

ORDINANCE NO. 6161

**AN ORDINANCE TO AMEND SECTIONS 902 AND 906 OF THE 2015
CITY OF FAIRBANKS CODE FOR THE ABATEMENT OF
DANGEROUS BUILDINGS REGARDING THE SCHEDULING OF
CITY COUNCIL HEARINGS AND APPEALS OF THE CITY
COUNCIL'S DECISION**

WHEREAS, the City of Fairbanks Code for the Abatement of Dangerous Buildings was adopted by Ordinance No. 6020, FGC Sec. 10-206; and

WHEREAS, Section 902 of the current Code has a two-part process for setting the date and time for the Council's hearing on the abatement costs that is inconsistent with the procedure used for scheduling other council hearings; and

WHEREAS, Section 906 of the current Code does not specify how an appeal of the Council's decision is to be made.

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

Section 1. That Section 902 – Notice of Hearings, of the 2015 City of Fairbanks Code for the Abatement of Dangerous Buildings, adopted by FGC Sec. 10-206, is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

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~~ **schedule** a time, date and place for **the council** ~~to 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 2. That Section 906 – Contest, of the 2015 City of Fairbanks Code for the Abatement of Dangerous Buildings, adopted by FGC Sec. 10-206, is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

SECTION 906. APPEAL CONTEST

Any person affected by a decision of council under Sections 904 and 905, may appeal to the State of Alaska Superior Court at Fairbanks. Any such appeal must be filed within 30 days of the council's decision and must comply with the Alaska Rules of Appellate Procedure. Any action to contest the council's action under Sections 904 and 905 must be commenced within 30 days.

Section 3. That the effective date of this Ordinance shall be the 17th day of April 2021.



Jim Matherly, City Mayor


AYES: Clark, Therrien, Kun, Marney, Gibson, Rogers
NAYS: None
ABSENT: None
ADOPTED: April 12, 2021

ATTEST:

APPROVED AS TO FORM:



D. Danyielle Snider, MMC, City Clerk



Paul Ewers, City Attorney