed within any part of a combustion air duct or opening shall be electrically interlocked with the firing cycle of the appliance served, so as to prevent operation of any appliance when the dampers are closed.**

Section 801.21 Location and support of venting systems other than masonry chimneys. Add this new section with the following text.

Vent terminations that penetrate a metal roof with a slope greater than 2:12 shall be protected by an ice dam or deflector of a type and design approved by the Code Official.

Section 923.2 Small ceramic kilns-ventilation. Add this new section with the following text.

A canopy-hood shall be installed directly above each kiln. The face opening area of the hood shall be equal to or greater than the top horizontal surface area of the kiln. The hood shall be constructed of not less than No. 24 U.S. gauge galvanized steel or equivalent and be supported at a height of between 12 inches and 30 inches above the kiln by noncombustible supports.

Exception: Each hood shall be connected to a gravity ventilation duct extending in a vertical direction to outside the building. This duct shall be of the same construction as the hood and shall have a minimum cross-sectional area of not less than one fifteenth of the face opening area of the hood. The duct shall terminate a minimum of 12 inches above any portion of a building within four feet and terminate no less than 4 feet from the adjacent property line or any openable window or other openings into the building. The duct opening to the outside shall be shielded, without reduction of duct area, to prevent entrance of rain into the duct. The duct shall be supported at each section by noncombustible supports. Provisions shall be made for air to enter the room in which a kiln is installed at a rate at least equal to the air being removed through the kiln hood.

Section 1001.1 Scope. Amend exception #7 as follows.

7. Any boiler or pressure vessel subject to inspection by federal inspectors.

Section 1005.2 Potable water supply. Delete this section and its title in their entirety and substitute the following.

Section 1005.2 Water Supply. An automatic means of water or heat transfer liquid makeup supply is required connected to all boilers. Connections to the potable water piping system shall be in accordance with the *Uniform Plumbing Code* as amended.

Section 1006.7 Boiler safety devices. Amend this section by adding the following **and** Table 10-3 of the *2009 Uniform Mechanical Code*.

Automatic boilers shall be equipped with controls and limit devices as set forth in Table 10-3.

**TABLE 10-3
Controls and Limit Devices for Automatic Boilers**

Boiler Group	Fuel	Fuel Input Range (Inclusive), Btu/h	Type of Pilot ²	Safety Control Timing (Nominal Maximum Time In Seconds)				Assured Fuel Supply Control ¹	Assured Air Supply Control ⁵	Low Fire Start Up Control	Pre-purging Control	Hot Water Temperature and Low Water Limit Controls ⁸	Steam Pressure and Low Water Limit Controls ⁶	Approved Fuel Shutoff ¹⁰	Control and Limit Device System Design ¹¹
				Trial for Pilot	Trial for Main Burner Flame		Main Burner Flame Failure ³								
					Direct Electric Ignition	Flame Pilot									
A	Gas	0-400,000	Any type	90	Not Required	90	90	Not required	Required	Not required	Required	Required	Not required	Required	
B	Gas	400,001-2,500,000	Interrupted or intermittent	15	15	15	2-4	Not required	Required	Not required	Required	Required	Not required	Required	
C	Gas	2,500,001-5,000,000	Interrupted or intermittent	15	15	15	2-4	Required	Required	Required	Required	Required	Required	Required	
D	Gas	Over 5,000,000	Interrupted	15	15	15	2-4	Required	Required	Required	Required	Required	Required	Required	
E	Oil	0-400,000	Any type	Not Required	90	90	90	Not required	Required	Not required	Required	Required	Not required	Required	
F	Oil	400,001-1,000,000	Interrupted	Not Required	30	30	2-4	Required	Required	Not required	Required	Required	Not required	Required	
G	Oil	1,000,001-3,000,000	Interrupted	Not Required	15	15	2-4	Required	Required	Not required	Required	Required	Not required	Required	
H	Oil	Over 3,000,000	Interrupted	15	15	60	2-4	Required	Required	Required	Required	Required	Required	Required	
K	Electric	All	Not required	Not required	Not required	Not required	Not required	Not required	Not required	Not required	Required	Required	Not required	Required	
L	Gas, Oil and/or Coal	12,500,000 or more	Any	10 sec per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per ASME Power Boiler Code, Section I and NFPA 85	Per ASME Power Boiler Code, Section I and NFPA 85	Per NFPA 85	Per NFPA 85	
M	Heat Recovery Steam Generator	Any	None	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per NFPA 85	Per ASME Boiler & Pressure Code & NFPA 85	Per ASME Boiler & Pressure Code & NFPA 85	Per NFPA 85	Per NFPA 85	

FOOTNOTES FOR TABLE 10-3

¹Fuel input shall be determined by one of the following:

(a) The maximum burner input as shown on the burner nameplate or as otherwise identified by the manufacturer.

(b) The nominal boiler rating, as determined by the building official, plus twenty-five percent (25%).

²Automatic boilers shall have one flame failure device on each burner, which shall prove the presence of a suitable ignition source at the point where it will reliably ignite the main burner, except that boiler groups A, B, E, F, and G, which are equipped with direct electric ignition, shall monitor the main burner, and all boiler groups using interrupted pilots shall monitor only the main burner after the prescribed limited trial and ignition periods. Boiler group A, equipped with continuous pilot, shall accomplish 100 percent shutoff within ninety (90) seconds upon pilot flame failure. The use of intermittent pilots in boiler group C is limited to approved burner units.

³In boiler groups B, C, and O a 90-second main burner flame failure limit may apply if continuous pilots are provided on manufacturer assembled boiler-burner units that have been approved by an approved testing agency as complying with nationally recognized standards approved by the building official. Boiler groups F and G equipped to re-energize their ignition systems within 0.8 second after main burner flame failure will be permitted thirty (30) seconds for group F or fifteen (15) seconds for group G to reestablish their main burner flames.

⁴Boiler groups C and D shall have controls interlocked to accomplish a nonrecycling fuel shutoff upon high or low gas pressure, and boiler groups F, G, and H using steam or air for fuel atomization shall have controls interlocked to accomplish a nonrecycling fuel shutoff upon low atomizing steam or air pressure. Boiler groups F, G, and H equipped with a preheated oil system shall have controls interlocked to provide fuel shutoff upon low oil temperature.

⁵Automatic boilers shall have controls interlocked to shut off the fuel supply in the event of draft failure if forced or induced draft fans are used or, in the event of low combustion airflow, if a gas power burner is used. Where a single motor directly driving both the fan and the oil pump is used, a separate control is not required.

⁶Boiler groups C, O, and H, when firing in excess of 400,000 Btu per combustion chamber, shall be provided with low fire start of its main burner system to permit smooth light-off. This will normally be a rate of approximately one-third of its maximum firing rate.

⁷Boiler groups C, D, and H shall not permit pilot or main burner trial for ignition operation before a purging operation of sufficient duration to permit a minimum of four complete air changes through the furnace, including combustion chamber and the boiler passes. Where this is not readily determinable, five complete air changes of the furnace, including combustion chamber up to the first pass, will be considered equivalent. An atmospheric gas burner with no mechanical means of creating air movement or an oil burner that obtains two-thirds or more of the air required for combustion without mechanical means of creating air movement shall not require purge by means of four air changes, so long as its secondary air openings are not provided with means of closing. If such burners have means of closing secondary air openings, a time delay must be provided that puts these closures in a normally open position for four

minutes before an attempt for ignition. An installation with a trapped combustion chamber shall, in every case, be provided with a mechanical means of creating air movement for purging.

⁸Every automatic hot-water-heating boiler, low-pressure hot-water-heating boiler, and power hot water boiler shall be equipped with two high-temperature limit controls with a manual reset on the control, with the higher setting interlocked to shut off the main fuel supply, except that manual reset on the high-temperature limit control shall not be required on any automatic package boiler not exceeding 400,000 Btu/h input and that has been approved by an approved testing agency. Every automatic hot-water heating, power boiler, and package hot-water supply boiler shall be equipped with one low-water level limit control with a manual reset interlocked to shut off the fuel supply, so installed as to prevent damage to the boiler and to permit testing of the control without draining the heating system, except on boilers used in Group R Occupancies of less than six units and in Group U Occupancies and further, except that the low-water level limit control is not required on package hot-water supply boilers approved by a nationally recognized testing agency. However, a low-water flow limit control installed in the circulating water line may be used instead of the low-water level limit control for the same purpose on coil-type boilers.

⁹Every automatic low-pressure steam-heating boiler, small power boiler, and power steam boiler shall be equipped with two high-steam pressure limit controls interlocked to shut off the fuel supply to the main burner with manual reset on the control, with the higher setting and two low-water-level limit controls, one of which shall be provided with a manual reset device and independent of the feed water controller. Coil-type flash steam boilers may use two high-temperature limit controls, one of which shall be manually reset in the hot water coil section of the boiler instead of the low-water level limit control.

¹⁰Boiler groups C, D, and H shall use an approved automatic reset safety shutoff valve for the main burner fuel shutoff, which shall be interlocked to the programming control devices required. On oil burners where the safety shutoff valve will be subjected to pressures in excess of ten (10) psi when the burner is not firing, a second safety shutoff valve shall be provided in series with the first. Boiler groups C and D using gas in excess of one (1) pound-per-square-inch pressure or having a trapped combustion chamber or employing horizontal fire tubes shall be equipped with two approved safety shutoff valves, one of which shall be an automatic reset type, one of which may be used as an operating control, and both of which shall be interlocked to the limit-control devices required. Boiler groups C and D using gas in excess of one (1) pound per square inch pressure shall be provided with a permanent and ready means for making periodic tightness checks of the main fuel safety shutoff valves.

¹¹Control and limit device systems shall be grounded with operating voltage not to exceed 150 volts, except that, upon approval by the building official, existing control equipment to be reused in an altered boiler control system may use 220 volt single phase with one side grounded, provided such voltage is used for all controls. Control and limit devices shall interrupt the ungrounded side of the circuit. A readily accessible means of manually disconnecting the control circuit shall be provided with controls so arranged that when they are de-energized, the burner shall be inoperative.

1006.8 Electrical requirements. Add the following sentence and exception to this subsection.

The required means of disconnect shall be within clear view of the boiler burner.

Exception: Where it is not possible for personnel to position themselves out of clear view of the means of disconnect while maintaining the boiler, the capability of being locked in the off position shall not be required of the means of disconnect.

Section 1007 BOILER LOW-WATER CUTOFF Delete this section in its entirety and refer to Section 1006.7 as amended.

Section 1101. 11 Installation Identification. Add this subsection with the following text.

Each refrigerating system erected on the premises shall be provided with legible permanent signage, securely attached and easily accessible, as required in sections 1101.11.1 – 1101.11.3. In the event that the type or amount of refrigerant or other indication is changed, the signs must be changed or replaced to indicate the new conditions.

1101.11.1 Each systems shall be provided a sign indicating:

- (a) the name and address of the installer,
- (b) the refrigerant number and amount of refrigerant,
- (c) the lubricant identity and amount, and
- (d) the field test pressure applied

1101.11.2 Systems containing more than 110 lb. of refrigerant and consisting of controls and piping shall be provided signs having letters at least .5 inches in height indicating:

- (a) Each valve or switch that controls the refrigerant flow, the machinery room ventilation, and the compressors
- (b) The specific fluid, whether a refrigerant or secondary coolant, that is contained in exposed piping outside of the refrigerating machinery room. Valves or the piping adjacent to the valves shall be labeled in accordance with ANSI A13.1.

1101.11.3 Each Refrigeration Machinery Room entrance must have in clear view a sign reading: “Machinery Room – Authorized Personnel Only. – Only those trained in emergency procedures if the Refrigerant alarm is activated.”

Section 1105.3 Refrigerant detector. Amend this section by adding a second sentence to read as follows.

Refrigerant detectors shall alarm both inside and outside the machinery room and refrigerated space.

Section 1105.6.2 Makeup air. Amend this section as follows.

Provisions shall be made for makeup air to replace that being exhausted. Openings for makeup air shall be located to avoid intake of exhaust air. Supply and exhaust ducts to the machinery room shall serve no other area, shall be constructed in accordance with Chapter 5 and shall be covered with corrosion-resistant screen of not less than ½-inch mesh.

Section 1205.1.3 Pressure vessels. Add the following exception to this subsection.

Exception: Shutoff valves for diaphragm-type expansion tanks in systems installed with a single expansion tank of 12-gallon water volume or smaller, shall not be required.

Section 1205.1.6 Expansion Tanks. Delete this subsection in its entirety.

Section 1301.1 Scope. Amend this section as follows.

The design, installation, construction and repair of fuel oil and waste oil storage and piping shall be in accordance with this chapter and NFPA 31. The storage of fuel oil and flammable and combustible liquids shall be in accordance with the *International Fire Code*.

Section 1301.4 Fuel tanks, piping and valves. Amend and add to this section as follows.

The tank, piping and valves for appliances burning oil shall be installed in accordance with the requirements of this chapter. The oil supply line is required to be taken from the top of the tank only, and where the level of fuel within the tank may be above the inlet port of the appliance served an approved method to prevent siphoning from the tank must be provided. If the tank is located inside a building, emergency pressure relief venting is required to the exterior.

1301.4.1 Day tanks or supply tanks. Day tanks shall be installed in accordance with this code and NFPA 31.

1301.4.1.1 A day tank or supply tank of (60) gallons or less may be installed for generators, boilers and water heaters within a boiler or mechanical room provided a (1)-hour fire-resistive occupancy separation is constructed around the room containing the equipment being served and the day tank or supply tank.

1301.4.1.2 Day tanks or supply tanks which exceed (60) gallons shall be installed in accordance with the following requirements:

A. A sprinkler system as approved by the Fire Department is required for the mechanical room.

B. The room containing the day tank or supply tank shall be located on an exterior wall.

C. Two exits shall be provided from the boiler room or mechanical room. One exit shall open directly to the exterior and be accessible to fire-fighting personnel.

D. A (2)-hour fire resistive occupancy separation shall be provided around the boiler room or mechanical room.

1301.4.2 Waste oil tanks. Tanks installed inside buildings for the collection of class IIIB motor vehicle waste oil and connected to listed oil-burning appliances shall be restricted to Group S-1 and motor vehicle related occupancies as referenced by the *International Building Code*. Waste oil tanks located outside of central heating enclosures shall be limited to 500 gallon cumulative capacity, be provided with approved emergency pressure relief venting and shall be equipped with a hinged cap. All oil lines shall be equipped with a spring-loaded fusible valve located immediately adjacent to the tank shell.

Waste oil tanks exceeding 500-gallon capacity and connected to waste oil-burning appliances shall be enclosed in a separate one-hour fire-resistive occupancy separation, be provided with approved emergency pressure relief venting and shall be surrounded by a four(4) –inch high non-combustible curb.

Waste oil tanks located inside of central heating plant enclosures or generator mechanical rooms shall conform to section 1301.4.1 as amended.

Upon approval of the Fire Chief, listed waste oil heaters may be located in other occupancy groups provided the tanks are installed outside of the building in accordance with chapter 15 of the International Mechanical Code and NFPA 31 Chapter 12, or installed in compliance with IMC section 1301.4.1.

Section 2. That the effective date of this Ordinance shall be the ____ day of _____, 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney

Introduced by: Mayor Cleworth
Introduced: March 21, 2011

ORDINANCE NO. 5839

**AN ORDINANCE TO ADOPT THE 2011 CITY OF
FAIRBANKS ADMINISTRATIVE CODE AS ARTICLE II,
CHAPTER 10, FGC SEC. 10-31**

WHEREAS, the Building Code Review and Appeals Commission has reviewed the 2011 City of Fairbanks Administrative Code; and

WHEREAS, the City Council now desires to accept the recommendations of the Building Code Review and Appeals Commission to adopt the 2011 City of Fairbanks Administrative Code; and

WHEREAS, the current administrative code was adopted by Ordinance No. 5737 in 2008, but has not been referenced in Chapter 10, Buildings and Building Regulations, of the Fairbanks Code; and

WHEREAS, for ease of reference, the Administrative Code should be referenced as FGC Sec. 10-31, under Article II, Chapter 10 of the Fairbanks Code, a section currently reserved;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

Section 1. The attached 2011 City of Fairbanks Administrative Code is hereby adopted. Copies of this Administrative Code shall be made available at the Building Department and published online at the City of Fairbanks website.

Section 2. The current Fairbanks Code of Ordinances, Chapter 10, Buildings and Building Regulations, is hereby amended by adding the following Article and section to reference the Administrative Code:

Article II. CITY OF FAIRBANKS ADMINISTRATIVE CODE

Sec. 10-31. Adopted.

The 2011 City of Fairbanks Administrative Code is hereby adopted.

Section 3. That the effective date of this ordinance shall be the ____ day of _____ 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

JANEY HOVENDEN, CMC, City Clerk

PAUL EWERS, City Attorney

2011 CITY OF FAIRBANKS ADMINISTRATIVE CODE

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Chapter 1 TITLE, SCOPE AND GENERAL

SECTION 101 - TITLE, PURPOSE AND SCOPE

101.1 Title. These regulations shall be known as the City of Fairbanks Administrative Code, may be cited as such and will be referred herein as the "code."

101.2 Purpose. The purpose of this code is to provide for the administration and enforcement of the technical codes adopted by this jurisdiction.

101.3 Scope. The provisions of this code shall serve as the administrative, organizational and enforcement rules and regulations for the technical codes which regulate site preparation and construction, alteration, moving, demolition, repair, use and occupancy of buildings, structures and building service equipment within this jurisdiction.

101.4 Other Laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

101.5 Referenced Codes. Throughout the International Codes there are references to other codes. In all places where the International Codes make a reference to the International Plumbing Code, it shall mean the Uniform Plumbing Code as adopted by the City of Fairbanks. In all places where the International codes and other codes refer to the Electrical Code, it shall mean the electrical code as adopted by the City of Fairbanks.

101.6 Adopted Codes. The following codes are adopted by the City of Fairbanks: 2009 International Building Code, 2009 International Residential Code, 2009 International Fire Code, 2009 International Mechanical Code, 2009 International Fuel Gas Code, 2009 Uniform Plumbing Code, 2011 National Electrical Code, 2009 International Energy Conservation Code, 2009 Uniform Swimming Pool Spa and Hot Tub Code, City of Fairbanks Abatement of Dangerous Buildings Code.

SECTION 102 - APPLICATION TO EXISTING BUILDINGS AND BUILDING SERVICE EQUIPMENT

102.1 General. Buildings, structures and their building service equipment to which additions, alterations or repairs are made shall comply with all the requirements of the technical codes for new facilities, except as specifically provided in this section.

102.2 Additions, Alterations or Repairs. Additions, alterations or repairs may be made to a building or its building service equipment without requiring the existing building or its building service equipment to comply with all the requirements of the technical codes, provided the addition, alteration or repair conforms to that required for a new building or building service equipment. Additions or alterations shall not be made to an existing building or building service equipment which will cause the existing building or building service equipment to be in violation of the provisions of the technical codes nor shall such additions or alterations cause the existing building or building service equipment to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or building service equipment to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of the Building Code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance; will cause building service equipment to become overloaded or exceed their rated capacities; will create a health hazard or will otherwise create conditions dangerous to human life. A building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted by the Building Code for new buildings. A building plus new additions shall not exceed the height, number of

stories and area specified by the Building Code for new buildings. Additions or alterations shall not be made to an existing building or structure when the existing building or structure is not in full compliance with the provisions of the Building Code except when the addition or alteration will result in the existing building or structure being no more hazardous based on life safety, fire safety and sanitation, than before such additions or alterations are undertaken.

EXCEPTION: Alterations of existing structural elements, or additions of new structural elements, which are not required by Section 102.4 and which are initiated for the purpose of increasing the lateral- force-resisting strength or stiffness of an existing structure need not be designed for forces conforming to these regulations provided that an engineering analysis is submitted to show that:

1. The capacity of existing structural elements required to resist forces is not reduced, and
2. The lateral loading to required existing structural elements is not increased beyond their capacity, and
3. New structural elements are detailed and connected to the existing structural elements as required by these regulations, and
4. New or relocated nonstructural elements are detailed and connected to existing or new structural elements as required by these regulations, and
5. An unsafe condition as defined above is not created.

Alterations or repairs to an existing building or structure which are nonstructural and do not adversely affect a structural member or a part of the building or structure having required fire resistance may be made with the same materials of which the building or structure is constructed, subject to approval by the building official. Installation or replacement of glass shall be as required for new installations.

Minor additions, alterations and repairs to existing building service equipment installations may be made in accordance with the technical code in effect at the time the original installation was made, subject to approval of the building official, and provided such additions, alterations and repairs will not cause the existing building service equipment to become unsafe, unsanitary or overloaded.

102.3 Existing Installations. Building service equipment lawfully in existence at the time of the adoption of the technical codes may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and a hazard to life, health or property has not been created by such building service equipment.

102.4 Existing Occupancy. Buildings in existence at the time of the adoption of the Building Code may have their existing use or occupancy continued if the use or occupancy was legal at the time of the adoption of the Building Code, and provided continued use is not dangerous to life, health and safety. A change in the use or occupancy of any existing building or structure shall comply with the provisions of Section 309 of this code and chapter 34 of the Building Code.

102.5 Maintenance. Buildings, structures and building service equipment, existing and new, and parts thereof shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the technical codes shall be maintained in conformance with the technical code under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and their building service equipment. To determine compliance with this section, the building official may cause a structure to be reinspected.

102.6 Moved Buildings. Buildings, structures and their building service equipment moved into or within this jurisdiction shall comply with the provisions of the technical codes for new buildings or structures and their building service equipment. Such building shall have a code compliance inspection conducted by the City of Fairbanks for fire life safety evaluation prior to the move.

102.7 Temporary Structures. Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the building official for a limited period of time. Buildings or structures erected under a special permit need not comply with the type of construction or fire-resistive time periods required by the Building Code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

102.8 Historic Buildings. Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building, structure, or its building service equipment may be made without conforming to the requirements of the technical codes when authorized by the building official, provided:

1. The building or structure has been designated by official action of the legally constituted authority of this jurisdiction as having special historical or architectural significance.
2. Unsafe conditions as described in this code are corrected.
3. The restored building or structure and its building service equipment will be no more hazardous based on life safety, fire safety and sanitation than the existing building.

SECTION 103 – DEFINITIONS

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in this section. Where terms are not defined, they shall have their ordinarily accepted meanings within the context with which they are used Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

ADDITION is an extension or increase in floor area or height of a building or structure.

ALTER or ALTERATION is a change or modification in construction or building service equipment.

APPROVED, as to materials, types of construction, equipment and systems, refers to approval by the building official as the result of investigation and tests conducted by the building official, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

APPROVED AGENCY is an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when the agency has been approved by the building official.

BUILDING is a structure used or intended for supporting or sheltering a use or occupancy.

BUILDING CODE is the code as adopted by City of Fairbanks.

BUILDING, EXISTING is a building erected prior to the adoption of this code, or one for which a legal building permit has been issued.

BUILDING OFFICIAL is the officer or other designated authority charged with the administration and enforcement of this code, or a regularly authorized deputy.

BUILDING SERVICE EQUIPMENT refers to the plumbing, mechanical, electrical and elevator equipment including piping, wiring, fixtures and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire-fighting and transportation facilities essential to the occupancy of the building or structure for its designated use.

DANGEROUS BUILDINGS CODE is the Uniform Code for the Abatement of Dangerous Buildings promulgated by the International Conference of Building Officials, as adopted and amended by this jurisdiction.

ELECTRICAL CODE is the National Electrical Code promulgated by the National Fire Protection Association, as adopted by this jurisdiction.

ELEVATOR CODE is the safety code for elevators, dumbwaiters, escalators and moving walks as adopted by this jurisdiction.

ENERGY CODE is the International Energy conservation code as adopted by the City of Fairbanks.

FIRE CODE is the fire code adopted by the City of Fairbanks

FIRE CODE OFFICIAL is the officer or other designated authority charged with the administration and enforcement of the fire code or a regularly authorized deputy

FUEL GAS CODE is the fuel gas code as adopted by the City of Fairbanks.

JURISDICTION, as used in this code, is a state or political subdivision which adopts this code for administrative regulations within its area of authority.

LISTED and **LISTING** are terms referring to equipment and materials included in a list published by an approved testing laboratory, inspection agency, or other organization concerned with product evaluation that maintains periodic inspection of current productions of listed equipment or materials. The published list shall state that the material or equipment complies with approved nationally recognized codes, standards or tests and has been tested or evaluated and found suitable for use in a specified manner.

MECHANICAL CODE is the mechanical code as adopted by the City of Fairbanks.

OCCUPANCY is the purpose for which a building, or part thereof, is used or intended to be used.

OWNER is any person, agent, firm or corporation having a legal or equitable interest in the property.

PERMIT is an official document or certificate issued by the building official authorizing performance of a specified activity.

PERSON is a natural person, heirs, executors, administrators or assigns, and also includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

PLUMBING CODE is the Plumbing Code, as adopted by this jurisdiction.

REPAIR is the reconstruction or renewal of any part of an existing building, structure or building service equipment for the purpose of its maintenance.

SHALL, as used in this code, is mandatory.

STRUCTURAL OBSERVATION means the visual observation of the structural system, for general conformance to the approved plans and specifications, at significant construction stages and at completion of the structural system. Structural observation does not include or waive the responsibility for the inspections required by Sections 305 and 306.

STRUCTURE is 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.

SWIMMING POOL CODE is the Uniform Pool Spa and Hot Tub Code as adopted by the City of Fairbanks.

TECHNICAL CODES refer to those codes adopted by this jurisdiction containing the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures and building service equipment as herein defined.

VALUATION or VALUE is the actual construction cost to build a new building, addition, remodel or alteration. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, landscaping, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems and other permanent equipment. Valuation shall be determined in accordance with the latest edition of the Building Safety Journal data chart as published by the International Code Council or based on the final contract amount, which ever is greater. When calculating the valuation utilizing the building valuation data chart the regional modifier shall be (1.3). A copy of the bid award may be required by the building official or fire chief. In any case the final determination of value or valuation under any of the provisions of these codes shall be made by the building official.

SECTION 104 - CONFLICTING PROVISIONS

- 1) When conflicting provisions or requirements occur between this code, the technical codes and other codes or laws, the most restrictive shall govern.
- 2) When conflicts occur between the technical codes, those provisions providing the greater safety to life shall govern. In other conflicts where sanitation, life safety or fire safety are not involved, the most restrictive provisions shall govern.
- 3) Where in a specific case different sections of the technical codes specify different materials, methods of construction or other requirements, the most restrictive shall govern.
- 4) When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. When conflicts occur between specific provisions of this code and administrative provisions in a technical code which is then applicable within this jurisdiction, those provisions becoming the law most recently shall prevail.

SECTION 105 - ALTERNATE MATERIALS, METHODS OF DESIGN AND METHODS OF CONSTRUCTION

The provisions of the technical codes are not intended to prevent the use of any material, method of design or method of construction not specifically prescribed by the technical codes, provided an alternate has been approved and its use authorized by the building official. The building official may approve an alternate, provided the building official finds that the proposed design is satisfactory and complies with the provisions of the technical codes and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in the

technical codes in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation. The building official shall require that sufficient evidence or proof be submitted to substantiate claims that may be made regarding its use. The details of an action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

SECTION 106 - MODIFICATIONS

Whenever there are practical difficulties involved in carrying out the provisions of the technical codes, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of the technical code impractical and the modification is in conformity with the intent and purpose of the technical code, and that such modification does not lessen health, life safety and fire safety requirements or any degree of structural integrity. The details of actions granting modifications shall be recorded and entered in the files of the code enforcement agency.

SECTION 107 – TESTS

Whenever there is insufficient evidence of compliance with the provisions of the technical codes or evidence that materials or construction do not conform to the requirements of the technical codes, the building official may require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified by the technical codes or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall determine test procedures. Tests shall be made by an approved agency. Reports of such tests shall be retained by the building official for the period required for the retention of public records.

Chapter 2 ORGANIZATION AND ENFORCEMENT

SECTION 201 – AUTHORITY

201.1 Creation of Enforcement Agency. There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the building official except for matters pertaining to the Fire Code. The Fire Code Official shall have administrative and operational control to enforce the fire code.

201.2 General. Whenever the term or title "administrative authority," "responsible official," "building official," "chief inspector," "code enforcement officer," or other similar designation is used herein or in any of the technical codes, it shall be construed to mean the building official designated by the appointing authority of this jurisdiction.

201.2.1 Fire Department. Whenever the term or title "administrative authority", "responsible official", "fire inspector", "code enforcement officer" or similar designation is used herein, or in any technical codes, it shall be construed to mean fire code official designated by the appointing authority of this jurisdiction.

SECTION 202 - POWERS AND DUTIES OF BUILDING OFFICIAL AND FIRE OFFICIAL

202.1 General. The building official is hereby authorized and directed to enforce all the provisions of this code and the referenced technical codes. For such purposes, the building official shall have the powers of a law enforcement officer. The building official shall have the power to render interpretations of this code and the referenced technical codes, and to adopt and enforce rules

and regulations supplemental to this code as may be deemed necessary to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

202.1.1 Fire Department. The fire code official and/or his designated representatives are hereby authorized and directed to enforce all the provisions of the fire code and any referenced technical codes. For such purposes, the fire code official or his designated representatives shall have the powers of a law enforcement officer. The fire code official or his designated representative shall have the power to render interpretations of the fire code and the referenced technical codes, and to adopt and enforce rules and regulations supplemental to the fire code as may be deemed necessary to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of the fire code. All buildings and structures subject to inspection in accordance with a duly adopted inspection program shall be subject to fees set forth in Table 3-F of this code.

202.2 Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the building official and/or the fire code official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The building official and/or fire code official may deputize such inspectors or employees as may be necessary to carry out the function of the code enforcement agency and shall be empowered to do so.

202.3 Right of Entry. When necessary to make an inspection to enforce any of the provisions of this code and the technical codes, or when the Building Official and/or Fire Code Official has reasonable cause to believe that there exists in any building or upon a premises a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at all reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied, that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. Should entry be refused, the building official shall have recourse to the remedies provided by law to secure entry.

202.4 Stop Work Orders. When work has commenced without issuance of the required permit or when work is being done contrary to the provisions of this code, the technical code, or other pertinent laws or ordinances implemented through the enforcement of this code, the building official may order the work stopped by notice in writing served on persons engaged in the doing or causing such work to be done. Such persons shall forthwith stop the work until authorized by the building official to proceed with the work.

202.4.1 Unlawful Continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed by the building official to perform to remove a violation or unsafe condition, shall be subject to penalties prescribed by law.

202.5 Occupancy Violations. When a building or structure or building service equipment therein regulated by this code and the technical codes is being used contrary to the provisions of such codes, the building official may order such use discontinued by written notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the building official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of such codes.

202.6 Authority to Disconnect Utilities. The building official or fire chief or authorized representative shall have the authority to disconnect a utility service or energy supplied to the building, structure or building service equipment therein regulated by this code or the technical

codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall whenever possible notify the serving utility, the owner and occupant of the building, structure or building service equipment of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or building service equipment, in writing, of such disconnection immediately thereafter.

202.7 Authority to Condemn Building Service Equipment. When the building official or **fire chief** ascertains that building service equipment regulated in the technical codes has become hazardous to life, health or property, or has become unsanitary, the building official shall order in writing that such equipment either be removed or restored to a safe or sanitary condition, as appropriate. The written notice itself shall fix a time limit for compliance with such order. Defective building service equipment shall not be maintained after receiving such notice. When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefore shall be given within 24 hours to the serving utility, the owner and occupant of such building, structure or premises. When any building service equipment is maintained in violation of the technical codes and in violation of a notice issued pursuant to the provisions of this section, the building official shall institute appropriate action to prevent, restrain, correct or abate the violation.

202.8 Connection after Order to Disconnect. Persons shall not make connections from an energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the building official or the use of which has been ordered to be discontinued by the building official until the building official authorizes the reconnection and use of such equipment.

202.9 Liability. The building official charged with the enforcement of this code and the technical codes, acting in good faith and without malice in the discharge of his duties, shall not thereby be rendered personally liable for damage that may accrue to persons or property as a result of an act or omission in the discharge of the assigned duties. A suit brought against the building official or employee because of such act or omission performed by the building official or employee in the enforcement of the provisions of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting there from, shall be assumed by this jurisdiction.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling a building, structure or building service equipment therein for damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming such liability by reason of the inspections authorized by this code or permits or certificates issued under this code.

202.10 Cooperation of Other Officials and Officers. The building official and Fire Code Official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent laws or ordinances.

202.11 Notices and Orders. The building official shall issue all necessary notices and orders to ensure compliance with this code and the technical codes.

202.12 Department Records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

202.13. Approved Materials and Equipment. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

202.14. Used Materials and Equipment. The use of used materials which meet the requirements of this code and the technical codes for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official.

202.15. Research Reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code or the technical codes shall consist of valid research reports from approved sources.

SECTION 203 - UNSAFE BUILDINGS, STRUCTURES OR BUILDING SERVICE EQUIPMENT

Buildings or structures regulated by this code and the technical codes which are structurally inadequate or have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe buildings. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section and in accordance with the City of Fairbanks Abatement of Dangerous Buildings Code. A vacant structure not secured against entry shall be deemed unsafe.

Building service equipment regulated by such codes, which constitutes a fire, electrical or health hazard, or an in sanitary condition, or is otherwise dangerous to human life is, for the purpose of this section, unsafe. Use of buildings, structures or building service equipment constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in a deteriorated condition or otherwise unable to sustain the design loads which are specified in the Building Code are hereby designated as unsafe building appendages.

Unsafe buildings, structures or appendages and building service equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Dangerous Buildings Code or such alternate procedure as may be adopted by this jurisdiction. As an alternative, the building official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

SECTION 204 – BUILDING CODE REVIEW AND APPEALS COMMISSION

204.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of the technical code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment and who are not employees of the jurisdiction. The building official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

204.2 Limitations of Authority. The building code review and appeals commission shall have no authority relative to interpretation of the administrative provisions of this code or the

administrative provisions of the technical codes nor shall the board be empowered to waive requirements of either this code or the technical codes.

SECTION 205 – VIOLATIONS

205.1 Unlawful Acts. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done in violation of this code and the technical codes.

205.2 Notice of Violation. The building official and fire code official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

205.3 Prosecution of Violation. If the notice of violation is not complied with promptly, the building official request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law or equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or the technical codes or of the order or direction made pursuant thereto.

205.4 Violation Penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs alters, repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code or the technical codes shall be subject to penalties prescribed by law.

Chapter 3 PERMITS, CONSTRUCTION DOCUMENTS AND INSPECTIONS

SECTION 301 – PERMITS

301.1 Permits Required. Except as specified in Section 301.2, any owner, contractor or authorized agent intending to construct, enlarge, alter, repair, remove, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code or the technical codes , or to cause any such work to be done, shall first submit an application to the building official and obtain the required permit before construction commences.

301.1.1 Emergency repairs. Where equipment replacement, piping systems or electrical systems must be performed in an emergency situation, the permit application shall be submitted to the building official within 72 hours of such emergency. All required inspections shall be conducted.

301.2 Work Exempt from Permit. A permit shall not be required for the types of work in each of the separate classes of permit as listed below. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the technical codes or any other laws or ordinances of this jurisdiction.

301.2.1 Building permits. A building permit shall not be required for the following:

1. One story detached structures used as garages, tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet. Separate permits are required for any electrical, plumbing or mechanical work.
2. Fences.
3. Oil derricks.
4. Movable cases, counters and partitions not over 5 feet 9 inches (1753 mm) high.
5. Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids.
6. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
7. Platforms, walks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below.
8. Painting, papering and similar finish work.
9. Temporary motion picture, television and theater stage sets and scenery.
10. Window awnings supported by an exterior wall of Group R3 and Group U Occupancies when projecting not more than 54 inches (1372 mm).
11. Prefabricated swimming pools accessory to a Group R3 Occupancy in which the pool walls are entirely above the adjacent grade and the capacity does not exceed 5,000 gallons (18 925 L).

Unless otherwise exempted by this code, separate plumbing, electrical and mechanical permits will be required for the above exempted items.

12. Ordinary maintenance on a single family or duplex structure (R3 and U occupancy). Ordinary maintenance of a building or structure shall not include the cutting away or addition of any wall, partition or portion thereof, the removal of any structural beam or bearing support, or the removal of any required means of egress, or rearrangement of parts of a structure; nor shall ordinary maintenance include additions of replacement or relocation of any standpipe, water supply, sewer, drainage drain leader, gas, waste vent or similar piping electrical work wiring, mechanical or other work affecting public health or safety. All ordinary maintenance shall be made in accordance with the building code or other technical codes as adopted by the City of Fairbanks.

13. Storage racks not over six (6) feet in height.
14. Uncovered Decks which are constructed not more than 30 inches above grade at any point.
15. Replacement of exterior siding, doors and windows; excluding required egress windows

301.2.2 Plumbing permits. A plumbing permit shall not be required for the following:

1. The stopping of leaks in drains, soil, waste or vent pipe, provided, however, that should any concealed trap, drain pipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, nor for the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

301.2.3 Electrical permits. An electrical permit shall not be required for the following:

1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.

2. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.

3. Temporary decorative lighting.

4. Repair or replacement of current-carrying parts of any switch, contactor or control device.

5. Reinstallation of attachment plug receptacles, but not the outlets therefore.

6. Repair or replacement of any over current device of the required capacity in the same location.

7. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.

8. Taping joints.

9. Removal of electrical wiring.

10. Temporary wiring for experimental purposes in suitable experimental laboratories.

11. The wiring for temporary theater, motion picture or television stage sets.

12. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

13. Low-energy power, control and signal circuits of Class II and Class III as defined in the Electrical Code.

14. A permit shall not be required for the installation, alteration or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.

301.2.4 Mechanical permits. A mechanical permit shall not be required for the following:

1. A portable heating appliance.

2. Portable ventilating equipment.

3. A portable cooling unit.

4. A portable evaporative cooler.

5. A closed system of steam, hot or chilled water piping within heating or cooling equipment regulated by the Mechanical Code.

6. Replacement of any component part of assembly of an appliance which does not alter its original approval and complies with other applicable requirements of the technical codes.
7. Refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of the technical codes.
8. A unit refrigerating system as defined in the Mechanical Code.

301.2.5 Fire sprinkler and alarm permits.

Fire sprinkler and alarm permits shall be coordinately directly with the City Fire Marshal. A fire sprinkler permit or alarm permit is required for the following:

1. Installation of a new sprinkler or fire alarm system.
2. Modification or alteration of an existing sprinkler system or fire alarm system.

Exceptions:

- a. Relocation or alteration of not more than 6 sprinkler heads
- b. Routine maintenance not requiring a change to the design system.
- c. Changing or replacing of components of an alarm system.

SECTION 302 - APPLICATION FOR PERMIT AND CONSTRUCTION DOCUMENTS

302.1 Application. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications, and other data as required in Section 302.2.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as may be required by the building official.

302.2 Submittal Documents. Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the building official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The building official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.

EXCEPTION: The building official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

302.3 Required Information on Plans and Specifications.

1. Plans and specifications shall be drawn to scale and fully dimensioned on substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

2. Plans for buildings of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire - resistive integrity will be maintained where penetrations will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems. Fire stop construction details shall be submitted for review and approval before work commences.

3. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code and the technical codes. In other than occupancies in Group R-3 as applicable in section 101.2 of the building code the construction documents shall designate the number of occupants to be accommodated on every floor and in all rooms and spaces.

4. The construction documents shall provide design analysis including but not limited to: occupancy classifications, identification of accessory and incidental uses, construction type, actual floor area, allowable area calculations, occupant load, accessibility elements, fire resistive construction and landscaping.

5. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code and the technical codes as adopted by the City of Fairbanks. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, weather-resistive membrane and details around openings.

6. Residential construction documents shall identify all required thermal envelope insulation in accordance with the 2009 International Energy Conservation Code as amended by the City of Fairbanks.

7. The construction documents submitted with the application for permit shall be accompanied by a site plan drawn to scale and fully dimensioned, the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades; and shall be drawn in accordance with an accuracy boundary line survey. The building official is authorized to waive or modify the requirements for a site plan when the application for permit is limited to alteration or repair or when otherwise warranted.

302.4 Architect or Engineer of Record.

302.4.1 General. When it is required that documents be prepared by an architect or engineer, the building official may require the owner to engage and designate on the building permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all the duties required of the original architect or engineer of record. The building official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties. The architect or engineer of record shall be responsible for

reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

302.4.2 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted to the building official within a specified period. Deferral of any submittal items shall have prior approval of the building official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official. Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

302.5 Inspection and Observation Program. When special inspection is required by Section 1704, the architect or engineer of record shall prepare an inspection program which shall be submitted to the building official for approval prior to issuance of the building permit. The inspection program shall designate the portions of the work to have special inspection, the name or names of the individuals or firms who are to perform the special inspections and indicate the duties of the special inspectors. The special inspector shall be employed by the owner, the engineer or architect of record, or an agent of the owner, but not the contractor or any other person responsible for the work. When structural observation is required by Section 1709, the inspection program shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur. The inspection program shall include samples of inspection reports and provide time limits for submission of reports.

302.6 Examination of documents. The building official shall examine or cause to be examined the submitted construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and the technical codes and other pertinent laws or ordinances.

302.7 Approval of construction documents. When the building official issues a permit, the construction documents shall be approved by separate letter, plan review or the plans shall be stamped as, "Approved and Reviewed for Code Compliance". One set of construction documents so reviewed shall be retained by the building official. The other set shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative. Work shall be installed in accordance with the approved construction documents. Changes to the approved set of construction documents that affect code compliance are prohibited unless amended documents are resubmitted by the appropriate design professional for review and approval before such modification is constructed in the field.

302.8 Previous Approvals. This code or the technical codes shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code or the technical codes and has not been abandoned.

302.9 Phased plan approval. The building official is authorized to issue a partial permit for the construction of foundations or any other part of a building or structure before complete construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements and documentation has been filed complying with the pertinent requirements of the technical codes for the specific phase of work requested by the applicant. The holder of such partial permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk and without assurance that the balance of the

permit for the entire structure will be granted. In no case may the holder of the partial permit proceed beyond the specific scope of work identified on the application and permit. A fast track fee shall be assessed in accordance with this code for all phased plan approval and permit issuance.

SECTION 303 - PERMITS ISSUANCE

303.1 Issuance. The application, plans, specifications, computations and other data filed by an applicant for permit shall be reviewed by the building official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and the technical codes and other pertinent laws and ordinances, and that the fees specified in Section 304 have been paid, the building official shall issue a permit therefore to the applicant.

303.2 Retention of Plans. One set of approved plans, specifications and computations shall be retained by the building official for a period of not less than 180 days from the date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

303.3 Validity of Permit. The issuance of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or the technical codes, or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on there under when in violation of these codes or of any other ordinances of this jurisdiction.

303.4 Expiration. Every permit issued by the building official under the provisions of the technical codes shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee. A permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits shall not be extended more than once.

303.5 Suspension or Revocation. The building official may, in writing, suspend or revoke a permit issued under the provisions of this code and the technical codes when the permit is issued in error or on the basis of incorrect information supplied, or in violation of an ordinance or regulation or the provisions of these codes.

303.6 Electrical Permit Issuance.

An electrical permit shall not be issued to any person, other than a licensed electrical administrator, licensed pursuant to AS 08, Chapter 40, Electrical Administrators, or a person performing electrical work that is exempt from the requirements of the Alaska Statutes pursuant to AS 08.40.190. Electrical permit fees shall be as set forth in Table 3-B.

303.7 Plumbing Permit Issuance.

A plumbing permit shall not be issued to any person to do or cause to be done any work regulated by the plumbing code except to a person holding a valid unexpired and unrevoked master plumber's license as required by Section 2.482 of the Fairbanks General Code, except when and or otherwise hereinafter provided in this section. Any plumbing permit required by this code may be issued to any person to do work regulated by this code in a dwelling as defined by section 202 of the building code or portion thereof which contains not more than two (2) dwelling units) used exclusively for living purposes, and such person is the legal owner, and said owner or member of the owner's immediate family shall perform all labor in connection therewith, and said dwelling(s) is not intended for sale at the time of installation. Plumbing permit fees shall be as set forth in Table 3-D

303.8 Mechanical Permit Issuance.

A Mechanical Permit shall not be issued to any person performing work requiring a permit, other than a licensed mechanical administrator, pursuant to AS 08, Chapter 40, Article 2 Mechanical Administrators; unless such person is performing mechanical work that is exempt from the requirements of the Alaska Statutes pursuant to AS 08.40.390 or the work is solely on non-fuel-fired ventilation and/or exhaust systems in a single family home or duplex. Mechanical permit fees shall be as set forth in Table 3-C

303.9 Electrical Sign Permit Issuance.

An electrical sign permit shall be issued as required in this section. Sign permit fees shall be as set forth in Table 3-B.

- a) A separate sign permit is required for the installation of any electrically energized sign which is either attached to a structure or is free standing.
- b) The required sign permit may be secured by either, the general contractor, electrical contractor or sign contractor licensed by the State of Alaska.
- c) The person or contractor that installs the sign is responsible for code compliance.
- d) A sign contractor may make the final electrical connection from the sign junction box to the sign provided such distance does not exceed six (6) feet.
- e) The sign shall be inspected to insure that the sign is listed and the internal wiring of the sign and final connection to the building or pole is in compliance with the National Electrical Code. It shall be the responsibility of the sign contractor to call twenty four (24) hours in advance for the required inspection and to provide the necessary equipment to facilitate the inspection. Inspection requests for Saturday and Sunday require forty eight (48) hour notice.
- f) If an existing sign is removed from the building and is re-worked or re-configured, either in the field or at the contractor's shop and then subsequently replaced; a sign permit will be required. The sign shall be listed and the required inspection conducted.

h) If an existing sign face plate is changed or if routine maintenance is conducted on the sign without removal of the sign; a sign permit is not required nor will the sign be retroactively required to be listed or inspected.

i) If any sign, existing or new, is found to be inherently unsafe and constitutes a danger to the user or public, the sign shall be removed from service.

303.10 Fuel Gas Permit Issuance.

A mechanical permit for the installation of fuel gas piping and related equipment regulated by the International Fuel Gas Code shall not be issued to any person performing work requiring a permit, other than a licensed mechanical administrator, pursuant to AS 08, chapter 40, Article 2 Mechanical Administrators; unless such person is performing mechanical work that is exempt from the requirements of the Alaska Statutes pursuant to AS 08.40.390 or the work is solely on non- fuel fired ventilation and or exhaust systems in a single family residence or duplex dwelling. Fuel gas permits shall be as set forth in Table 3-E.

303.11 Fire Permit Issuance

A fire permit for the installation of fire detection and fire suppression systems and related equipment regulated under the International Fire Code shall only be issued to a person and or company that possess a current permit issued by the State of Alaska Fire Marshal's Office.

SECTION 304 - FEES

304.1 General. Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by this jurisdiction.

304.2 Building Permit Fees. Building permit fees shall be as set forth in Table 3-A. The permit fees for each of the technical codes as adopted by the city of Fairbanks are as set forth in Tables 3-B, 3-C, 3-D, 3-E and 3-F. Where a technical code has been adopted by the jurisdiction for which no fee schedule is shown in this code, the fee required shall be in accordance with the schedule established by the legislative body. The determination of value or valuation under any of the provisions of these codes shall be made by the building official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems and other permanent equipment. Valuation shall be determined in accordance with the latest edition of the Building Safety Journal data chart as published by the International Code Council or based on the final contract amount, which ever is greater. When calculating the valuation utilizing the building valuation data chart the regional modifier shall be (1.3). A copy of the bid award may be required by the building official or fire chief. In any case the final determination of value or valuation under any of the provisions of these codes shall be made by the building official.

304.3 Fire Code Review and Inspection. For new construction, including additions, remodel and alterations, fees shall be as set forth in Table 3- F.

304.4 Plan Review Fees.

When submittal documents are required by Section 302.2, a plan review fee shall be paid. The plan review fee shall be paid when the review has been completed. The plan review fee shall be paid in conjunction with the building permit fee. The plan review fee is not required to be paid at the time of plan or application submittal; building plan review fee shall be 75 percent of the building permit fee as shown in Table 3-A. The plan review fee for projects where completed plans are not received prior to commencement of construction will be charged a fast track rate equal to one hundred percent (100%) of the building permit fee. The plan review fees for

electrical, mechanical and plumbing work shall be equal to 75 percent of the total permit fee as set forth in Tables 3-B, 3-C and 3-D 3-E. The plan review fees specified in this section are separate fees from the permit fees specified in Section 304.2 and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 302.4.2, an additional plan review fee shall be charged at the rate shown in Tables 3-A through 3-F.

304.4.1 Plan Check Fee Identical Building Construction.

The plan check fee for identical buildings with the same building construction shall be reduced by **75%** when the following conditions are met;

- a. The structural framing and floor plan are identical
- b. Construction is simultaneous.

304.4.2 Early Residential Plan Submittal.

When complete plans, complying with the residential check list for construction of single family dwellings through four plex structures are submitted between January 1st and May 1st, the plan review fee shall be reduced by **50%**.

304.4.3 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

304.5 Work without a Permit.

304.5.1 Investigation. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation may be made before a permit may be issued for such work.

304.5.2 Penalty Fee. A penalty fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this code or the technical codes nor from the penalty prescribed by law. The penalty fee for performing work without the required permit is \$750.

304.6 Fee Refunds. The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected. The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before examination time has been expended. The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

SECTION 305 - INSPECTIONS

305.1 General. Construction or work for which a permit is required shall be subject to inspection by the building official and the construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the person or contractor performing the work to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor this jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection. A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

305.2 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or the agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the building official conveniently to make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

305.3 Inspection Requests. It shall be the duty of the person or contractor doing the work authorized by a permit to notify the building official that such work is ready for inspection. Twenty four hour notice is required for all inspections as set forth in this code. Access and means to inspect the work shall be provided by the contractor or person performing the work. Forty eight hour notice is required for all inspections requested on Saturday, Sunday and Holidays.

305.4 Approval Required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate that that portion of the construction is satisfactory as completed or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions which do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use. The building official shall have the authority to accept reports of inspections by approved agencies or individuals provided such agencies and individuals have been pre approved to provide such service. Reports of such inspections shall be in writing and be certified by a responsible officer of such agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

305.5 Required Building Inspections.

305.5.1 General. Reinforcing steel or structural framework of a part of a building or structure shall not be covered or concealed without first obtaining the approval of the building official. Protection of joints and penetrations in fire-resistive assemblies shall not be concealed from view until inspected and approved. The building official, upon notification, shall make the following building inspections. In addition to these inspections, electrical, plumbing and mechanical inspections shall be conducted as required by the technical codes.

1. Soil inspection. To be made at the bottom of excavation prior to the placement of backfill.
2. Foundation inspection. To be made after excavations for footings are complete and required reinforcing steel, including installation of the concrete encased electrode is in place. For concrete foundations, required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except when concrete is ready-mixed in accordance with approved nationally recognized standards, the concrete need not be on the job. When the foundation is to be

constructed of approved treated wood, additional inspections may be required by the building official. All weather wood foundations shall be installed in accordance with Standard foundation Detail SFD- 3 or as provided by a design prepared and stamped by an engineer licensed by the State of Alaska. The foundation wall shall be inspected and approved before backfill is placed.

3. Dampproofing. To be made prior to backfill of any daylight or full basement. Dampproofing materials shall be approved prior to application.

4. Concrete slab or under-floor inspection. To be made after in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is placed or floor sheathing installed, including the sub floor.

5. Frame inspection. To be made after the roof, framing, fire blocking and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing, and heating wires, pipes and ducts are approved.

6. Vapor barrier and insulation inspection. To be made prior to the placement of gypsum wall board or any finish and wall or ceiling material. Vapor barrier and insulation inspections are only required for residential construction.

7. Fire stop inspection. When required by code and approved construction documents a fire stop inspection shall be conducted before the system is concealed.

8. Lath and/or wallboard inspection. To be made after lathing and wallboard, interior and exterior, is in place but before plaster is applied or before wallboard joints and fasteners are taped and finished.

9. Final inspection. To be made after finish grading, landscaping and the building is completed and ready for occupancy.

305.6 Required Building Service Equipment Inspections.

305.6.1 General. Building service equipment for which a permit is required by this code shall be inspected by the building official. Building service equipment intended to be concealed by a permanent portion of the building shall not be concealed until inspected and approved. When the installation of building service equipment is complete, an additional and final inspection shall be made. Building service equipment regulated by the technical codes shall not be connected to the water, fuel or power supply, or sewer system until authorized by the building official.

305.6.2 Operation of Building Service Equipment. The requirements of this section shall not be considered to prohibit the operation of building service equipment installed to replace existing building service equipment serving an occupied portion of the building in the event a request for inspection of such building service equipment has been filed with the building official not more than 48 hours after the replacement work is completed, and before any portion of such building service equipment is concealed by permanent portions of the building.

305.7 Other Inspections. In addition to the called inspections specified above, the building official may make or require other inspections of construction work to ascertain compliance with the provisions of this code or technical codes and other laws which are enforced by the code enforcement agency.

305.8 Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes, but as controlling the practice of

calling for inspections before the job is ready for such inspection or reinspection. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official. To obtain a reinspection, the applicant shall request the required and pay the reinspection fee in accordance with Tables 3-A through 3-H or as set forth in the fee schedule adopted by this jurisdiction. In instances where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

SECTION - 306 PREFABRICATED CONSTRUCTION

306.1 General. Prefabricated construction shall comply with chapter 17 of the building code. Prefabricated construction built outside the City of Fairbanks shall be inspected during construction by an approved third party independent inspection agency. A certificate of approval shall be furnished with every prefabricated structure or assembly, except where the assembly is readily accessible to inspection at the site. The certificate of approval shall certify that the assembly in question has been inspected by an approved agency and meets all the requirements of the technical codes and local code amendments as adopted by the City of Fairbanks. When mechanical equipment is installed so that it cannot be inspected at the site, the certificate of approval shall certify that such equipment complies with the laws applying thereto.

306.2 Approved Fabricators. Special inspections required by this section and elsewhere in this code or the technical codes shall not be required where the work is done on the premises of a fabricator registered and approved by the building official to perform such work without special inspection. The certificate of registration shall be subject to revocation by the building official if it is found that work done pursuant to the approval is in violation of the technical codes. The approved fabricator shall submit a certificate of compliance to the building official and to the engineer or architect of record stating that the work was performed in accordance with the approved plans and specifications. The approved fabricator's qualifications shall be contingent on compliance with the following:

1. The fabricator has developed and submitted a detailed fabrication procedural manual reflecting key quality control procedures which will provide a basis for inspection control of workmanship and the fabricator plant.
2. Verification of the fabricator's quality control capabilities, plant and personnel as outlined in the fabrication procedural manual shall be by an approved inspection or quality control agency.
3. Periodic plant inspections shall be conducted by an approved inspection or quality control agency to monitor the effectiveness of the quality control program.
4. It shall be the responsibility of the inspection or quality control agency to notify the approving authority in writing of any change to the procedural manual. Fabricator approval may be revoked for just cause. Re approval of the fabricator shall be contingent on compliance with quality control procedures during the past year.

SECTION 307 - CONNECTION TO UTILITIES

307.1 Energy Connections. Persons shall not make connections from a source of energy, fuel or power to building service equipment which is regulated by the technical codes and for which a permit is required by this code, until approved by the building official.

307.2 Temporary Connections. The building official may authorize the temporary connection of the building service equipment to the source of energy, fuel or power for the purpose of testing building service equipment, , or for use under a temporary certificate of occupancy.

SECTION 308 - CERTIFICATE OF OCCUPANCY

308.1 Use or Occupancy. Buildings or structures shall not be used or occupied nor shall a change in the existing occupancy classification of a building or structure or portion thereof be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

308.2 Change in Use. Changes in the character or use of a building shall not be made except as specified in the Building Code.

308.3 Certificate Issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws which are enforced by the code enforcement agency and all work has been completed, the building official shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of that portion of the building for which the certificate is issued.
5. A statement that the described portion of the building has been inspected for compliance with the requirements of this code for the group and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provision of chapter 3 of the building code.
9. The type of construction.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required including the classification of such system.
12. Any special stipulations and conditions of the building permit.

308.4 Temporary Certificate. If the building official finds that substantial hazard will not result from occupancy of a building or portion thereof before the same is completed, a temporary certificate of occupancy for the use of a portion or portions of a building or structure may be issued prior to the completion of the entire building or portion thereof provided a bond is posted. The bond shall be a minimum of \$1000 or (1%) of the total construction cost as stipulated on the permit application with a maximum amount capped at \$10,000. Upon completion of and

inspection of all outstanding work the bond shall be released. In the event work has not been completed, corrected and inspected within one year from the issuance date of the temporary certificate of occupancy the bond shall be forfeited.

308.5 Posting. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.

308.6 Revocation. The building official may, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code when the certificate is issued in error, or on the basis of incorrect information, or when it is determined that the building or structure or portion thereof is in violation of an ordinance, regulation or the provisions of this code. The temporary certificate of occupancy may be revoked if the conditions as stipulated in the certificate have not been met.

SECTION - 309 FINAL LETTER OF COMPLETION

In lieu of a certificate of occupancy a final letter of completion may be issued for those projects which involve additions, remodel, or alterations of existing buildings for the scope of work for which a permit was issued.

SECTION - 310 NOTICE OF NON COMPLIANCE

The building official is authorized to file with the State of Alaska Recorder's Office a notice of non compliance when the applicant, owner or contractor has failed to comply with the minimum building code requirements as identified in a notice and order to correct. Before a notice of non compliance is filed the building official shall provide certified written notice to the applicant, owner or contractor that such work must be completed or corrected.

Table 3-A Building Permit Fees

\$1.00 to \$500.00	\$17.00
\$501.00 to \$2,000.00	\$17.00 for the first \$500 plus \$2.25 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$50.00 for the first \$2,000 plus \$10.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$280.00 for the first \$25,000 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$455.00 for the first \$50,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$300,000.00	\$705.00 for the first \$100,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof, to and including \$300,000.00
\$300,001.00 to \$500,000.00	\$1605.00 for the first \$300,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 and up	\$3005.00 for the first \$500,000.00 plus \$4.60 for each additional \$1,000.00 or fraction thereof

*** Plan Check Review Fee is 75% of the Building Permit Fee as noted in Table 3-A above.**

Other Inspections and Fees

1. Inspection outside of normal business hours, two hour minimum (\$170.00)	\$85.00 per hr
2. Re-inspection fee assessed under provisions of Section 305.8	\$85.00 per hr
3. Inspections for which no fee is specifically indicated	\$85.00 per hr
4. Additional plan review required by changes, additions, or revisions	\$85.00 per hr
5. Pre Purchase Residential or Commercial Code Inspection	\$360.00
6. Permit issuance fee	\$35.00
7. Landscape plan review and inspection	\$170.00
8. Penalty fee for performing work without the required permit	\$750.00

**TABLE 3B
ELECTRICAL PERMIT FEES**

Permit Issuance fee:

- | | | |
|----|--|---------|
| 1. | For issuance of each permit | \$35.00 |
| 2. | For issuance of each supplemental permit | \$20.00 |

Plan Review Fee:

When plans are required to be submitted prior to the issuance of a mechanical permit a plan check fee shall be charged at a rate of 75% of the mechanical permit fee.

Code Research (per hour) with a one hour minimum)	\$85.00
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Unit Fee Schedule:

1. New residential buildings: The electrical permit fee shall include all wiring and electrical service equipment in or on each building, or other electrical equipment on the same premises constructed at the same time.

Single family dwellings:

Single family buildings including the area of garages, carports and other minor accessory buildings constructed at the same time – flat fee	\$255.00
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Duplex residence:

New two family buildings including the area of garages, carports and other minor accessory buildings constructed at the same time – flat fee	\$340.00
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Residential additions:

Flat fee which includes the first 5 outlets, switches, lights and associated wiring; more than 5 outlets are charged at a rate of \$3.00 per outlet in addition to the flat fee rate.	\$85.00
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Residential single family or duplex attached or detached garage addition -- flat fee.	\$100.00
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2. Multifamily residence:

New multifamily residential buildings (apartments and condominiums) having three or more living units constructed at the same time including the area of garages, carports and other non commercial automobile storage areas constructed at the same time – per square foot.	\$.08
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Multifamily residential attached or detached garage addition -- flat fee.	\$170.00
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Residential additions, alterations, repair or other similar modifications flat fee of \$85 which includes the first 5 outlets, switches, lights and associated wiring; more than 5 outlets are charged at a rate of \$3.00 per outlet.	\$85.00
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3. Other new buildings:

Assembly occupancies as defined by the International Building Code – per square foot	\$.12
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All other occupancies – per square foot	\$.10
4. Commercial alterations, repair, remodel or other similar modifications, which includes the first 5 outlets, switches, lights and associated wiring; more than 5 outlets are charged at a rate of \$3.00 per outlet in addition to the minimum fee of \$170	\$170.00
5. Replacement or addition of electrical or equipment or power apparatus installed in conjunction with commercial alterations, repair or remodel per item \$15.00 with a minimum fee of \$85.00	\$85.00
6. Electrical Service:	
Temporary power service (residential and commercial): A temporary service pole or pedestal including all pole or pedestal mounted receptacle outlets and appurtenances	\$85.00
Services 600 volts or less and less than 200 amperes in rating – per each service	\$85.00
Services 600 volts or less and more than 200 amperes to 1000 amperes – per each service	\$170.00
Services greater than 600 volts or over 1,000 amperes in rating – per each service	\$225.00
7. Miscellaneous apparatus conduits and conductors: Electrical, conduits and conductors for which a permit fee is required but for which no fee is herein set forth	\$85.00
8. Inspections for which no fee is specifically designated.	\$85.00
9. Inspections outside normal business hours – per hour. (two hour minimum - \$170.00)	\$85.00
10. Additional plan review required by changes, additions, revisions or code research –per hour	\$85.00
11. Electrical sign permit:	
Single cabinet sign attached to a building	\$85.00
Multiple cabinet signs attached to a building	\$170.00
Channel letter signs which utilize individual letters in lieu of a cabinet enclosure shall be \$20.00 per letter up to a maximum of 12 letters, minimum of	\$85.00
Free standing sign less than 10 feet above grade	\$85.00
Free standing sign more than 10 feet above grade	\$170.00
Penalty fee for installing a sign without a permit	\$1,000.00
12. Work without required permit – Penalty fee (in addition to the regular permit fee)	\$500.00 \$750.00

**TABLE 3C
MECHANICAL PERMIT FEES**

Permit Issuance Fee:

- | | |
|---|---------|
| 1. For the issuance of each permit | \$35.00 |
| 2. For the issuance of each supplemental permit | \$20.00 |

Plan Review Fee:

When plans are required to be submitted prior to the issuance of a mechanical permit a plan check fee shall be charged at a rate of 75% of the mechanical permit fee.

Code Research (per hour with a one hour minimum)	\$85.00
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Unit Fee Schedule:

- | | |
|---|-------------------------------------|
| 1. Hydronic Heating Systems including boilers, piping, terminal units and fuel and flue systems...\$.03 per sq. ft. of area served with a minimum fee | \$85.00 |
| 2. Ducted Heating, Ventilation and/or Air Conditioning Systems including Furnaces, HRV's, ductwork, terminal devices and respective fuel and flue systems \$03 per sq ft of area served with a minimum fee | \$85.00 |
| 3. Refrigeration System, 55lbs. or more of refrigerant | \$170.00 |
| 4. Refrigeration System less than 55lbs of refrigerant | \$85.00 |
| 5. Type I Hood Exhaust System | \$170.00 |
| 6. Type II and other Appliance hood exhaust systems | \$25.00 |
| 7. Fuel tanks & Piping for fuel-burning appliances not solely part of #1 or #2 above, per tank | \$25.00 |
| 8. Other Mechanical Equipment Installations (per unit not specifically identified) | \$25.00 |
| 9. Minimum Unit Permit Fee | \$85.00 |
| 10. Inspections for which no fee is specifically designated | \$85.00 |
| 11. Inspections outside of normal business hours – per hour (two hour minimum - \$170.00) | \$85.00 |
| 12. Additional plan review required by changes, additions or revisions | \$85.00 |
| 13. Work without Required Permit Penalty Fee (in addition to permit fee) | \$500.00 \$750.00 |
| 14. Permit Refund. The full amount of any fee paid which was erroneously paid or collected shall be refunded. Not more than (80%) of the permit fee paid when no work has been completed under a permit issued in accordance with the code. | |

**TABLE 3D
PLUMBING PERMIT FEES**

Permit Issuance Fee

- | | |
|---|---------|
| 1. For the issuance of each permit | \$35.00 |
| 2. For the issuance of each supplemental permit | \$20.00 |

Plan Review Fee:

- | | |
|--|---------|
| 1. When plans are required to be submitted prior to the issuance of a plumbing permit a plan check fee shall be charged at a rate of 75% of the plumbing permit fee. | |
| 2. Code Research (per hour) with a one hour minimum) | \$85.00 |

Unit Fee Schedule:

- | | |
|---|-------------------------------------|
| 1. Each Plumbing Fixture | \$15.00 |
| 2. Rain Water – per roof drain | \$15.00 |
| 3. Kitchen Grease Trap | \$20.00 |
| 4. Oil Separator | \$20.00 |
| 5. Water Heater | \$30.00 |
| 6. Medical Gas – flat fee (includes first 5 outlets) (additional outlets \$8.00 each including flat fee) | \$180.00 |
| 7. Other Plumbing Installations (not specifically identified) | \$20.00 |
| 8. Minimum Unit Permit Fee | \$85.00 |
| 9. Inspections for which no fee is specifically designated | \$85.00 |
| 10. Inspections outside of normal business hours – per hour (two hour minimum - \$170.00) | \$85.00 |
| 11. Additional plan review required by changes, additions or revisions or code research per hour | \$85.00 |
| 12. Work Without Required Permit Penalty Fee (in addition to permit fee) | \$500.00 \$750.00 |
| 13. Permit Refund. The full amount of any fee paid which was erroneously paid or collected shall be refunded. Not more than (80%) of the permit fee paid when no work has been completed under a permit issued in accordance with the code. | |

**TABLE-3E
FUEL GAS PERMIT FEES**

Permit Issuance Fee

- | | |
|---|---------|
| 1. For the issuance of each permit | \$35.00 |
| 2. For the issuance of each supplemental permit | \$20.00 |

Plan Review Fee:

When plans are required to be submitted prior to the issuance of a fuel gas permit a plan check fee shall be charged at a rate of 75% of the plumbing permit fee.

Code Research (per hour) with a one hour minimum)	\$85.00
---	---------

Unit Fee Schedule:

- | | |
|---|-------------------------------------|
| 1. Hydronic Heating Systems including boilers, piping, terminal units and fuel and flue systems \$.03 per sq. ft. of area served with a minimum fee | \$85.00 |
| 2. Ducted Heating, Ventilation and/or Air Conditioning Systems including furnaces, HRV's ductwork, terminal devices and respective fuel and flue systems \$.03 per square of area served with a minimum fee | \$85.00 |
| 3. Fuel gas tanks, cylinders and piping for fuel-burning appliances not solely a part of #1 or #2 above, per tank and cylinder | \$25.00 |
| 4. Gas piping systems and alterations min fee including (first 4 outlets) each additional outlet \$10.00 including min fee | \$85.00 |
| 5. Conversion from one fuel to another fuel (min fee includes first 4 outlets, each additional outlet \$10.00 including min fee) | \$85.00 |
| 6. Other mechanical installations not specifically identified above | \$85.00 |
| 7. Temporary Gas to portable equipment, each outlet | \$20.00 |
| 8. Minimum Unit Permit Fee | \$85.00 |
| 9. Inspections for which no fee is specifically designated | \$85.00 |
| 10. Inspections outside of normal business hours – per hour (two hour minimum - \$170.00) | \$85.00 |
| 11. Additional plan review required by changes, additions or revisions or code research | \$85.00 |
| 12. Work Without Required Permit Penalty (in addition to permit fee) | \$500.00 \$750.00 |
| 13. Permit Refund. The full amount of any fee paid which was erroneously paid or collected shall be refunded. Not more than (80%) of the permit fee paid when no work has been completed under a permit issued in accordance with the code. | |

**TABLE 3F
FIRE CODE REVIEW AND INSPECTION PERMIT FEES**

1. New Construction Fire Suppression and Alarm Plan Review Fee: Permit fee shall be equal to 20% of the combined building permit and plan check fee for the review and inspection of fire sprinkler and alarm systems.
2. New Construction General Plan Review: Permit fee equal to 15% of the combined building permit and plan check fee for buildings without sprinkler systems and fire alarm systems.
3. Existing Construction: Installation of fire sprinkler systems and alarm systems per hour with one hour minimum \$85.00
4. Life Safety Inspections (day care license, complaints, special events, change of use) per hour with one hour minimum \$85.00
5. Sprinkler and Fire Alarm Repair per hour with one hour minimum \$85.00

RESOLUTION NO. 4465

**A RESOLUTION AUTHORIZING THE CITY MAYOR TO APPLY FOR
AND ACCEPT A PRESERVATION ASSISTANCE GRANT FOR
SMALLER INSTITUTIONS FROM THE NATIONAL ENDOWMENT FOR
THE HUMANITIES**

WHEREAS, the National Endowment for the Humanities is accepting applications for the Preservation Assistance Grants for Smaller Institutions to improve the ability to preserve and care for humanities collections; and

WHEREAS, the long term protection of ordinances and resolutions as well as contracts and related official documents is a statutory duty of the Clerk's Office; and

WHEREAS, the City's historical records are a unique informational resource and an important link to the past that provides public access to the history of the City and without proper care, these irreplaceable records could be lost due to the ravages of time, usage, temperature fluctuations and imperfect storage conditions; and

WHEREAS, the City was awarded a non-matching grant of \$6,000 in 2010 to provide funds for a consultant to visit the City of Fairbanks in June 2011 to assess the conditions affecting the care and preservation of City documents and prepare a report that would summarize the findings and prioritize recommendations for future preservation action; and

WHEREAS, the City of Fairbanks would implement the long-range plan as outlined by the consultant for the management and processing of archival collections as part of the preservation assessment; and

WHEREAS, the City of Fairbanks plans to request an additional \$6,000 to implement the long range plan, and a match is not required.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Mayor is authorized to accept and execute any and all documents required for requesting and expending funds on behalf of the City for this project.

PASSED and APPROVED this 11th day of April, 2011.

JERRY CLEWORTH, MAYOR

AYES:
NAYS:
APPROVED:

ATTEST:

APPROVED AS TO FORM

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney

RESOLUTION NO. 4466

**A RESOLUTION AUTHORIZING THE CITY MAYOR TO APPLY FOR AND
ACCEPT GRANTS FROM THE ALASKA HIGHWAY SAFETY OFFICE FOR
FISCAL YEAR 2012**

WHEREAS, the City of Fairbanks has received supplemental funding from the Alaska Highway Safety Office (AHSO) for local law enforcement for many years; and

WHEREAS, the City has received positive citizen feedback regarding continued traffic enforcement, particularly in the apprehension of D.U.I. offenders; and

WHEREAS, the City Police Department is eligible to retain its dedicated DUI/Traffic Unit of four employee positions with the AHSO paying for associated wages, benefits and fuel costs in the amount of \$330,548 for two employees with a local match of \$276,272 of currently budgeted City expenditures for two employees; and

WHEREAS, the City Police Department applies for various "mini grants" for highway safety related items including but not limited to travel and training with either no match or local match of currently budgeted City expenditures; and

WHEREAS, the Police Department is approved for overtime funding for Alaska Strategic Traffic Enforcement Partnership programs to reduce accidents and injuries by impaired drivers by conducting high-visibility seat belt and DUI enforcement.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Mayor is authorized to apply for and accept funding through the State of Alaska's Highway Safety Office grant program for 2012, to be used in support of local law enforcement operations.

PASSED AND APPROVED THIS ____ DAY OF APRIL, 2011.

Jerry Cleworth, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul J. Ewers, City Attorney

Introduced by: Mayor Jerry Cleworth
Finance Committee Review: April 5, 2011
Introduced: April 11, 2011

RESOLUTION NO. 4467

**A RESOLUTION AUTHORIZING THE CITY MAYOR TO APPLY FOR
AND ACCEPT A GRANT FOR PROTECTIVE BALLISTIC VESTS FOR
FISCAL YEAR 2012**

WHEREAS, protective ballistic vests (often called “bulletproof” vests) are required by policy to be worn by all Fairbanks Police officers; and

WHEREAS, the City can obtain vests at about 50% of retail price with the United States Department of Justice Bulletproof Vest Partnership grant; and

WHEREAS, the City would use this grant to purchase vests, replacements of out-dated vests, and vests for newly hired officers; and

WHEREAS, the City has participated in this grant program for several years and have found that the administrative time is minimal.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fairbanks, that the Mayor is authorized to apply for and accept a grant of up to \$10,000 to partially reimburse the cost of new protective ballistic vests.

PASSED AND APPROVED THIS ____ DAY OF APRIL, 2011.

Jerry Cleworth, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul J. Ewers, City Attorney

Introduced by: Mayor Jerry Cleworth
Finance Committee Review: April 5, 2011
Introduced: April 11, 2011

RESOLUTION NO. 4468

**A RESOLUTION AUTHORIZING THE CITY MAYOR TO APPLY FOR
AND ACCEPT A SMART POLICING INITIATIVE GRANT FROM THE
U.S. BUREAU OF JUSTICE ASSISTANCE**

WHEREAS, the United States Bureau of Justice Assistance is seeking applicants for the Smart Policing Initiative Grant to reduce crime and improve the criminal justice system by developing innovative, data-driven approaches to crime problems; and

WHEREAS, the Fairbanks Police Department would like to reduce crime and improve traffic safety by developing prevention strategies and tactics that are effective, efficient, and economical using a data-driven approach; and

WHEREAS, the City would use the grant for staffing, consultation services and training; and

WHEREAS, the grant has a two year award period, and there is no local match requirement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fairbanks, that the Mayor is authorized to apply for and accept a grant of up to \$300,000 to improve law enforcement efforts.

PASSED AND APPROVED THIS ___ DAY OF APRIL, 2011.

Jerry Cleworth, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul J. Ewers, City Attorney

RESOLUTION NO. 4469

**A RESOLUTION SUPPORTING SENATE BILL 100, REGARDING THE PUBLIC
EMPLOYEE RETIREMENT SYSTEM (“PERS”)**

WHEREAS, by the 2008 passage of Senate Bill 125, the Alaska Legislature adopted a fair and equitable system where all municipal employers pay a flat 22% rate of salary to fund current costs and the unfunded liability of the PERS system; and

WHEREAS, in 2010, a new regulation, 2 AAC 35.235, was adopted which is in conflict with the approach taken by SB 125. The new regulation imposed “termination studies” with punitive measures on communities that have elected to terminate participation for a department, group or employee classification. The City is concerned that loss of grant funded positions could trigger these termination penalties. A full explanation of the issue is contained in the material attached to this Resolution; and

WHEREAS, a solution to this problem has been formulated and brought forth in Senate Bill 100; and

WHEREAS, Senate Bill 100 would repeal 2 AAC 35.235 and amend state statutes to end termination penalties while requiring municipalities to maintain overall PERS payrolls no lower than the 2008 level; and

WHEREAS, the Alaska Municipal League, the Fairbanks North Star Borough and other Alaskan municipalities support Senate Bill 100.

NOW, THEREFORE, BE IT RESOLVED that the City of Fairbanks supports adoption of Senate Bill 100.

Passed, Approved, and Effective this ___ Day of April, 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul J. Ewers, City Attorney

ORDINANCE NO. 5840

**AN ORDINANCE AUTHORIZING CONVEYANCE OF AN EASEMENT UPON
CITY PROPERTY REQUESTED BY THE ALASKA DEPARTMENT OF
TRANSPORTATION FOR CONSTRUCTION OF THE ILLINOIS STREET
RECONSTRUCTION PROJECT**

WHEREAS, the Alaska Department of Transportation (ADOT) has funding for design and right of way acquisition for the "ILLINOIS STREET RECONSTRUCTION PROJECT STP-F-M-0663(4)/63102" (the "Project") affecting Barnette and Illinois Streets, and

WHEREAS, the Project will construct a new Barnette Street Bridge over the Chena River, reconstruct the Cushman Street Bridge, Cushman and Illinois Streets from First Avenue to Minnie Street, providing wider driving lanes, sidewalks, storm drains, and other amenities, providing pedestrians and the traveling public with safer and more convenient routes; and

WHEREAS, construction of the Project will require ADOT acquisition of utility pole easement on City-owned Lot 1, Block 4, Fairbanks Townsite, adjoining the Cushman Street Bridge at First Avenue, as shown on attached "Exhibit A", for the purpose of relocating an existing traffic signal pole; and

WHEREAS, ADOT has performed an internal appraisal of the property by which the value was established at \$3,400; and

WHEREAS, the City Property Manager has reviewed said appraisal and finds the value conclusion reasonable and supported; and

WHEREAS, ADOT, by letter shown as attached "Exhibit B", has agreed to compensate the City in the amount of \$3,400, in accordance with the full appraised value; and

WHEREAS, it is the sense of the City Council that a conveyance of an easement over the specified City owned real property to ADOT for the purposes mentioned hereinabove is in the best interest of the public.

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. That the Mayor is hereby authorized to execute the easement document shown on attached "Exhibit C" conveying rights to said Lot 1, Block 4, Fairbanks Townsite from the City to ADOT, and to

execute such other instruments as necessary to transfer the easement to ADOT, and the City Clerk is hereby authorized and directed to attest and affix the City Seal to said instruments.

SECTION 2. That conveyance of the property shall be subject to a thirty-day permissive referendum period as required under Fairbanks General Code of Ordinances Section 70-42, and the City Charter.

SECTION 3. That the effective date of this ordinance shall be the ____ day of April, 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSTAIN:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney

SEAN PARNELL, GOVERNOR

2301 PEGGER ROAD
FAIRBANKS, ALASKA 99709-5399
TELEPHONE: (907) 451-5407
TDD: (907) 451-2363
FAX: (907) 451-5411
1-800-475-2464

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

NORTHERN REGION, PRECONSTRUCTION

November 16, 2009

Re: Illinois Street Reconstruction
Project No. STP-F-M-0663(4)/63102
Parcel E90

Patrick Smith
City of Fairbanks
800 Cushman St.
Fairbanks, Alaska 99701

Dear Mr. Smith:

As you are aware, the State of Alaska, Department of Transportation and Public Facilities (DOT/PF) proposes to reconstruct the Barnette Street and Illinois Street corridor in downtown Fairbanks. The overall project includes new roadway construction, roadway reconstruction, bridges, traffic signals, drainage, lighting, sidewalks and safety improvements.

Construction of this project requires acquisition of property for new right of way. An easement is necessary at the corner of Lot 1, Block 4 located at the corner of 1st Avenue and Cushman Street in Fairbanks, Alaska. I am the DOT&PF agent assigned to complete this transaction.

The property has been examined by qualified appraisers who have considered all the elements that contribute to its market value. The market value of your property has been determined to be \$3,375.00 for approximately 270 square feet at \$12.50 per square foot. This letter constitutes an offer to purchase parcel E90, for the market value of ~~\$4,000.00~~ **\$3,400.00**. A copy of the appraisal is provided for your review and records.

Enclosed is an Easement with a legal description of the parcel. I have also included a Memorandum of Agreement and Purchase Voucher for your consideration and approval.

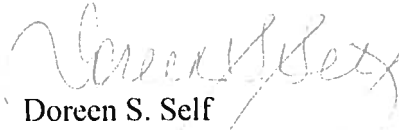
The enclosed documents will need to be signed, dated, and notarized where indicated. For your convenience, I am a Notary Public for the State of Alaska. Once the documents have been completed, they should be returned to me for processing.

EXHIBIT 'B' TO ORD. 5840

"Providing for the movement of people and goods and the delivery of state services."

The enclosed brochure will provide additional information about the right of way acquisition procedures. Please feel free to contact me at 451- 5448 or via e-mail at Doreen.Self@Alaska.Gov with any questions or comments. I look forward to hearing from you.

Sincerely,



Doreen S. Self
Right of Way Agent

DSS

Enclosures: Easement
Parcel Plats
Right of Way Map
Appraisal
Memorandum of Agreement
Purchase Voucher
Brochure

"Providing for the movement of people and goods and the delivery of state services."



STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

EASEMENT

(Municipal/Corporate/Partial Property)

PROJECT NAME: ILLINOIS ST. RECON.

STATE PROJECT #: 63102

FEDERAL-AID PROJECT #: STP-F-M-0663(4)

PARCEL #: E90

The GRANTOR, the City of Fairbanks, whose mailing address is 800 Cushman Street, Fairbanks, Alaska 99701, for and in consideration of Three Thousand Four Hundred and 00/100 (\$3,400.00) DOLLARS, and other valuable consideration, in hand paid, conveys and warrants to the GRANTEE, STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES, whose mailing address is 2301 Peger Road, Fairbanks, Alaska 99709, its successors or assignees, a perpetual, full and unrestricted easement and right-of-way along, over, and across the following-described tract of land located in the State of Alaska: All that part of the following-described land:

A parcel of land located within Lot One (1), Block Four (4), Fairbanks Townsite, according to the L.S. Robe Map of 1909 reproduced by Karl Theile U.S. Surveyor General in 1922, Records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska, and more particularly described as follows:

Commencing at the Southwest corner of said Lot 1, said corner also being at the intersection of the right of way of 1st Avenue and Cushman street and the **True Point of Beginning**;

Thence N 09°19'40" W along said Cushman Street Right of Way a distance of 15.71 feet to a point;

Thence N 80°43'37" E a distance of 17.13 feet to a point;

Thence S 09°19'40" E a distance of 15.71 feet to a point on said 1st Avenue Right of Way line;

Thence S 80°43'37" W along said Right of Way line a distance of 17.13 feet to the **True Point of Beginning**;

Said parcel contains 270 square feet [0.006 acres +/-].

which lies within the easement of right-of-way lines of Alaska Project No. 63102, delineated as to said tract of land on the plat attached hereto and made a part hereof as page five through seven of this instrument and designated as Parcel No. E90. Said parcel, containing 270 square feet, more or less, in addition to existing right-of-way, is hereby granted to the State of Alaska for the purpose of installing and maintaining a new utility/signal pole.

The Grantor hereby covenants with the State of Alaska that the Grantor has good title to the above-described tract of land and covenants that the State of Alaska shall have quiet and peaceable possession thereof; and shall have a free and unrestricted right to maintain said facilities as long as the right-of-way of which this easement area is a part, remains a public way.

Dated this _____ day of _____, 2_____.

ATTEST:

City of Fairbanks

Janey Hovenden, City Clerk

By: _____
Jerry Cleworth, Mayor

Approved as to Form:

By: _____
Paul Ewers, City Attorney

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, Grantee herein, acting by and through its Commissioner, hereby accepts for public purposes the real property, or interest therein, described in this instrument and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 2____.

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

By: _____
For the Commissioner

Filed for Record at the Request of and Return to:

State of Alaska
DOT&PF – Right of Way
2301 Peger Road
Fairbanks, AK 99709

State Business – No Charge

ORDINANCE NO. 5841

**AN ORDINANCE AUTHORIZING A UTILITY EASEMENT FOR THE
CHIEF ANDREW ISAAC HEALTH CENTER**

WHEREAS, Tanana Chiefs Conference (TCC) is advancing construction of a new seventy-million dollar health center (the "Project") on lands adjacent to City-owned property, located on Cowles Street, north of the Fairbanks Memorial Hospital; and

WHEREAS, as part of the Project, TCC must relocate a GVEA power line, which power line will be reconstructed almost entirely on TCC property; and

WHEREAS, a 50-foot segment of the new GVEA power line must cross over City property at the corner of Lathrop Street and Sixteenth Avenue, known as Lot 2, Tanana Chiefs Medical Center Subdivision, and shown on attached "Exhibit A"; and

WHEREAS, GVEA has requested a grant of easement for the purposes stated above; and

WHEREAS, the City Property Manager has reviewed said easement request and finds negligible impact on City property; and

WHEREAS, it is the sense of the City Council that a conveyance of an easement over the specified City owned real property to GVEA for the purposes mentioned hereinabove is in the best interest of the public.

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. That the Mayor is hereby authorized to execute the easement document shown on attached "Exhibit B" conveying easement rights to a portion of Lot 2, Tanana Chiefs Medical Center Subdivision from the City to GVEA, and to execute such other instruments as necessary to transfer the easement to GVEA, and the City Clerk is hereby authorized and directed to attest and affix the City Seal to said instruments.

SECTION 2. That conveyance of the property shall be subject to a thirty-day permissive referendum period as required under Fairbanks General Code of Ordinances Section 70-42, and the City Charter.

SECTION 3. That the effective date of this ordinance shall be the 25th day of April, 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSTAIN:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney

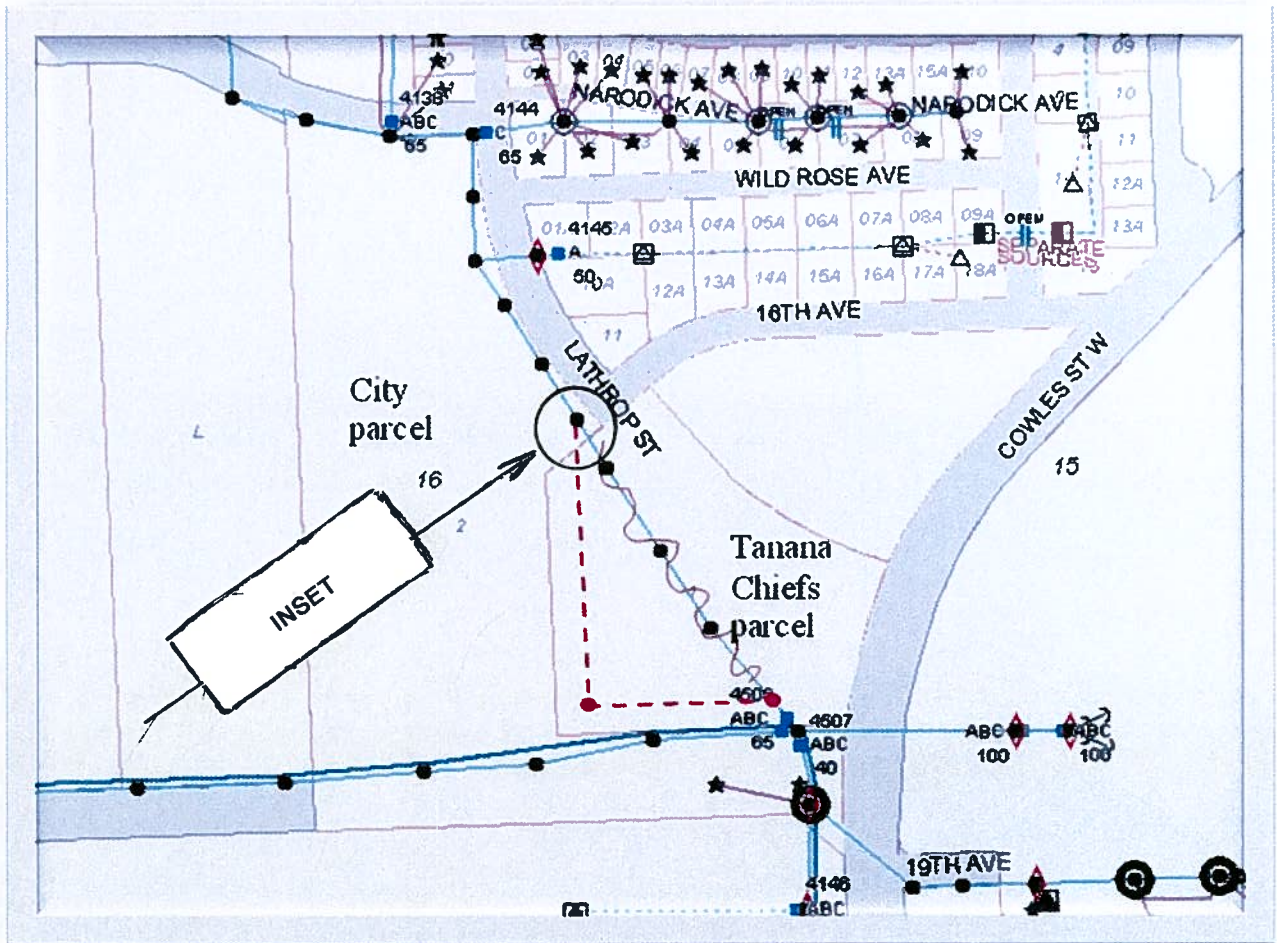
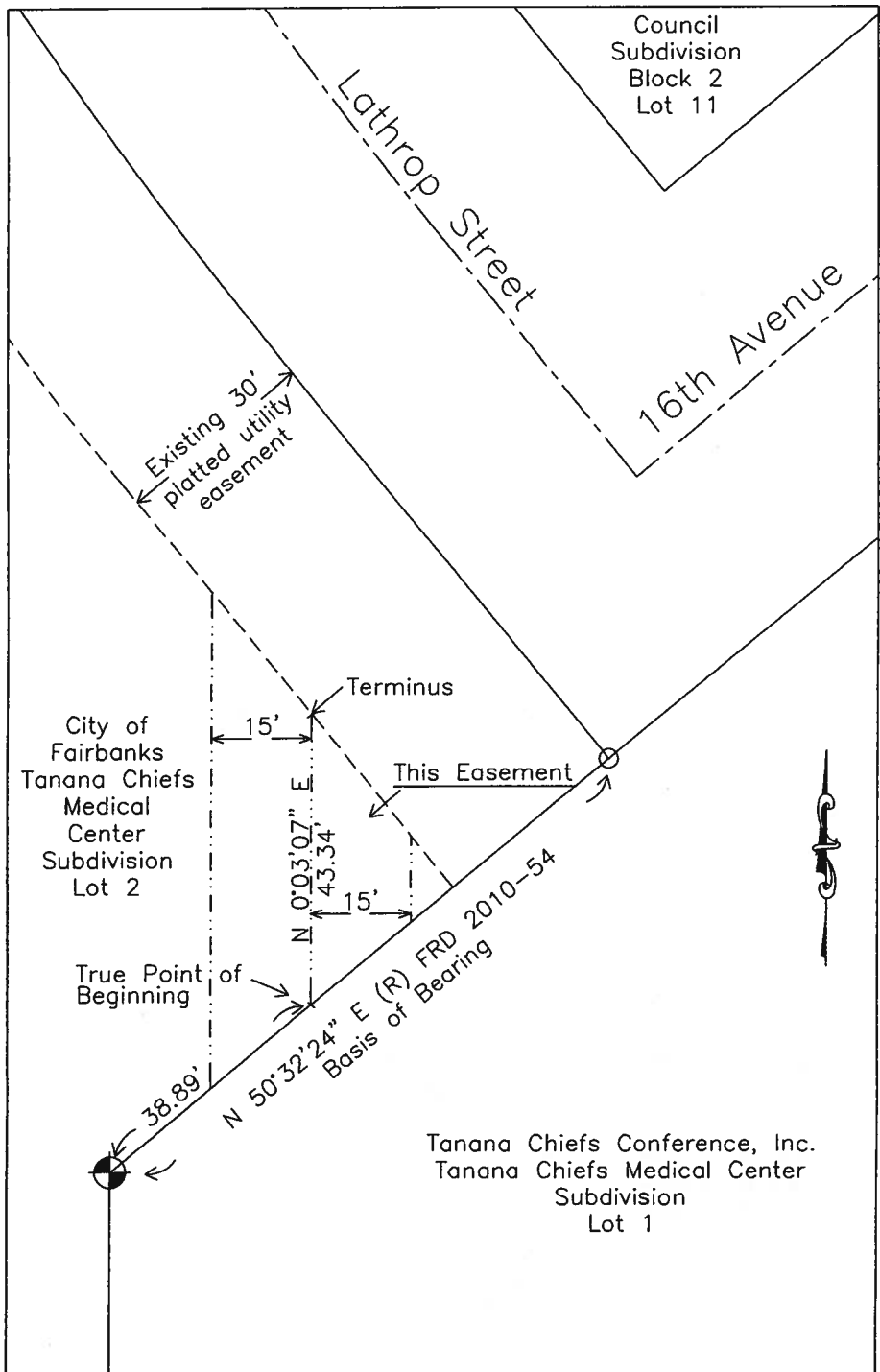


EXHIBIT "A", Page 1 of 2
Ordinance 5841



Recovered Primary Survey Monument	⊙	LEGEND	New GVEA Centerline	— — — — —
Recovered Secondary Survey Monument	○		Existing Power Pole	●
Recovered Concrete Highway Monument	□		New Power Pole	○

GV Exhibit "A"	Golden Valley Electric Association Right of Way Exhibit			
	NAME	: City of Fairbanks		
	LOCATION	: Lathrop Street at 16th Avenue		
	SUBDIV.	: Tanana Chiefs Medical Center	BLOCK	: 1
	CONTROL		LOT	: 2
	TOWNSHIP	: 1S	RANGE	: 1W
	GVEA MAP	: 3-0101D	SECTION	: 16
DRAWING	: o:\Staking\McNeil\BigPro\TCC-Medical\201100007e.dwg	SCALE	: 1"=20'	
		DATE	: 3/18/11	
		BY	: BCM	

**EXHIBIT 'A' PG. 2 OF 2
ORDINANCE 5841**

Return to: Golden Valley Electric Association
PO Box 71249, Fairbanks, AK 99707

GVEA RIGHT-OF-WAY EASEMENT

FOR VALUE RECEIVED, the City of Fairbanks, with an address of 800 Cushman St., Fairbanks, AK 99701 ("Grantor") hereby grants and conveys to GOLDEN VALLEY ELECTRIC ASSOCIATION, INC., an Alaska non-profit cooperative corporation of Fairbanks, Alaska ("Grantee"), and to its successors, assignees, licensees and permittees, a perpetual right-of-way easement for the construction, operation, maintenance, upgrade, and removal of electrical distribution, fiber, and/or telecommunications facilities and related equipment, and specifically including the right of ingress and egress to and from the right-of-way easement. The Grantee shall at all times have the right to cut and keep clear the right-of-way easement of all trees, limbs, vegetation, and other obstructions including trees on adjoining land owned by Grantor which, were they to fall, might damage Grantee's facilities or related equipment.

Grantor agrees that all such facilities and equipment installed on the described right-of-way easement at Grantee's expense shall remain the property of Grantee.

Within Lot 2 of TANANA CHIEFS MEDICAL CENTER, located in Section 16, T.1S, R.1W, F.M., according to Plat No. 2010-54 filed on May 25, 2010; records of the Fairbanks Recording District, Fourth Judicial District, Alaska.

Easement description

A 30-foot wide strip of land within said Lot 2, the sidelines to be lengthened or shortened as necessary to terminate at property boundaries, as shown and described on the attached Exhibit A.

SIGNED, ACCEPTED, AND AGREED upon on _____ by the undersigned on behalf of the Grantor, who acknowledges that he has read and understands this document and any attachments to it, and having the authority to do so, hereby conveys and warrants the right-of-way easement described above.

CITY OF FAIRBANKS, ALASKA

(CITY SEAL)

JERRY CLEWORTH, MAYOR

ATTEST:

APPROVED AS TO FORM:

JANEY HOVENDON, City Clerk

PAUL EWERS, City Attorney

ACKNOWLEDGEMENT

STATE OF ALASKA)
) ss
FOURTH JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this _____ day of April, 2011, before me, the undersigned, a NOTARY PUBLIC in and for the State of Alaska, personally appeared Jerry Cleworth, the Mayor of the City of Fairbanks, and Janey Hovenden, the City Clerk of the City of Fairbanks, and that they acknowledged before me that they executed same of behalf of said municipal corporation. IN WITNESS WHEREOF, my hand and seal.

Notary Public in and for Alaska
My Commission Expires: _____

GVEA No. _____

**EXHIBIT 'B'
ORDINANCE 5841**

ORDINANCE NO. 5842

**AN ORDINANCE TO AMEND FGC SECTIONS 10-311 AND 10-312,
ADOPTING THE 2009 UNIFORM SWIMMING POOL, SPA AND HOT
TUB CODE**

WHEREAS, the Building Code Review and Appeals Commission has reviewed the 2009 Uniform Swimming Pool, Spa and Hot Tub Code and has recommended adoption; and

WHEREAS, the City Council desires to accept the recommendation of the Building Code Review and Appeals Commission;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, AS FOLLOWS:

Section 1. Fairbanks General Code Section 10-311 is hereby repealed and re-enacted as follows:

Sec. 10-311. Adoption.

The Uniform Swimming Pool, Spa and Hot Tub Code, 2009 Edition, as published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by the City of Fairbanks.

Section 2. Fairbanks General Code Section 10-312 is hereby repealed.

Section 3. That the effective date of this Ordinance shall be the ____ day of _____, 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney

ORDINANCE NO. 5843

**AN ORDINANCE AMENDING THE 2011 BUDGET ESTIMATE
FOR THE FIRST TIME**

WHEREAS, this ordinance incorporates the changes outlined on the attached summary to amend the 2011 operating budget.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. There is hereby appropriated to the 2011 budget from the following sources of revenue for the City of Fairbanks in the amount indicated to the departments named for the purpose of conducting the business of said departments of the City of Fairbanks, Alaska, for the fiscal year commencing January 1, 2011 and ending December 31, 2011

	Approved Budget	As Amended
Taxes, (all sources)	\$ 19,683,042	\$ 19,087,916
Charges for Services	3,960,860	3,960,860
Intergovernmental Revenues	2,804,208	3,279,208
Licenses & Permits	1,474,370	1,454,570
Fines, Forfeitures & Penalties	906,587	906,587
Interest & Penalties	135,000	135,000
Rental & Lease Income	224,663	224,663
Other Revenues	216,500	216,500
Other Financing Sources	3,013,493	3,013,493
Total Appropriation	\$ 32,418,723	\$ 32,278,797

SECTION 2. There is hereby appropriated to the 2011 budget expenditures for the City of Fairbanks in the amount indicated:

DEPT	DESCRIPTION	Approved Budget	As Amended
10	Mayor and Council	\$ 470,242	\$ 472,130
11	Office of the City Attorney	161,613	163,423
12	Office of the City Clerk	283,667	288,335
13	Finance Department	854,411	877,069
14	Information Technology	1,219,319	1,292,445
15	General Account	5,364,743	5,370,868
16	Risk Management	1,580,967	1,583,636
17	Property Management	58,870	58,959
20	Police Department	5,962,722	6,017,287
21	Dispatch	1,835,724	1,840,347
30	Fire Department	5,869,697	5,883,931
50	Department of Public Works	6,318,158	6,590,261
51	Engineering Division	503,557	519,816
60	Building Department	633,960	652,624
Total General Fund Appropriation		\$ 31,117,650	\$ 31,611,131
12/31/10 (Estimated) General Fund Balance		\$ 11,399,614	\$ 12,763,194
Increase/(Decrease) to Fund Balance		1,301,073	667,666
Reserve for 2011 Encumbrances			(174,436)
Designated for 21st Street Project		(33,302)	
Designated for Snow Removal		(250,000)	(250,000)
Designated for Abatements		(5,940)	(5,940)
Estimate Self Insurance Reserve		(631,706)	(577,896)
12/31/11 Projected Unreserved Balance		\$ 11,779,739	\$ 12,422,588
12/31/10 (Estimated) Unreserved Fund Balance		\$ 9,760,101	\$ 11,754,922
Designations from 2010 Revenue and OFS		718,565	-
Increase to Unreserved Fund Balance		1,301,073	667,666
2011 Projected Undesignated Fund Balance		\$ 11,779,739	\$ 12,422,588

SECTION 3. All appropriations made by this ordinance lapse at the end of the fiscal year to the extent they have not been expended or contractually committed to the departments named for the purpose of conducting the business of said departments of the City of Fairbanks, Alaska, for the fiscal year commencing January 1, 2011 and ending December 31, 2011.

SECTION 4. The effective date of this ordinance shall be the _____ day of _____, 2011.

Jerry Cleworth, MAYOR

AYES:
NAYS:
ABSTAIN:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM

Janey Hovenden, CMC, City Clerk

Paul J. Ewers, City Attorney

**SUMMARY OF ORDINANCE 5843
AS SUBSTITUTED
AMENDING 2011 GENERAL FUND BUDGET**

ESTIMATED REVENUES
\$(139,926) DECREASE

1. Taxes – (\$595,126) Decrease for PILT Agreement and increase in new construction
2. Interest & Penalties – No Change
3. Licenses & Permits – (\$19,800) Decrease for overpayment refund
4. Fines, Forfeitures, & Penalties – No Change
5. Other Intergovernmental Revenues – \$475,000 Increase for PILT Agreement
6. Charges for Services – No Change
7. Rental & Lease Income – No Change
8. Other Revenues – No Change
9. Other Financing Sources & Uses – No Change

ESTIMATED EXPENDITURES

\$493,481 INCREASE

1. Mayor & Council – \$1,888 Increase
 - a. \$ 7,744 increase to salaries – IBEW CBA
 - b. \$ 278 increase to holidays – IBEW CBA
 - c. \$(4,684) decrease to benefits – IBEW CBA
 - d. \$(1,450) decrease to interdepartmental – IBEW CBA
2. City Attorney's Office – \$1,810 Increase
 - a. \$ 6,262 increase to salaries – IBEW CBA
 - b. \$ 272 increase to holidays – IBEW CBA
 - c. \$(3,505) decrease to benefits – IBEW CBA
 - d. \$(1,219) decrease to interdepartmental – IBEW CBA
3. City Clerk's Office – \$4,668 increase
 - a. \$ 7,868 increase to salaries – IBEW CBA
 - b. \$ 282 increase to holidays – IBEW CBA
 - c. \$(3,482) decrease to benefits – IBEW CBA
4. Finance Department – \$22,658 increase
 - a. \$ 28,798 increase to salaries – IBEW CBA
 - b. \$ 1,031 increase to holidays – IBEW CBA
 - c. \$(9,271) decrease to benefits – IBEW CBA
 - d. \$ 2,100 increase for 2010 encumbrances
5. Information Technology – \$73,126 increase
 - a. \$ 19,796 increase to salaries – IBEW CBA
 - b. \$ 710 increase to holidays – IBEW CBA
 - c. \$(4,880) decrease to benefits – IBEW CBA
 - d. \$ 5,700 increase to benefits to correct original budget
 - e. \$50,000 increase to other outside contracts to correct original budget
 - f. \$ 1,800 increase for 2010 encumbrances

6. General Account – \$6,125 Increase
 - a. \$ 6,125 increase for 2010 encumbrances

7. Risk Management – \$2,669 Increase
 - a. \$2,669 increase to interdepartmental charges

8. Property Management – \$89 Increase
 - a. \$89 increase for 2010 encumbrances

9. Police Department - \$54,565 Increase
 - a. \$ 4,212 increase to salaries – IBEW CBA
 - b. \$ 151 increase to holidays – IBEW CBA
 - c. \$(177) decrease to benefits – IBEW CBA
 - d. \$50,379 Increase for 2010 encumbrances

10. Dispatch - \$4,623 Increase
 - a. \$ 3,971 increase to salaries – IBEW CBA
 - b. \$ 142 increase to holidays – IBEW CBA
 - c. \$(1,140) decrease to benefits – IBEW CBA
 - d. \$ 1,650 Increase for 2010 encumbrances

11. Fire Department – \$14,234 Increase
 - a. \$ 8,688 increase to salaries – IBEW CBA
 - b. \$ 307 increase to holidays – IBEW CBA
 - c. \$(2,337) decrease to benefits – IBEW CBA
 - d. \$ 7,576 increase for 2010 encumbrances

12. Public Works – \$272,103 Increase

- a. \$ 6,735 increase to salaries – IBEW CBA
- b. \$ 240 increase to holidays – IBEW CBA
- c. \$(1,939) decrease to benefits – IBEW CBA
- d. \$109,602 Increase to salaries – AFLCIO CBA
- e. \$ 3,930 Increase to holidays – AFLCIO CBA
- f. \$ 44,992 Increase to benefits – AFLCIO CBA
- g. \$ 45,361 Increase to salaries – Add laborer
- h. \$ 1,626 Increase to holidays – Add laborer
- i. \$ 31,935 Increase to benefits – Add laborer
- j. \$(78,922) Decrease to temporary labor – Offset laborer
- k. \$ 4,078 Increase to salaries – increase to packer driver
- l. \$ 212 Increase to holidays – increase to packer driver
- m. \$ 62 Increase to benefits – increase to packer driver
- n. \$ 104,191 Increase for 2010 encumbrances

13. Engineering – \$16,259 Increase

- a. \$15,832 increase to salaries – IBEW CBA
- b. \$ 568 increase to holidays – IBEW CBA
- c. \$(4,921) decrease to benefits – IBEW CBA
- d. \$ 2,048 increase to salaries – AFLCIO CBA
- e. \$ 74 increase to holidays – AFLCIO CBA
- f. \$ 2,132 increase to benefits – AFLCIO CBA
- g. \$ 526 Increase for 2010 encumbrances

14. Building Department – \$18,664 Increase

- a. \$22,595 increase to salaries – IBEW CBA
- b. \$ 761 increase to holidays – IBEW CBA
- c. \$(7,053) decrease to benefits – IBEW CBA
- d. \$ 2,212 increase to salaries – Merit increase
- e. \$ 115 increase to holidays – Merit increase
- f. \$ 34 increase to benefits - Merit increase

ORDINANCE NO. 5844

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE SECTION 78-975,
AUTHORIZING RECOVERY OF IGNITION INTERLOCK DEVICES FROM
IMPOUNDED MOTOR VEHICLES**

WHEREAS, it is the intent of the City Council to amend current City ordinances so that the owner of an ignition interlock device can retrieve that device from impounded vehicles,

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

Section 1. Fairbanks General Code Section 78-975 is amended as follows (new text in **underlined bold** font, deleted text in ~~strikeout~~ font):

Sec. 78-975. - Custody of vehicle; policedepartmentof public safety; private corporations; inventory, retrieval of ignition interlock devices.

(a) A motor vehicle seized for the purpose of forfeiture or impoundment should be held in the custody of the City ~~department of public safety~~ or a private **impound yard** ~~corporation~~ authorized by the City ~~department~~ to retain custody of the vehicle, subject only to the orders and decrees of the court having jurisdiction over any forfeiture or impoundment proceedings. When a motor vehicle is seized, the **Police Chief** ~~director of public safety~~ or an authorized designee may:

(1) Remove the motor vehicle and any contents in the vehicle to a place designated by the court; or

(2) Take custody of the motor vehicle and any contents of the vehicle and remove it to an appropriate location for disposition; **and**

(3) Allow the owner of an ignition interlock device installed in a vehicle held pending forfeiture to retrieve the device upon a showing of proof of ownership and execution of a written agreement to assume liability for damage caused during retrieval. The City will cross check impounded vehicles against a data base provided by ignition interlock owners and notify device owners of vehicle impound. The fee for this service and access shall be as provided in the City Schedule of Fees and Charges for Service.

(b) Following a forfeiture, the **Police** ~~Department of public safety~~ shall make an inventory of the contents of any motor vehicle seized. Personal property can be recovered from the vehicle in the same manner as set forth in section 78-973.

(c) A person in a forfeiture action claiming an interest in the property shall file, within 30 days after service or completion of publication, a notice of claim setting out the nature of the interest, the date it was acquired, the consideration paid, and an answer to the city's allegations. If a claim and answer is not filed within the required time, the motor vehicle must be forfeited to the city without further proceedings. For a regulated lienholder, the notice of claim and answer is met by the filing of information required in section 78-966 and by adding to the affidavit a statement of the original amount of the loan giving rise to the lien and the current balance due on that loan.

(d) A claimant may petition the court for sale of a motor vehicle before final disposition of court proceedings. The court shall grant a petition for sale upon a finding that the sale is in the best interest of the city. Proceeds from the sale plus interest to the date of final disposition of the court proceedings become the subject of the forfeiture action.

SECTION 2. That the effective date of this Ordinance shall be the ___ day of _____,2011.

Jerry Cleworth, City Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul J. Ewers, City Attorney

ORDINANCE NO. 5845

**AN ORDINANCE ADOPTING THE 2011 CITY OF FAIRBANKS CODE
FOR ABATEMENT OF DANGEROUS BUILDINGS**

WHEREAS, in 2002 the City Council adopted the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings; and

WHEREAS, the 1997 Uniform Code for the Abatement of Dangerous Buildings is now out of print, and there is a need to adopt a code that serves the community; and

WHEREAS, after extensive review and study, the Building Official and the Building Code Review and Appeals Commission recommend a new abatement code that best reflects local conditions; and

WHEREAS, the City Council desires to accept the recommendations of the Building Official and the Building Code Review and Appeals Commission.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, AS FOLLOWS:

Section 1. The attached 2011 City of Fairbanks Code for the Abatement of Dangerous Buildings is hereby adopted. Copies of this Abatement Code shall be made available at the Building Department and published online at the City of Fairbanks website.

Section 2. Section 10-206 of the Fairbanks Code of Ordinances, is hereby repealed and replaced as follows:

Sec. 10-206. Adoption.

The 2011 City of Fairbanks Code for the Abatement of Dangerous Buildings is hereby adopted by the City of Fairbanks.

Section 3. Section 10-207 of the Fairbanks Code of Ordinances is hereby repealed.

Section 4. The effective date of this ordinance shall be the ____ day of April 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

JANEY HOVENDEN, City Clerk

PAUL EWERS, City Attorney

**2011 CITY OF FAIRBANKS
CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS**

**CHAPTER 1
TITLE AND SCOPE**

SECTION 101 – TITLE

These regulations shall be known as the Abatement of Dangerous Buildings Code, may be cited as such, and will be referred to herein as “this code” or the “Abatement Code.”

SECTION 102 – PURPOSE AND SCOPE

102.1 Purpose. It is the purpose of this chapter to provide a just, equitable and practicable method, to be cumulative with and in addition to any other remedy provided by the construction codes as adopted by the City of Fairbanks, or otherwise available by law, whereby buildings or structures, which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants, will be repaired, vacated, demolished or removed.

The purpose of this chapter is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

Section 102.2 Scope. The provisions of this chapter apply to all dangerous buildings or structures, as herein defined, which are now in existence or which may hereafter become dangerous in this jurisdiction.

SECTION 103 – ALTERATIONS AND REPAIRS

All buildings or structures required to be repaired under the provisions of this chapter are subject to the provisions of the International Building Code, as adopted by the City of Fairbanks.

**CHAPTER 2
ADMINISTRATION AND ENFORCEMENT**

SECTION 201 - GENERAL

201.1 Administration. The building official and fire chief are hereby authorized to enforce the provisions of this code.

The code official shall have the authority and duty to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations will be in conformity with the intent and purpose of this code.

201.2 Inspections. The building official and fire marshal are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this code.

201.3 Right of entry. When it is necessary to make an inspection to enforce the provisions of this code or when the code official or the code official's authorized representative has reasonable cause to believe there exists in a building or structure a condition which is contrary to or in violation of this code and makes the building or structure dangerous or unlawful, the code official may enter the building or structure at reasonable times to inspect or to perform the duties imposed by this code, provided if such building or structure be occupied that credentials be presented to the occupant and entry requested. If such building or structure is unoccupied, the code official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or structure and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry.

SECTION 202 – ABATEMENT OF DANGEROUS BUILDINGS

All buildings or structures or portions thereof which are determined after inspection by the building official to be dangerous, as defined in this code, are hereby declared to be public nuisances and will be abated by repair, demolition, or removal in accordance with the procedure as specified in Section 401 of this code.

SECTION 203 – VIOLATIONS

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this code.

SECTION 204 – INSPECTION OF WORK

All buildings or structures within the scope of this code and all construction or work for which a permit is required are subject to inspection by the building department in accordance with inspection requirements as set forth by the Administrative Code as adopted and amended by the City of Fairbanks. All work will be inspected and approved by the code official before it is covered.

SECTION 205 – APPEALS BOARD

205.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of this code, an appeals board is hereby created. The composition of the appeals board and its general rules of procedure, duties and powers are set forth in the Fairbanks General Code of Ordinances, Sections 2-481 through 2-484.

205.2 Limitations of Authority. The appeals board shall have no authority relative to interpretations of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

CHAPTER 3 DEFINITIONS

SECTION 301 – GENERAL

For the purpose of this chapter, certain terms, phrases, words and their derivatives will be construed as specified in either this chapter or as specified in the code. Where terms are not defined, they will have the ordinary accepted meanings within the context with which they are used. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

Abandoned Structure is a structure that has been vacant for a period in excess of 12 months or any period less than 12 months when a vacant structure or portion thereof constitutes an attractive nuisance or hazard to the public as determined by the Building Official. A structure will not be considered abandoned if it is available for lease and ready for occupancy in compliance with the applicable provisions of chapter 10 of the Fairbanks General Code.

Beyond Economic Feasibility to Repair is when the estimated cost of repair exceeds the estimated replacement cost of the entire structure.

Building Code is the most current edition of the International Building Code as adopted by the City of Fairbanks.

Code or Codes are the relevant codes, as adopted by this jurisdiction.

Code Official is the building official, fire official or their designee.

Dangerous Building is any building or structure deemed to be dangerous under the provisions of section 302 of this code.

Derelict Building is any building, structure or portion thereof which is unoccupied and meets any of the following criteria:

1. Has been ordered vacated by the Building Official pursuant to the provisions of this code.
2. Has been issued a correction notice by the Building Official pursuant to the provisions of this code.
3. Has been posted for violation of this code more than once in any two year period.
4. Is unsecured.

Habitual means customarily or by frequent practice or use. It does not mean entirely or exclusive.

Imminent or immediate means near or at hand, or left unattended to, on the point of happening. An observable structural, electrical, mechanical or plumbing failure to the extent that a reasonable person may believe that possesses a serious threat to life and safety.

Record Owner – any legal interest of record disclosed from official public records.

Unfit for Human Occupancy – A building or structure is unfit for human occupancy whenever the code official finds such structure is unsafe, unlawful or because of the degree to which the building or structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the building or structure, constitutes a hazard to the occupants of the building or structure or to the public. A building which is unfit for human occupancy is classified as a dangerous building and shall be abated as determined by the building official in accordance with this code.

Unsafe Building or Structure – is one found to be dangerous to the life, health, property or safety of the public or the occupants of the building or structure by not providing the minimum safeguards to protect or warn occupants in the event of fire, or because such building or structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible. An unsafe building shall be abated as determined by the building official in accordance with this code. Abatement may consist of correction and repair in accordance with an approved work agreement or demolition.

Unsafe Equipment – includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the building or structure in such disrepair or condition that such equipment is a hazard to life, health, property or safety.

Unoccupied means not being used for lawful occupancy.

Unsecured means the lack of a secure means of ingress and egress thus allowing for occupancy or use of a building or structure by unauthorized persons.

Work Agreement Contract to Repair is a written agreement between the owner of a building and the City of Fairbanks wherein the owner agrees to carry out required repair/work on any abandoned, unsafe, dangerous structure or structures between a specified commencement and completion date.

SECTION 302- DANGEROUS BUILDING

For the purpose of this code, any building or structure which has any or all of the conditions or defects hereinafter described is deemed to be a dangerous building, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants are endangered.

1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
3. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the code for buildings of similar structure, purpose or location.
4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent the structural strength or stability thereof is materially less than before such catastrophe and is less than the minimum requirements of the code for buildings of similar structure, purpose or location.
5. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
6. Whenever any portion of a building or structure, or any member, appurtenance or ornamentation of the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the code for such buildings or structures.
7. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar construction.
8. Whenever the building or structure, or any portion thereof, because of:
 - a. Dilapidation, deterioration or decay;
 - b. Faulty construction;
 - c. The removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building or structure;
 - d. The deterioration, decay or inadequacy of its foundation; or
 - e. Any other cause;is likely to partially or completely collapse.
9. Whenever, for any reason, the building or structure, or any portion thereof, is unsafe for the purpose of which it is being used.
10. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

11. Whenever the building or structure, exclusive of the foundation, shows thirty-three (33) percent or more damage or deterioration of its supporting member or members, or fifty (50) percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.
12. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become:
 - a. An attractive nuisance to children;
 - b. A harbor for vagrants, criminals or immoral persons; or
 - c. Enables persons to resort thereto for the purpose of committing unlawful or immoral acts.
13. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the code, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.
14. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting part, member or portion less than fifty (50) percent, or in any supporting part, member or portion, less than sixty-six (66) percent of the:
 - a. Strength;
 - b. Fire-resisting qualities or characteristics; or
 - c. Weather-resisting qualities or characteristics required by law in the case of a newly constructed building or structure of like area, height and occupancy in the same location.
 - d. This subsection does not apply to strength required to resist seismic loads.
15. Whenever a building or structure used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the code official to be unsanitary, unfit for human occupancy or in such a condition it is likely to cause sickness or disease.
16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the code official to be a fire hazard.
17. Whenever any building, structure or grounds are in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.

18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or structure or portion thereof an attractive nuisance or hazard to the public.

CHAPTER 4 NOTICE AND ORDER OF BUILDING OFFICIAL

SECTION 401 - GENERAL

401.1 Commencement of Proceedings. When the building official has inspected or caused to be inspected any building or structure and has determined that such building is a dangerous building, the building official shall commence proceedings to cause the repair, demolition, or removal of the building or structure.

401.2 Notice and Order. The code official shall issue a notice and order directed to the record owner of the building or structure. The notice and order will contain:

1. The street address and a legal description sufficient for identification of the property upon which the building or structure is located.
2. A statement that the code official found the building or structure to be dangerous or unlawful with a brief and concise description of the conditions found to render the building or structure dangerous or unlawful under the provisions of section 302.
3. A statement of the action required to be taken as determined by the building official:
 - 3.1 If the building official has determined that the building or structure must be repaired or removed, the order shall require all required permits be secured therefore and the work physically commenced within such time (not to exceed 60 days from the date of the order) and completed within such time as the building official shall determine is reasonable under all the circumstances.
 - 3.2 If the building official has determined that the building or structure must be vacated, the order shall require the building or structure shall be vacated within a time certain from the date of the order as determined by the code official to be reasonable.
 - 3.3 If the building official has determined the building or structure must be demolished, the demolition will be completed within such time as the building official determines is reasonable and will be specified on the Notice and Order. A minimum notification of 60 days is required for all

building demolitions unless the building or structure represents an immediate danger to the public health, safety and welfare.

4. Statements advising that if any required repair or demolition work (without vacation also being required) is not commenced within the time specified, the building official (i) will order the building vacated and posted to prevent further occupancy until the work is completed and (ii) may proceed to cause the work to be done and charge the costs thereof against the property and/or its owner.
5. Statements advising (i) that any person having any record title or legal interest in the building may appeal from the notice and order or any action of the building official to the appeals board provided the appeal is made in writing as provided in this code and filed with the building official within 30 days from the date of service of such notice and order; and (ii) that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

401.3 Service of Notice and Order. The notice and order, and any amended or supplemental notice and order, must be served upon the record owner and posted on the property; and one copy thereof must be served on each of the following if known to the building official or disclosed from official public records: the holder of any mortgage or deed of trust or other lien or encumbrance of record; the owner or holder of any lease of record; and the holder of any other estate or legal interest of record in or to the building or the land on which it is located. The failure of the code official to serve any person required herein to be served will not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this section.

401.4 Method of Service. Service of the notice and order will be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the property tax records of the Fairbanks North Star Borough or as known to the code official. If no address of any such person so appears or is known to the code official, then a copy of the notice and order will be mailed, addressed to such person, at the address of the building involved in the proceedings. The failure of any such person to receive such notice will not affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided will be effective on the date of mailing.

401.5 Proof of Service. Proof of service of the notice and order will be certified to at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the time, date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgement of receipt by certified mail, will be affixed to the copy of the notice and order retained by the building official.

SECTION 402 – RECORDATION OF NOTICE AND ORDER

If the notice and order has not been complied with in the time specified therein, and no appeal has been properly and timely filed, the code official shall file in the Fairbanks District Recorder's Office a certificate describing the property and certifying:

1. The building or structure is a dangerous building; and
2. The owner has been so notified.

When the corrections ordered have been completed or the building or structure demolished so it no longer exists as a dangerous building or structure on the property described in the certificate, the code official shall file a new certificate with the Fairbanks District Recorder certifying the building or structure has been removed, demolished or all required corrections have been made so that the building or structure is no longer dangerous, whichever is appropriate.

402.1 Transfer of ownership. It is unlawful for the owner of any building or structure who has received a notice and order under this Abatement Code to sell, transfer, mortgage, lease or otherwise dispose of such building or structure to another until the provisions of the notice and order have been complied with, or until such owner has furnished the grantee, transferee, mortgagee or lessee a true copy of any notice and order issued by the code official and furnished the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such notice and order or notice of violation fully accepting the responsibility without condition for making corrections or repairs required by such notice and order or notice of violation.

SECTION 403 – REPAIR VACATION AND DEMOLITION

The following standards will be followed by the Building Official (and the Appeals Board if an appeal is taken) in ordering the repair vacation or demolition of any dangerous, abandoned or derelict building or structure or public nuisance defined herein.

1. Any building declared a dangerous, abandoned or derelict building as classified by this code will be made to comply by the owner with one of the following options:
 - 1.1 The building will be repaired in accordance with the current building code or other current code applicable to the type of substandard conditions requiring repair. All work will be permitted and inspected as required by the applicable building code as adopted by the City of Fairbanks.
 - 1.2 The building or structure may be demolished at the option of the owner.
2. If the building or structure is in such condition as to make it immediately dangerous to life, limb, property or safety of the public or its occupants, it will be ordered to be vacated and, if repairs are not begun within 60 days as stipulated by the notice and order, demolished.

3. If one or more of the following conditions exists, the building or structure may be ordered to be demolished:
 - a. The building is in imminent danger of collapse due to structural failure.
 - b. The building has not been properly secured or maintained so that it is habitually used as a harbor for vagrants or is an attractive nuisance to children.
 - c. The building is beyond economic feasibility to repair.
 - d. The building remains abandoned or derelict 180 days after notice pursuant to the provisions of this code.

SECTION 404 – NOTICE TO VACATE

404.1 Posting. Every notice to vacate, in addition to being served as provided in Section 401.3, will be posted at or upon each exit of the building and will be in substantially the following form:

**DO NOT ENTER
UNSAFE TO OCCUPY
It is a misdemeanor to occupy this building or to remove or deface this notice.
Building Official
City of Fairbanks**

404.2 Compliance. Whenever such notice is posted, the building official shall include a notification thereof in the notice and order issued under section 401.2 identifying the emergency or circumstances and specifying the conditions which necessitate the posting. No person shall remain in or enter any building which has been so posted, except that entry may be made to repair demolish or remove such building under permit. No person shall remove or deface any such notice after it is posted until the required repairs, demolition or removal have been completed and a certificate of occupancy issued pursuant to the provisions of the Building Code.

404.3 Summary Abatement. The building official may abate any public nuisance without notice in an emergency where the safety of the public is endangered and where immediate action is necessary and timely notice cannot be given. All other abatement proceedings, except the necessity and the manner and method of giving notice, will apply to the nuisance summarily abated, including the recovery of the costs of the summary abatement.

CHAPTER 5 APPEAL

SECTION 501 – GENERAL

501.1 Form of Appeal. Any person entitled to service under sections 401.3 may appeal any notice and order or any action of the code official under this code by filing at the office of the building official a written appeal within (30) days from the date of service of such notice and order of the building official; provided, however, if the building or structure is in such condition as to make it immediately dangerous to the life, limb, health, morals, property, safety or welfare

of the general public or their occupants and is ordered vacated and is posted in accordance with section 404, such appeal must be filed within ten (10) days from the date of the service of the notice and order of the code official. The written appeal must contain:

- a) A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order.
- b) A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant.
- c) A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside.
- d) The signatures of all parties named as appellants and their official mailing addresses.

501.2 Processing of Appeal. Upon receipt of any appeal filed pursuant to this section, the building official shall present it at the next regular or special meeting of the appeals board.

501.3 Scheduling and noticing appeal for hearings. As soon as practicable after receiving the written appeal, the appeals board shall fix a date, time and place for the hearing of the appeal by the board. Such date will not be less than ten (10) days nor more than sixty (60) days from the date the appeal was filed with the code official. Written notice of the time and place of the hearing will be given at least ten (10) days prior to the date of the hearing to each appellant by the secretary of the board either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal.

SECTION 502 – EFFECT OF FAILURE TO APPEAL

Failure of any person to file an appeal in accordance with the provisions of section 501 will constitute a waiver of the right to an administrative hearing and adjudication of the notice and order or any portion thereof.

SECTION 503 – SCOPE OF HEARING ON APPEAL

Only those matters or issues specifically raised in the notice and order or actions by any persons with authority under this chapter will be considered in the appeal hearing.

SECTION 504 – STAYING OF ORDER UNDER APPEAL

Except for vacation orders made pursuant to section 404, enforcement of any notice and order of the code official issued under this chapter will be stayed during the appeal there from which is properly and timely filed.

**CHAPTER 6
PROCEDURES FOR CONDUCT OF HEARING APPEALS**

SECTION 601 - GENERAL

601.1 Hearing Examiners. The board may appoint one or more hearing examiners or designate one or more of its members to serve as hearing examiners to conduct the hearings. The examiner hearing the case shall exercise all powers relating to the conduct of hearings until it is submitted to the board for decision.

601.2 Record. A record of the entire proceedings will be made by tape recording or by any other means of permanent recording determined to be appropriate by the board.

601.3 Continuances. The board may grant continuances for good cause shown; however, when a hearing examiner has been assigned to such hearing, no continuances may be granted except by the examiner for good cause shown so long as the matter remains before the examiner.

601.4 Oaths-Certification. In any proceedings under this chapter, the board, any board member, or the hearing examiner has the power to administer oaths and affirmations and to certify to official acts.

601.5 Reasonable Dispatch. The board and its representatives shall proceed with reasonable dispatch to conclude any matter before it. Due regard shall be shown for the convenience and necessity of any parties or their representatives.

SECTION 602 - FORM OF NOTICE OF HEARING

The notice to appellant will be substantially in the following form, but may include other information:

"You are hereby notified that a hearing will be held before (the appeals board or name of hearing examiner) on the ____ day of _____, 20__, at __:__ a.m./p.m., at _____, upon the notice and order served upon you. You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by filing an affidavit therefore with (appeals board or name of hearing examiner)."

SECTION 603 – SUBPOENAS

603.1 Filing of Affidavit. The board or examiner may obtain the issuance and service of a subpoena for the attendance of witnesses or the production of other evidence at a hearing upon the request of a member of the board or upon the written demand of any party. The issuance and service of such subpoena will be obtained upon the filing of an affidavit therefore which states the name and address of the proposed witness; specifies the exact things sought to be produced

and the materiality thereof in detail to the issues involved; and states that the witness has the desired things in possession or under control. A subpoena need not be issued when the affidavit is defective in any particular.

603.2 Cases Referred to Examiner. In cases where a hearing is referred to an examiner, all subpoenas will be obtained through the examiner.

603.3 Penalties. Any person who refuses without lawful excuse to attend any hearing or to produce material evidence which the person possesses or controls, as required by any subpoena served upon such person as provided for herein is guilty of a misdemeanor.

SECTION 604 - CONDUCT OF HEARING

604.1 Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.

604.2 Oral Evidence. Oral evidence will be taken only on oath or affirmation.

604.3 Hearsay Evidence. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence, but is not sufficient in itself to support a finding unless it would be admissible over objection in civil actions in courts of competent jurisdiction in this state.

604.4 Admissibility of Evidence. Any relevant evidence will be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state.

604.5 Exclusion of Evidence. Irrelevant and unduly repetitious evidence will be excluded.

604.6 Rights of Parties. Each party shall have these rights, among others:

1. To call and examine witnesses on any matter relevant to the issues of the hearing;
2. To introduce documentary and physical evidence;
3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
4. To impeach any witness regardless of which party first called the witness to testify;
5. To rebut the evidence; and
6. To be represented by anyone who is lawfully permitted to do so.

604.7 Official Notice.

604.7.1 What may be noticed. In reaching a decision, official notice may be taken, either before or after submission of the case for decision, of any fact which may be judicially noticed by the courts of this state or of official records of the board or departments and ordinances of the city or rules and regulations of the board.

604.7.2 Parties to be notified. Parties present at the hearing will be informed of the matters to be noticed, and these matters will be noted in the record, referred to therein, or appended thereto.

604.7.3 Opportunity to refute. Parties present at the hearing will be given a reasonable opportunity, on request, to refute the officially noticed matters by evidence or by written or oral presentation of authority, the manner of such refutation to be determined by the board or hearing examiner.

604.7.4 Inspection of the premises. The board or the hearing examiner may inspect any building or premises involved in the appeal during the course of the hearing, provided that (i) notice of such inspection shall be given to the parties before the inspection is made, (ii) the parties are given an opportunity to be present during the inspection, and (iii) the board or the hearing examiner shall state for the record upon completion of the inspection the material facts observed and the conclusions drawn there from. Each party then will have a right to rebut or explain the matters so stated by the board or hearing examiner.

SECTION 605 - METHOD AND FORM OF DECISION

605.1 Hearing before Board Itself. When a contested case is heard before the board itself, a member thereof who did not hear the evidence or has not read the entire record of the proceedings shall not vote on or take part in the decision.

605.2 Hearing before Examiner. If a contested case is heard by a hearing examiner alone, the examiner shall within a reasonable time (not to exceed 90 days from the date the hearing is closed) submit a written report to the board. Such report will contain a brief summary of the evidence considered and state the examiner's findings, conclusions and recommendations. The report also will contain a proposed decision in such form that it may be adopted by the board as its decision in the case. All examiners' reports filed with the board will be matters of public record. A copy of each such report and proposed decision will be mailed to each party on the date they are filed with the board.

605.3 Consideration of Report by Board-Notice. The board shall fix the time, date and place to consider the examiner's report and proposed decision. Notice thereof shall be mailed to each interested party not less than five days prior to the date fixed, unless it is otherwise stipulated by all of the parties.

605.4 Exceptions to Report. Not later than two days before the date set to consider the report, any party may file written exceptions to any part or all of the examiner's report and may attach

thereto a proposed decision together with written argument in support of such decision. By leave of the board, any party may present oral argument to the board.

605.5 Disposition by the Board. The board may adopt or reject the proposed decision in its entirety, or may modify the proposed decision.

605.6 Proposed Decision Not Adopted. If the proposed decision is not adopted as provided in Section 605.5, the board may decide the case upon the entire record before it, with or without taking additional evidence, or may refer the case to the same or another hearing examiner to take additional evidence. If the case is reassigned to a hearing examiner, the examiner shall prepare a report and proposed decision as provided in Section 605.2 hereof after any additional evidence is submitted. Consideration of such proposed decision by the board will comply with the provisions of this section.

605.7 Form of Decision. The decision will be in writing and will contain findings of fact, a determination of the issues presented, and the requirements to be complied with. A copy of the decision will be delivered to the appellant personally or sent by certified mail, postage prepaid, return receipt requested.

605.8 Effective Date of Decision. The effective date of the decision will be as stated therein.

CHAPTER 7 ENFORCEMENT OF THE ORDER OF THE BUILDING OFFICIAL OR THE APPEALS BOARD

SECTION 701 – COMPLIANCE

701.1 General. After any order of the building official or the appeals board made pursuant to this code becomes final, no person to whom any such order is directed shall fail, neglect or refuse to obey any such order. Any such person who fails to comply with any such order is guilty of a misdemeanor.

701.2 Failure to Obey Order. If, after any order of the building official or the appeals board, made pursuant to this code, becomes final, the person to whom such order is directed fails, neglects or refuses to obey such order, the building official may (i) cause such person to be prosecuted under Section 701.1 or (ii) institute any appropriate action to abate such building as a public nuisance.

701.3 Failure to Commence Work. Whenever the required repair or demolition is not commenced within 30 days after any final notice and order issued under this code becomes effective:

1. The building official shall cause the building described in such notice and order to be vacated by posting at each entrance thereto a notice reading:

**DANGEROUS BUILDING
DO NOT OCCUPY**

It is a misdemeanor to occupy this building or to remove or deface this notice.

**Building Official
City of Fairbanks**

2. No person shall occupy any building which has been posted as specified in this section. No person shall remove or deface any such notice so posted until the repairs, demolition or removal ordered by the building official have been completed and a certificate of occupancy issued pursuant to the provisions of the Building Code.

3. The building official may, in addition to any other remedy herein provided, cause the building to be repaired to the extent necessary to correct the conditions which render the building dangerous as set forth in the notice and order or, if the notice and order required demolition, to cause the building to be sold and demolished or demolished and the materials, rubble and debris there from removed and the lot cleaned. Any such repair or demolition work will be accomplished and the cost thereof paid and recovered in the manner hereinafter provided in this code. Any surplus realized from the sale of any such building, or from the demolition thereof, over and above the cost of demolition and of cleaning the lot, will be paid to the person or persons lawfully entitled thereto.

SECTION 702 - EXTENSION OF TIME TO PERFORM WORK

Upon receipt of an application from the person required to conform to the order and by agreement of such person to comply with the order if allowed additional time, the building official may grant an extension of time, not to exceed an additional 180 days, within which to complete said repair, rehabilitation or demolition, if the building official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The building official's authority to extend time is limited to the physical repair, rehabilitation or demolition of the premises and will not in any way affect the time to appeal the notice and order.

**SECTION 703 - INTERFERENCE WITH REPAIR OR DEMOLITION WORK
PROHIBITED**

No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of this jurisdiction or with any person who owns or holds any estate or interest in any building, which has been ordered repaired, vacated or demolished under the provisions of this code or with any person to whom such building has been lawfully sold pursuant to the provisions of this code, whenever such officer, employee, contractor or authorized representative of this jurisdiction, person having an interest or estate in such building or structure, or purchaser is engaged in the work of repairing, vacating and repairing, or demolishing any such building, pursuant to the provisions of this code, or in performing any

necessary act preliminary to or incidental to such work or authorized or directed pursuant to this code.

CHAPTER 8 PERFORMANCE OF WORK OF REPAIR OR DEMOLITION

SECTION 801 – GENERAL

801.1 Procedure. When any work of repair or demolition is to be done pursuant to Section 701.3, Item 3, of this code, the building official shall issue an order to the director of public works, and the work will be accomplished by city personnel or by private contract under the direction of the director. Plans and specifications may be prepared by the director, or the director may employ such architectural and engineering assistance on a contract basis as deemed reasonably necessary. If any part of the work is to be accomplished by private contract, standard public works contractual procedures will be followed.

801.2 Costs. The cost of such work will be paid from the general fund and may be made from a special assessment against the property involved and/or a personal obligation of the property owner, as the city council shall determine appropriate.

CHAPTER 9 RECOVERY OF COST OF REPAIR OR DEMOLITION

SECTION 901 - ACCOUNT OF EXPENSE, FILING OF REPORT

The director of public works shall keep an itemized account of the expense incurred in the repair or demolition of any building done pursuant to the provisions of Section 701.3, Item 3, of this code. Upon the completion of the work of repair or demolition, the director shall prepare and file with the city clerk a report specifying the work done, the itemized and total cost of the work, a description of the real property upon which the building or structure is or was located, and the names and addresses of the persons entitled to notice pursuant to Section 401.3.

SECTION 902 - NOTICE OF HEARING

Upon receipt of the report, the city clerk shall present it to the city council for consideration. The council shall fix a time, date and place for hearing the report and any protests or objections thereto. The clerk shall publish notice of the hearing once in a newspaper of general circulation in this jurisdiction and shall mail a copy of the notice by certified mail, postage prepaid, addressed to the owner of the property as the owner's name and address appears on the borough's property tax records, if it appears, or as known to the clerk. In addition, the building official shall cause notice of the hearing to be posted upon the property involved. Such notice will be given at least 10 days prior to the date set for the hearing and will specify the day, hour and place when the council will hear and pass upon the director's report, together with any objections or protests which may be filed as hereinafter provided by any person interested in or affected by the proposed charge.

SECTION 903 - PROTESTS AND OBJECTIONS

Any person interested in or affected by the proposed charge may file written protests or objections with the clerk at any time prior to the time set for the hearing on the report of the director. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of the protest or objection. The clerk shall endorse on every such protest or objection the date of receipt. The clerk shall present such protests or objections to the council at the time set for the hearing, and no other protests or objections will be considered.

SECTION 904 - HEARING OF PROTESTS

Upon the day and hour fixed for the hearing, the council shall hear and pass upon the report of the director, together with any objections or protests. The council may make such revision, correction or modification in the report or the charge as it may deem just; and when the council is satisfied with the correctness of the charge, the report (as submitted or as revised, corrected or modified) together with the charge, will be confirmed or rejected. The decision of the council on the report and the charge, and on all protests or objections, will be final and conclusive.

SECTION 905 - PERSONAL OBLIGATION AND PROPERTY LIEN

905.1 General. The council may order that the charge be made a personal obligation of the property owner and/or a lien against the property.

905.2 Personal Obligation. If the council orders that the charge be a personal obligation of the property owner, it shall direct the city attorney to collect the charge on behalf of the city by use of all appropriate legal remedies.

905.3 Property Lien. If the council orders that the charge be made a lien against the property, it shall direct that the lien be recorded. The lien will be paramount to all other liens except for state and borough property taxes with which it will be upon a parity. The lien will continue until paid in full.

905.4 Interest. All charges imposed by the council remaining unpaid after 30 days from the date of recording will become delinquent and will bear interest at the legal rate from and after that date.

SECTION 906 – CONTEST

Any action to contest the council's action under Sections 904 or 905 must be commenced within 30 days.



FLUORIDE TASK FORCE
JANUARY 4, 2011
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

Committee Members Present: Dr. Paul Reichardt, Chair
Dr. Joan Braddock
Dr. Beth Medford
Dr. Dick Stolzberg

Absent: Dr. Rainer Newberry
Dr. Bryce Taylor

Also Present: Debi Osterby, Deputy City Clerk

NEW BUSINESS

- a) Roll Call
- b) Discussion

Dr. Stolzberg provided a brief analysis of his recently submitted efficacy report. Dr. Braddock provided a modified version of the adverse effects report. Members reviewed and commented on the committee's draft reports.

Committee Members provided individual perspectives on each of the defined categories: efficacy, adverse effects, exposure, etc.

Members discussed different types of organization styles for the final report.

Dr. Stolzberg stated that discontinuing fluoridation may be a viable alternative. Dr. Braddock stated that the recommendation should include an education based discussion. Dr. Medford stated that the public should be informed of the appropriate fluoride dosage for both systemic and topical applications should fluoride be removed from the water supply. Dr. Reichardt indicated that the recommendation should include an encouragement to dentists to provide up-to-date information on fluoride to patients, that it should include ethical views of forced medication in a water supply, and possible inclusion of the Borough Assembly in the decision-making process. Dr. Reichardt indicated that the City should continue to fluoridate, but at a lower level (0.7 ppm).

Committee Members appointed Dr. Braddock as co-Chair to run meetings in Dr. Reichardt's absence.

c) Topics for Next Meeting

Dr. Reichardt to make changes to draft report based on discussions. Members to have final individual recommendations by next meeting. Plan to have a draft report available for report writer after February 1, 2011 meeting.

NEXT MEETING(S)

February 1, 2011, 7:00 PM, Council Chambers

ADJOURNMENT

Dr. Reichardt declared the Meeting adjourned at 9:30 p.m.



Dr. Paul Reichardt, Chair

Transcribed by: DO



**FLUORIDE TASK FORCE
FEBRUARY 1, 2011
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA**

Committee Members Present: Dr. Paul Reichardt, Chair
 Dr. Joan Braddock
 Dr. Beth Medford
 Dr. Rainer Newberry
 Dr. Dick Stolzberg

Absent: Dr. Bryce Taylor

Also Present: Debi Osterby, Deputy City Clerk

NEW BUSINESS

- a) Roll Call
- b) Discussion

Members discussed revisions to final draft (dated 1/12/11) and draft of Efficacy of Community Water Fluoridation (dated 1/30/11) authored by Dr. Stolzberg.

Dr. Stolzberg provided a recap of his recent changes to the section, Efficacy of Community Water Fluoridation. Members discussed changes and made further recommendations.

Members discussed specific changes to the final draft.

Members provided individual recommendation as outlined in Chapter 2, Recommendations, provided in the Final Draft Report. Members discussed possibility of having a minority recommendation if consensus could not be reached.

Timeline - Modifications to be prepared in final and sent to members for input. Dr. Reichardt to send final report to the report writer sometime during the week of February 7, 2011, and request editor to have final ready by mid-March. Final report to be available on City website with 350-word public comment available on line for approximately 15 days. Committee to consider scheduling two public testimony opportunities after draft report is made available for public consumption. Final meeting target date is April 5 or 12, 2011.

- c) Assignments/Topics for Next Meeting

Dr. Newberry to re-write section 1(b), Chapter 2: Recommendations, before next meeting. Dr. Stolzberg to make revisions to the Efficacy of Community Water Fluoridation based on discussions.

NEXT MEETING(S)

To be announced.

ADJOURNMENT

Dr. Reichardt declared the Meeting adjourned at 9:30 p.m.



Dr. Paul Reichardt, Chair

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FLUORIDE TASK FORCE
MARCH 8, 2011
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

Committee Members Present: Dr. Paul Reichardt, Chair
Dr. Joan Braddock
Dr. Beth Medford
Dr. Rainer Newberry
Dr. Dick Stolzberg - Telephonic

Absent: Dr. Bryce Taylor

Also Present: Debi Osterby, Deputy City Clerk

NEW BUSINESS

- a) Roll Call
- b) Discussion

Members discussed revisions to final draft, revisions to online public testimony form, and public comment period.

- c) Assignments/Topics for Next Meeting

Get revisions to report writer. Modify online form for public comment.

NEXT MEETING(S)

Tentative: March 29, 2011 and March 31, 2011 Hearings for Public Comment
Tentative: April 5, 2011 Regular Meeting

ADJOURNMENT

Dr. Reichardt declared the Meeting adjourned at 9:30 p.m.

A handwritten signature in blue ink that reads "Paul B. Reichardt".

Dr. Paul Reichardt, Chair

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