



Kenai City Council - Regular Meeting

February 01, 2023 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

****Telephonic/Virtual Information on Page 3****

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Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
4. Consent Agenda (*Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

All items listed with an asterisk () are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the consent agenda and considered in its normal sequence on the agenda as part of the General Orders.

B. SCHEDULED PUBLIC COMMENTS (*Public comments limited to ten (10) minutes per speaker*)

1. City of Kenai Marketing Presentation, by Coy West, CEO and Founder of Divining Point.
2. College Campus Update, Dr. Keith Hamilton, President of the Alaska Christian College.

C. UNSCHEDULED PUBLIC COMMENTS (*Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

D. PUBLIC HEARINGS

1. **Ordinance No. 3332-2023** - Amending Kenai Municipal Code Section 3.10.070-Livestock within the City Limits, to Allow a Maximum of Twelve (12) Chicken Hens to be Kept on Certain Lots Less than 40,000 Square Feet within the City of Kenai. (Douthit and Winger) [01/04/23 Introduced by Council; Referred for recommendation to the 01/25/23 Planning and Zoning Commission Meeting; Public Hearing by Council Scheduled for 02/01/23.]
2. **Ordinance No. 3333-2023** - Amending Kenai Municipal Code 8.05.010 - Adoption of Fire Prevention Standards, and Repealing and Replacing Kenai Municipal Code 8.05.030 - Local Amendments to the 2009 International Fire Code, to Adopt the 2021 International Fire Code with Local Amendments. (Administrations)
3. **Ordinance No. 3334-2023** - Amending Kenai Municipal Code Title 4 - Uniform Codes, to Adopt the 2021 Editions of the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, Uniform Plumbing Code, International Existing Building Code, International Property Maintenance Code and the 2020 National Electrical Code and Incorporate Local Amendments. (Administration)
4. **Resolution No. 2023-04** - Authorizing a Service Contract and Corresponding Purchase Order to Peninsula Refuse for Fiscal Year 2023 and Fiscal Year 2024 Dumpsters Services for the Waste Water Plant. (Administration)

5. **Resolution No. 2023-05** - Adopting the City's Capital Improvement Plan for Fiscal Years 2024-2028. (Administration)

E. MINUTES

1. *Regular Meeting of January 18, 2023. (City Clerk)

F. UNFINISHED BUSINESS

G. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)
2. ***Ordinance No. 3335-2023** - Increasing Estimated Revenues and Appropriations in the Airport Fund Fiscal Year 2023 Budget for Utility Costs Associated with the Alaska Regional Fire Training Center. (Administration)

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging
2. Airport Commission
3. Harbor Commission
4. Parks and Recreation Commission
5. Planning and Zoning Commission
6. Beautification Committee

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

1. City Manager
2. City Attorney
3. City Clerk

K. ADDITIONAL PUBLIC COMMENTS

1. Citizens Comments (*Public comments limited to five (5) minutes per speaker*)
2. Council Comments

L. EXECUTIVE SESSION

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATION ITEMS

The agenda and supporting documents are posted on the City's website at www.kenai.city. Copies of resolutions and ordinances are available at the City Clerk's Office or outside the Council Chamber prior to the meeting. For additional information, please contact the City Clerk's Office at 907-283-8231.

Join Zoom Meeting

<https://us02web.zoom.us/j/87511680894>

Meeting ID: 875 1168 0894 **Passcode:** 240755

OR

Dial In: (253) 215-8782 or (301) 715-8592

Meeting ID: 875 1168 0894 **Passcode:** 240755



Sponsored by: Council Members Douthit and Winger

**CITY OF KENAI
ORDINANCE NO. 3332-2023**

AN ORDINANCE AMENDING KENAI MUNICIPAL CODE SECTION 3.10.070-LIVESTOCK WITHIN THE CITY LIMITS, TO ALLOW A MAXIMUM OF TWELVE (12) CHICKEN HENS TO BE KEPT ON CERTAIN LOTS LESS THAN 40,000 SQUARE FEET WITHIN THE CITY OF KENAI.

WHEREAS, the keeping of chicken hens within the City of Kenai on lots less than forty thousand (40,000) square feet and in the Urban Residential (RU), Suburban Residential 1 (RS1) Suburban Residential 2 (RS2), and Townsite Historic (TSH) zoning districts is currently prohibited; and,

WHEREAS, residents have expressed an interest in keeping chicken hens on lots less than forty thousand (40,000) square feet for personal use; and,

WHEREAS, outside the RU, RS1, RS2, and TSH zoning districts, a relatively small number of chicken hens may be kept within populated areas of the City without causing an unreasonable risk of nuisance or wild animal attractant if the hens are properly located, contained, managed and maintained; and,

WHEREAS, twelve (12) chicken hens or less is a reasonable number to provide a household with eggs without having too high a density of chickens, which could increase the likelihood of causing a nuisance or wild animal attractant.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

Section 1. Amendment of Section 3.10.070 of Kenai Municipal Code: That Kenai Municipal Code, Section 3.10.070, Livestock within the city limits, is hereby amended as follows:

3.10.070 Livestock within the city limits.

(a) Except as otherwise provided in this section, no person shall keep or maintain livestock within the City of Kenai.

(b) No livestock shall be allowed in the RU, RS1, RS2 or TSH zones.

[(B)c] Except in the RU, RS1, RS2, or TSH zones, [L]livestock, other than bees, may be kept on lots of forty thousand (40,000) square feet or greater. [NO LIVESTOCK SHALL BE ALLOWED IN THE RU, RS1, RS2 OR TSH ZONES. ANIMALS RAISED FOR A FUR-BEARING PURPOSE ARE NOT ALLOWED IN ANY ZONE. BEEKEEPING WILL BE RESTRICTED AS DESCRIBED IN SUBSECTION (G).]

(1) The keeping of chicken hens on lots less than forty thousand (40,000) square feet will be subject to the standards in subsection (k).

(2) Animals raised for a fur-bearing purpose are prohibited within the city limits.

(3) Beekeeping will be restricted as described in subsection (l).

[(C)d] In this section "livestock" is defined as the following animals:

(1) Cow

- (2) Horse
- (3) American bison
- (4) Llama
- (5) Alpaca
- (6) Sheep
- (7) Swine
- (8) Goat
- (9) Mule
- (10) Donkey
- (11) Ratite
- (12) Duck
- (13) Goose
- (14) Chicken
- (15) Turkey
- (16) Rabbit
- (17) Honey bees (*Apis mellifera*)

- ([D]e) (1) Except for the RS1, RS2, RU, TSH zone(s), the Chief Animal Control Officer may issue temporary permits of not more than fourteen (14) days for the keeping of livestock not otherwise allowed for public exhibitions or entertainment events. The Chief Animal Control Officer may impose conditions on the permits as reasonably necessary for sanitation, safety, or hygiene. The permit may be revoked for a violation of the conditions of the permit or pertinent section of the Kenai Municipal Code. The City may charge a permit fee, which fee shall be as set forth in the City's schedule of fees adopted by the City Council.
- (2) Except in the RU zone, the Chief Animal Control Officer may, after notifying adjoining property owners in writing and allowing reasonable time for comment, issue a permit for the keeping of livestock for educational or youth activities, such as 4-H, Future Farmers of America, or Boy/Girl Scouts on lots not otherwise eligible under this section. The permit shall state the duration of the permit, which shall not exceed two (2) years, and the type and number of livestock to be kept. The Chief Animal Control Officer may impose conditions on the permits as reasonably necessary for sanitation, safety, or hygiene. The permit may be revoked for a violation of the conditions of the permit or Title 3 of the Kenai Municipal Code. Appeal of issuance or revocation of a permit may be made in writing to the board of adjustment. A permit may be renewed following written notice and reasonable time for comment to the adjoining property owners. The City may charge a permit fee, which fee shall be as set forth in the City's schedule of fees adopted by the City Council.
- ([E]f) Lots on which livestock are kept on the effective date of the ordinance codified in this section which are not eligible for the keeping of livestock under this section shall be considered a non-conforming use of land under KMC 14.20.050. No new or replacement livestock may be kept or introduced on such lots after the effective date of the ordinance codified in this section. Offspring of livestock allowed as a non-conforming use under this section may be kept on such lots only until they are old enough to be relocated to a site conforming to this section or outside of the city limits.

- ([F]g) Except as set forth in subsections ([G]h) and (i), below, corrals, pens, hutches, coops, fences or other animal containment structures must have a minimum setback of twenty-five feet (25') from the property's side yards, fifty feet (50') from the front yard, and ten feet (10') from the back yard. All animal containment structures must be secure and in good repair.
- (h) The keeping of chicken hens on lots less than forty thousand (40,000) square feet is allowed, except in the RU, RS1, RSL, and TSH zoning districts, subject to the following standards:
- (1) A maximum of twelve (12) chicken hens may be kept on lots with a permitted principal structure.
 - (2) Chicken hens must be kept in an enclosed shelter or fully fenced-in at all times.
 - (3) Chicken coops, hutches or other fully enclosed shelters may not be located in a front yard or side yard that abuts a street in a residential zoning district and must have a minimum setback of fifteen feet (15') from the side yards, ten feet (10') from the rear yard, and twenty-five feet (25') from residential dwellings on neighboring lots.
 - (4) Fences, corral, pen, or other similar containment structures must have a minimum setback of fifteen feet (15') from the side yards, twenty-five feet (25') from the front yard, ten feet (10') from the rear yard, and twenty-five feet (25') from residential dwellings on neighboring lots.
 - (5) All shelters or containment structures must be constructed of durable weather resistant materials, secured, and kept in good repair.
 - (6) No person may slaughter chickens on-site except when in an area of the property not visible to the public or adjoining properties.
 - (7) Chicken hens may not be kept in such a manner as to constitute a public nuisance as defined by Kenai Municipal Code.
 - (8) The keeping of chicken hens must be consistent with terms of this title and does not in or of itself constitute a nuisance or a disturbance.
- ([G]i) No person may keep honey bees, *Apis mellifera*, in a manner that is inconsistent with the following requirements or that is inconsistent with any other section of this code.
- (1) Colonies shall be managed in such a manner that the flight path of bees to and from the hive will not bring the bees into contact with people on adjacent property. To that end, colonies shall be situated at least twenty-five feet (25') from any lot line not in common ownership; or oriented with entrances facing away from adjacent property; or placed at least eight feet (8') above ground level; or placed behind a fence at least six feet (6') in height and extending at least ten feet (10') beyond each hive in both directions.
 - (2) No person shall keep more than four (4) hives on a lot of ten thousand (10,000) square feet or smaller, nor shall any person keep more than one (1) additional hive for each additional two thousand four hundred (2,400) square feet over ten thousand (10,000) on lots larger than ten thousand (10,000) square feet.
 - (3) It shall be a violation for any beekeeper to keep a colony or colonies in such a manner or in such a disposition as to cause any unhealthy condition to humans or animals.
 - (4) Beekeepers shall take appropriate care according to best management practices when transporting hives of bees. Bees being transported shall have entrance screens or be secured under netting.
 - (5) The term "hive" as used in this section means the single structure intended for the housing of a single bee colony. The term "colony" as used in this section means a hive and its equipment and appurtenances, including bees, comb, honey, pollen, and brood.

[(H) A PERSON SEEKING RELIEF FROM THE PROVISIONS OF THIS SECTION MAY APPLY FOR A CONDITIONAL USE PERMIT UNDER KMC 14.20.150.]

Section 2. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 3. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 1ST DAY OF FEBRUARY, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced: January 4, 2023
Enacted: February 1, 2023
Effective: March 3, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Council Member Alex Douthit

DATE: December 29, 2022

SUBJECT: **Ordinance No. 3332-2023 Amending KMC Section 3.10.070-Livestock Within the City Limits**

This Ordinance addresses proposed changes to KMC Section 3.10.070 that will allow a relatively small number of chicken hens to be kept on certain lots within the city limits. Under the current ordinance, the keeping of chicken hens on lots less than 40,000 square feet is prohibited. Residents have expressed an interest in keeping chicken hens on lots less than 40,000 square feet to provide a supply of fresh eggs. The raising of chicken hens for their eggs helps to promote food security in our community.

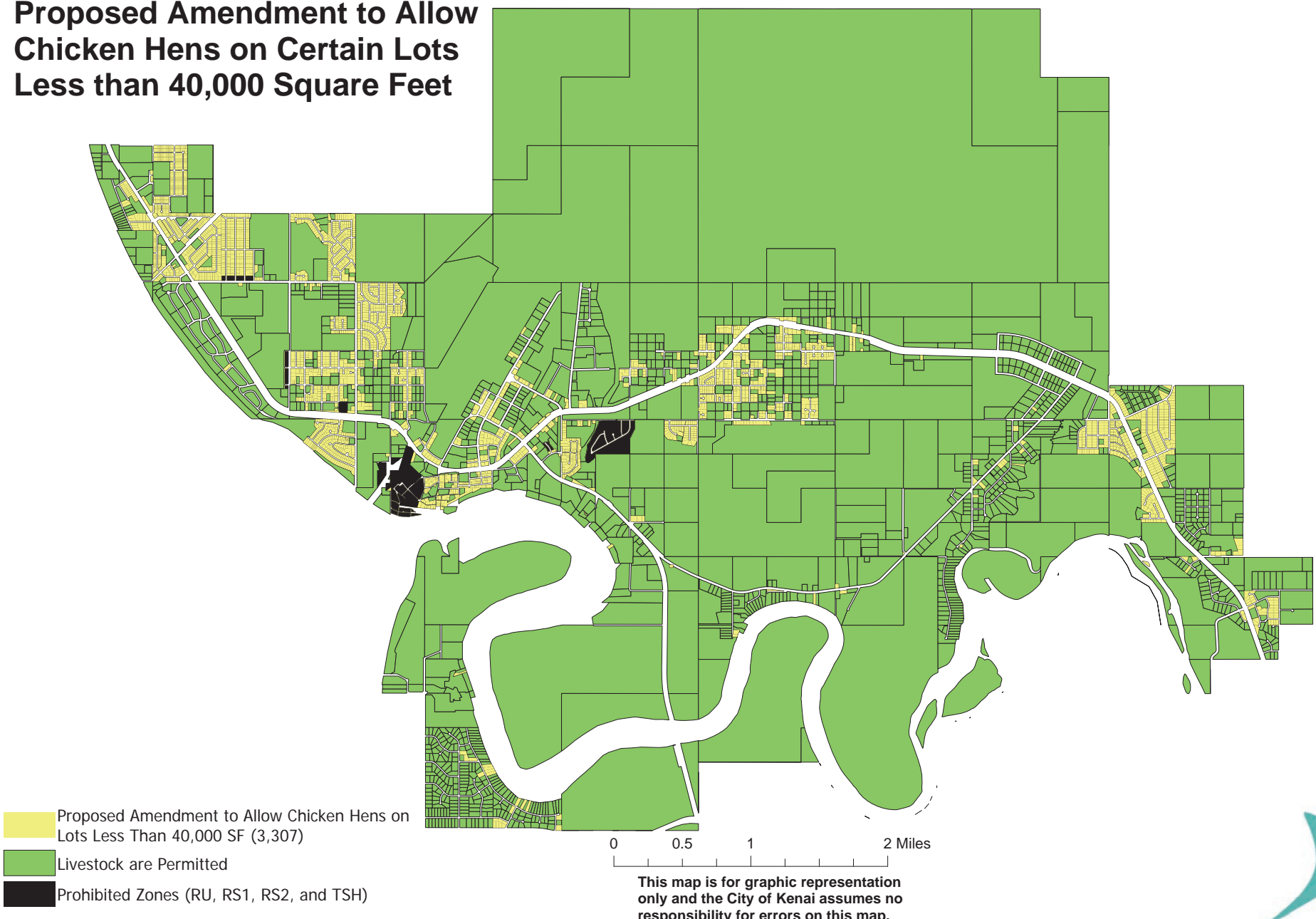
The proposed changes will allow a maximum of 12 chicken hens to be kept on lots less than 40,000 square feet except for the following zones: RU, RS1, RS2, and TSH, these four zones uniquely prohibit the keeping of any livestock regardless of lot size. Attached is a map of where chicken hens will be permitted under the proposed amendment. The proposed changes also includes specific conditions under which the keeping of chicken hens will be permitted.

Your consideration is appreciated.

City of Kenai

KMC 3.10.070-Livestock within city limits

Proposed Amendment to Allow
Chicken Hens on Certain Lots
Less than 40,000 Square Feet



- Proposed Amendment to Allow Chicken Hens on Lots Less Than 40,000 SF (3,307)
- Livestock are Permitted
- Prohibited Zones (RU, RS1, RS2, and TSH)





KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Shellie Saner, City Clerk

DATE: January 23, 2023

SUBJECT: **Ordinance No. 3332-2023 Requested Technical Amendment**

The purpose of this memo is to request technical amendment to Ordinance No. 3332-2023.

The following technical amendments are respectfully requested.

Motion

Amend Section 1, paragraph c. 1. by replacing the reference to subsection (k), with reference subsection (h); and

Amend Section1, paragraph c. 3. By replacing the reference to subsection (L), with reference to subsection (i); and

Amend Section 1, paragraph h. by removing RSL from the listed exceptions and replacing with RS2.

And renumber the current Sections 2 and 3 to 3 and 4.

Thank you for your consideration.



MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Meghan Thibodeau, Deputy City Clerk
DATE: January 26, 2023
SUBJECT: Ordinance No. 3332-2023 Requested Amendment

The purpose of this memo is to request an amendment to Ordinance No. 3332-2023 based on the Planning and Zoning Commission’s recommendations.

The following amendment is respectfully requested.

Motion

Add a final WHEREAS that reads:

At its meeting on January 25, 2023, the Planning and Zoning Commission recommended enactment of this Ordinance with the following conditions:

- That a Planning & Zoning and/or City Council Work Session be scheduled prior to enactment.
- Include provisions that containment of chickens be restricted to the back of the house in the rear yard.

Thank you for your consideration.



MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Victoria Askin, Council Member
DATE: January 26, 2023
SUBJECT: Ordinance No. 3332-2023 Requested Amendment

Ordinance 3332-2023 should be amended to address the number of chicken hens allowed based on the geographic zone. The keeping of 12 chicken hens on smaller lots within denser areas is excessive for providing eggs for the average household or as household pets. The raising of chicken hens could affect or benefit the community and it is important to balance the number of chicken hens accordingly.

The following amendment is proposed.

- 1) 3.10.070(h)(1) Allow a maximum of 12 chicken hens in the Rural Residential (RR) zone and allow a maximum of six (6) chicken hens in the other zones, except in the prohibited zones.

The RR zone is generally located in the outlying and rural areas. Most of lots in the RR zone are surrounded by lots greater than 40,000 square feet where livestock are generally permitted. The keeping of 12 chicken hens would be better suited for lots within the RR zone based how it is dispersed away from the centrally developed area, where it would not significantly affect the surrounding neighbors.

The keeping of six (6) chicken hens is a reasonable amount for other zones since it is estimated that three (3) chickens per two (2) household members is the rule of thumb to support egg consumption needs. The other zones, specifically the residential zones are generally located in the dense residential neighborhoods and limiting the number of chicken hens to six (6) would balance the benefits and minimize the potential nuisance.

Attached is a map of the proposed amendment.

Motion

Amend Section 1, paragraph h. 1. that reads:

A maximum of twelve (12) chicken hens may be kept on lots in the Rural Residential (RR) zone and a maximum of six (6) chicken hens on lots in other allowed zones with a permitted principal structure.

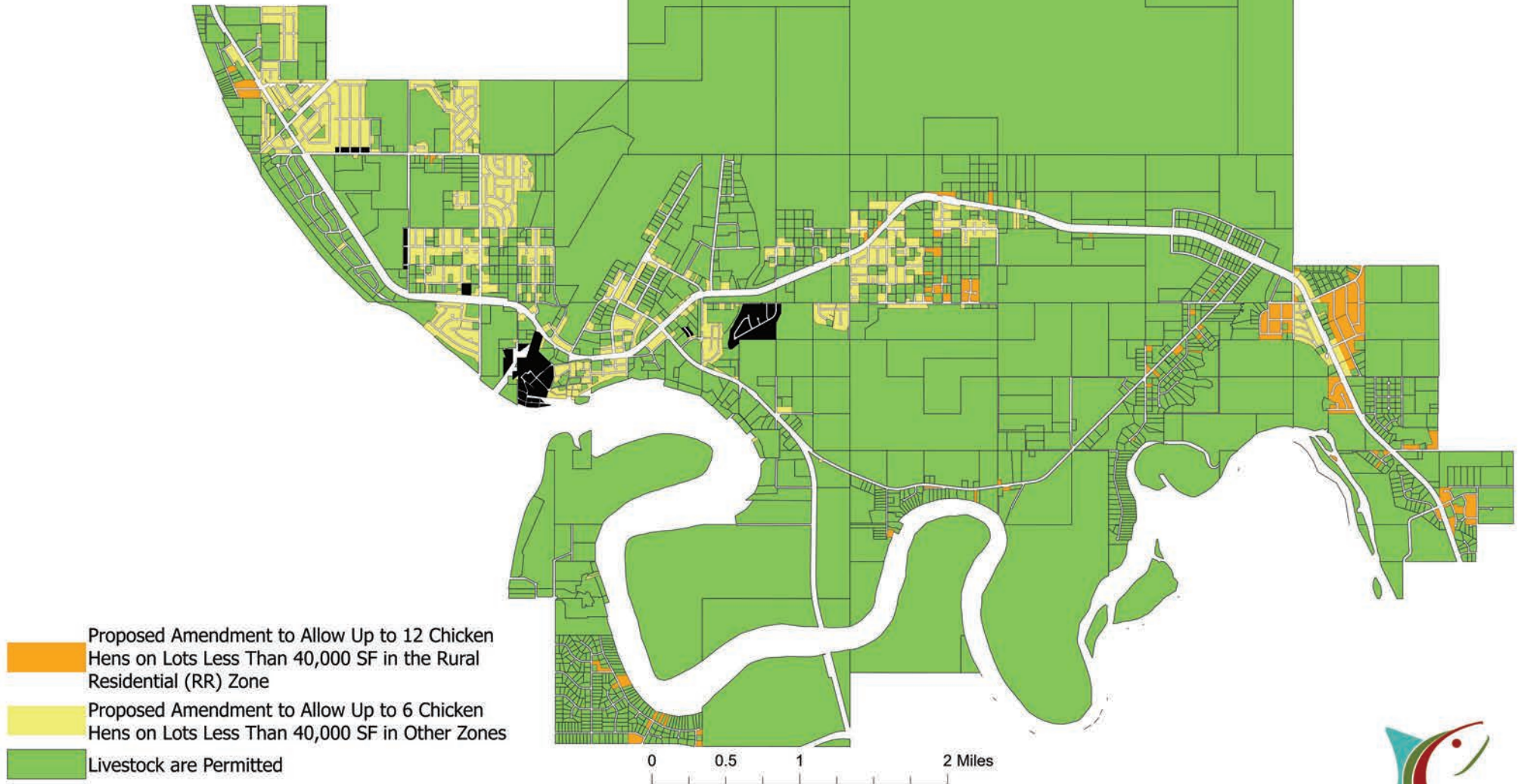
New Text Underlined





Thank you for your consideration.

City of Kenai

KMC 3.10.070-Livestock within city limits

Proposed Amendment to Allow Up to 12 Chicken Hens in the Rural Residential (RR) Zone and Up to 6 Chicken Hens in other zones on Certain Lots Less than 40,000 Square Feet



-  Proposed Amendment to Allow Up to 12 Chicken Hens on Lots Less Than 40,000 SF in the Rural Residential (RR) Zone
-  Proposed Amendment to Allow Up to 6 Chicken Hens on Lots Less Than 40,000 SF in Other Zones
-  Livestock are Permitted
-  Prohibited Zones (RU, RS1, RS2, and TSH)

0 0.5 1 2 Miles

This map is for graphic representation only and the City of Kenai assumes no responsibility for errors on this map.





MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Henry Knackstedt, Council Member
DATE: January 26, 2023
SUBJECT: Ordinance No. 3332-2023 Comments and Proposed Amendments

Ordinance 3332-2023, an amendment to KMC 3.10.070-Livestock within City Limits should be more restrictive to provide low visibility and minimize impacts on the surrounding neighbors and community.

The following are my proposed amendments to the Ordinance:

- 1) 3.10.070(h) Add the Airport Light Industrial (ALI) Zone to the list of zoning districts that prohibits the keeping of any chicken hens.

Lots within the Airport Light Industrial Zone are reserved for aviation-related commercial and industrial uses. The keeping of chicken hens should be prohibited in the ALI Zone to be consistent with the intent of the zone.

- 2) 3.10.070(h)(1) Reduce the number of permitted chicken hens from 12 to 6.

The allowance of raising 12 chicken hens would provide a surplus of eggs for the average household. Additionally, fewer chicken hens would produce less waste and may be generally more acceptable to neighbors.

- 3) 3.10.070(h)(3) and (4) Restrict the location of the enclosed shelters and containment structures to the rear yard.

The ordinance provides lenient setback requirements for the location of housing and fencing of chicken hens that may detract from the neighborhood appearance. The Ordinance would potentially allow fencing of chicken hens in the front yard if a house has a setback greater than 25 feet from the front property line; therefore, chicken hens may roam in the front yard under the Ordinance. The potential of unobscured chicken hens in the front yard would diminish the neighborhood streetscape. To minimize the visual impact and nuisance complaints, the location of the housing and fencing for the chicken hens should be limited to the back yard.

Attached is a map of the proposed amendment.

Motion

Amend Section 1, paragraph h as follows:

- (h) The keeping of chicken hens on lots less than forty thousand (40,000) square feet is allowed, except in the ALI, RU, RS1, RS2, and TSH zoning districts, subject to the following standards:

Amend Section 1, paragraph h. 1. that reads:

- (1) A maximum of six (6)[TWELVE (12)] chicken hens may be kept on lots with a permitted principal structure.

Amend Section 1, paragraphs h. 3. And h. 4. that reads:

- (3) Chicken coops, hutches or other fully enclosed shelters must be located in the rear yard [MAY NOT BE LOCATED IN A FRONT YARD OR SIDE YARD THAT ABUTS A STREET IN A RESIDENTIAL ZONING DISTRICT] and must have a minimum setback of fifteen feet (15') from the side yards, ten feet (10') from the rear yard, and twenty-five feet (25') from residential dwellings on neighboring lots.
- (4) Fences, corral, pen, or other similar containment structures must be located in the rear yard and have a minimum setback of fifteen feet (15') from the side yards, [TWENTY-FIVE FEET (25') FROM THE FRONT YARD,] ten feet (10') from the rear yard, and twenty-five feet (25') from residential dwellings on neighboring lots.

New Text Underlined; [DELETED TEXT BRACKETED]

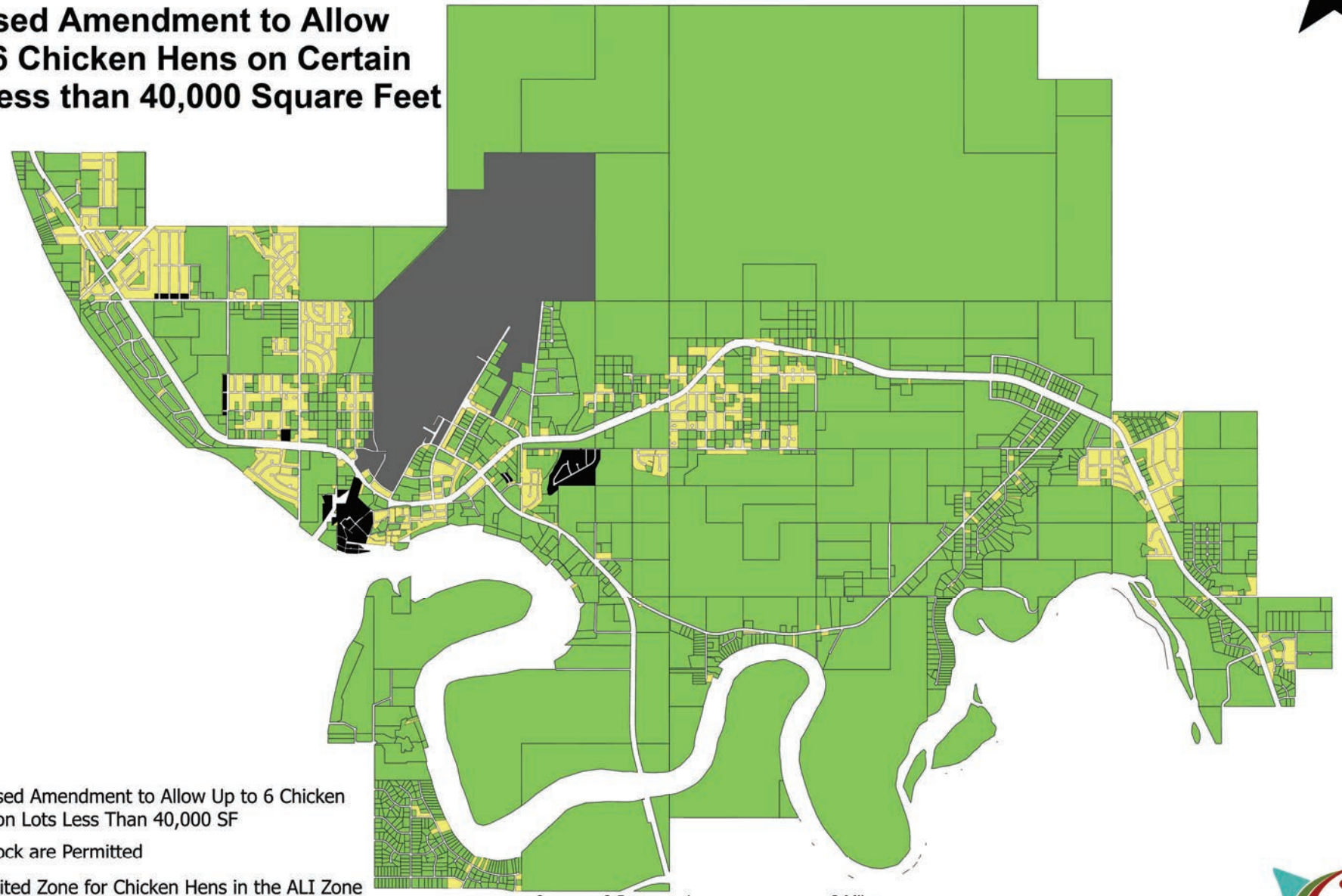
Thank you for your consideration.



City of Kenai

KMC 3.10.070-Livestock within city limits

Proposed Amendment to Allow
Up to 6 Chicken Hens on Certain
Lots Less than 40,000 Square Feet



- Proposed Amendment to Allow Up to 6 Chicken Hens on Lots Less Than 40,000 SF
- Livestock are Permitted
- Prohibited Zone for Chicken Hens in the ALI Zone
- Prohibited Zones (RU, RS1, RS2, and TSH)

0 0.5 1 2 Miles

This map is for graphic representation only and the City of Kenai assumes no responsibility for errors on this map.



January 18, 2023

City of Kenai
210 Fidalgo Avenue
Kenai, AK 99611

Re: Opposition to Ordinance No. 3332-2023

To: Mayor Gabriel and Kenai City Council
Kenai Planning and Zoning Commission

Thank you to the City Council for referring this sweeping ordinance (affecting 3,307 parcels) to the Planning and Zoning Commission. This will give the public more opportunity for notice and comment. We wish to express our strong opposition to the passage of Ordinance No. 3332-2023. Passage of this ordinance will dramatically change the character of our neighborhoods. It severely limits the properties for residents who don't want to reside near chickens. Our guess is the majority of Kenai residents would oppose it if they were aware of it and of the impacts.

Most of the City Council was present for the June 20, 2022 Board of Adjustment Hearing (Case No. BA-22-01) where we and others expressed our opposition to our adjacent neighbor's Livestock Permit for Chickens. We purchased our home in Woodland Subdivision in 1988 (zoned Suburban Residential) because we wanted to live in a residential neighborhood. For over two years we witnessed blatant violation of the terms of our neighbor's 2020 permit. It wasn't until a "renewal" was applied for did Animal Control perform inspections in April 2022 and found the applicant violated not only the original permit but also the requested new permit. In addition, fencing and structures violating the setback requirements still have not been removed. This is a prime example of where residents did not comply with their permit. If the current laws can't be managed, new and broader allowances won't be enforced either.

Fresh eggs can be purchased locally. We buy eggs at local businesses where sales tax is collected to help support our community. As far as the increased cost of eggs, there is also an increasing cost to have proper chicken coops, fencing, feed, electricity and other expenses.

It seems this ordinance intends to satisfy a few residents at the expense of many. A similar ordinance failed in 2015.

We can attest that a dozen chickens, or several dozen chickens, are a nuisance in a densely populated subdivision on lots smaller than 40,000 square feet. Along with elevated noise, odors and spread of disease, there is an increased potential for predators, wild and domestic.

We think most homeowners affected by this ordinance bought their property knowing that chickens were not a permitted land use and had an expectation that their neighbors wouldn't have chickens either. Passage of this ordinance will pit neighbor against neighbor.

Please reject this ordinance.

Thank you for your consideration in this matter.

Sincerely,

Handwritten signatures of Dave Howard and Kim Howard in blue ink. The signature of Dave Howard is on top, and the signature of Kim Howard is below it.

Kim and Dave Howard
P.O. Box 2823
Kenai, AK 99611

Attachment: Photo from our side yard window, 3/29/22

March 29, 2022
8:49 PM



Edit



January 19, 2023

Mayor Brian Gabriel and Council Members
 Planning & Zoning Commission Members
 City of Kenai
 210 Fidalgo Avenue
 Kenai, AK 99611

RE: **ORDINANCE NO. 3332-2023** – Amending Kenai Municipal Code Section 3.10.070-Livestock Within the City Limits, to Allow a Maximum of Twelve (12) Chicken Hens to be Kept on Certain Lots Less Than 40,000 Square Feet Within the City of Kenai.

Thank you for reviewing and considering amendments to Kenai Municipal Code 3.10.070, Livestock. I live in Woodland Subdivision, and due to personal experience during 2022 as well as a neighbor's encounter with the ins and outs of the existing ordinance, it is very apparent the Livestock ordinance sorely needs attention, as well as monitoring of the ordinance.

My concerns with Ordinance No. 3332-2023 are listed below:

- (d) -- In the listing of animals defined as "livestock," should (14) Chicken be amended to read "(14) Chicken Hens?"
- (d) -- Should "roosters" be added to animals defined as "livestock?" Definition of chickens, i.e., the difference between chicken hens and roosters, was pointed out during the appeal for extending a permit for keeping chickens at Hansen Heritage Homestead during 2022.
- (g) -- "All animal containment structures must be secure and in good repair." Fairly subjective. Who will be policing these requirements?
- (h)(1) -- "A maximum of twelve (12) chickens may be kept on lots with a permitted principal structure." Add "hens" to "chickens"; perhaps reference where in the Code "permitted principal structure" is defined to assist the public; and, identify whether it would be the Animal Control Officer or Building Official who would be approving the structure.
- (h)(3)
- & (4) -- Happy to see setbacks included, but concerned with the statement "and twenty-five feet (25') from residential dwellings on neighboring lots." Should a statement be included that requires a setback of containment structures from neighboring property lines/fences? Also, who will be inspecting/monitoring where and if containment structures have been placed according to Code?

Mayor and Council Member
Planning & Zoning Commission Members
January 19, 2023
Page 2

- (h)(5) -- "All shelters or containment structures must be constructed of durable weather-resistant materials, secured, and kept in good repair." Who will be policing whether these requirements are followed? If it is to be the Chief Animal Control Officer or Building Official, then include that information.
- (h)(7) -- "Chicken hens may not be kept in such a manner as to constitute a public nuisance as defined by Kenai Municipal Code." Should where in the Code public nuisance is defined be added? Who decides if a public nuisance is taking place?


Add as

- (h)(9) -- No keeping of chicken hens, roosters, coops, fences, containment shelters, etc. may be situated on city-owned property without a City-approved permit (which could require a survey taken to identify property corners and whether any of the above are trespassing on city-owned property). (This was an issue raised during the Hansen Homestead appeal.)

During the Hansen appeal, it was apparent follow-up was lacking as to the permitted number of chickens (six (6) were permitted on the Hansen property and I believe it was reported approximately 30+ were actually counted by City officials existing on the property). Woodland Subdivision is a fairly highly populated subdivision. Even if half of the properties decide to raise chicken hens, that a huge amount of chicken hens in one area of the city. If passed as it is, for Animal Control to properly police the potential amount of chickened properties in Woodland Subdivision, along with the number of other under 40,000 sq. ft. properties within the city this ordinance will affect, plus responsibilities already assigned, I am not sure if tighter restrictions would be needed. And, whether additional staff will be needed which will affect the City's overall and year-around budget.

For someone to say, "I want to raise chicken hens in my backyard" takes on year-around responsibilities and issues. Having livestock affects more than just that property. Not everyone lives in a subdivision within the city to now have livestock living next door. City budgetary issues, property values; neighbors with allergies to livestock; avian flu; predatory animals; errant neighborhood dogs; foul/fowl odors, etc. are factors of concern to evaluate when considering Ordinance No. 3332-2023.

Thank you.


Carol L. Freas
609 Maple Drive
Kenai, AK 99611

Linda Mitchell

From: Kristine Schmidt <kristine@kenai.alaska.us>
Sent: Friday, January 20, 2023 3:49 PM
To: Linda Mitchell
Subject: Chicken Ordinance 3332-2023: for January 25, 2023 P&Z Commission Meeting

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Planning & Zoning Commissioners:

I am opposed to the chicken ordinance, Ordinance No. 3332-2023, as written. I agree with the three letters in your 1/25/23 meeting packet opposing this ordinance.

This ordinance is a major disruption to City of Kenai land use rules, and has the potential to harm our (Kenai residents') quality of life very greatly. Our family lives in Woodland Subdivision, on a very small lot (less than 1/3 acre). Our lot has 5 lots right next to us, and under this ordinance there could be as many as 60 chickens kept right next to our backyard.

Kenai residents went through a divisive process on chickens just a few years ago, and the two chicken ordinances were both failed, even the second one, which had only 2 chickens. Ordinance 3332-2023 allows 12 chickens — that is a chicken farm, not just "backyard chickens."

There are many many other problems with this ordinance. Just one example: there is a bird flu epidemic across the United States, including Alaska, killing millions of birds, especially wild birds, and much of the infection comes from backyard chickens! Do we really want to destroy the wild bird population in Kenai?

I will be sending a second letter detailing the many problems with this ordinance before your 1/25/23 meeting.

I am also extremely disappointed with the City's process for consideration of this ordinance. With no notice to Kenai residents, the ordinance was introduced ONE DAY after the Christmas/New Year's holidays, in the dead of winter, when many Kenai residents are out of town. It was put on the fast track to be heard and enacted within 2 weeks of introduction. Call me cynical, but this process seems designed to ensure that the public who might oppose the ordinance get as little time and input as possible. Luckily, Councilman Knackstedt convinced the City Council to send it to the Planning & Zoning Commission first.

However, there is no work session at either City Council or Planning & Zoning Commission scheduled to consider this ordinance and changes to it. Most if not all major ordinance changes like this one go through at least one work session, which allows the public and Council/Commission members to consider amendments.

I request that the Planning & Zoning Commission postpone action on Ordinance 3332-2023 and schedule a work session on it.

Thank you for your consideration of these comments.

Kristine Schmidt
513 Ash Avenue
Kenai, Alaska 99611
(907) 283-7373 (work)

From: [Rachael Gaedeke](#)
To: [City Clerk](#)
Subject: Public comment regarding chicken rearing in Kenai city limits
Date: Sunday, January 22, 2023 6:02:00 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Whom it May Concern:

I'm writing to express my support in allowing the citizens of Kenai to be allowed to keep chickens in their backyards.

Keeping a small flock of chickens in your own backyard has many benefits from supplying you with fresh, healthy eggs from well-cared-for animals, to giving you great fertilizer for gardening, to providing lively pets—as well as being part of the drive to local, sustainable food systems.

Sustainable food systems have always been a top priority for Alaskans. Now more than ever, we need to be able to count on reliable, nutritious food sources.

Eggs laid from healthy chickens provide a much needed kitchen staple. Currently the price of eggs is skyrocketing and many grocery stores have empty shelves where their eggs used to be plentiful. Home-raised hens produce eggs that are fresher, better tasting and often more nutritious than their commercially farmed counterparts.

Millions of people keep backyard chickens responsibly. Let our children have the opportunity to understand where food comes from and contribute to its production.

Please include this email in public comment for the upcoming meeting.

Sincerely,

Rachael Gaedeke
rgaedeke@gmail.com

January 24, 2023

City of Kenai
210 Fidalgo Avenue
Kenai, AK 99611

Dear Commissioners:

RE: Ordinance No. 3332-2023

Amending KMC 3.10.070 to Allow a Maximum of Twelve (12) Chickens to Be Kept on Lots Less Than 40,000 Square Feet - Except for RU, RS-1, RS-2 and TSH Zoning Districts

I oppose ordinance No. 3332-2023 as written and ask that the Commission recommend to Council that: (1) this ordinance not be enacted as written; (2) the ordinance be amended to also except the RS Zone from its scope; and (3) the Council otherwise postpone action and refer the ordinance back to the Commission for a public work session or sessions for consideration.

My spouse and I purchased our home on Ash Avenue in Woodland Subdivision, Kenai, Alaska, in 1985. When we bought our home in 1985, our property in Woodland Subdivision was zoned Suburban Residential (RS). We specifically chose to purchase a home in Woodland Subdivision because there were covenants restricting use to residential and there were the protections of the RS Zone. We raised our daughter there and have lived there for the last thirty-eight (38) years.

Land Use Inequity in Suburban Residential Zones.

The Suburban Residential Zone is intended to provide for medium density residential development and to prohibit uses which would violate the residential character of the environment. The Suburban Residential Zone includes the RS, RS-1, and RS-2 Zones.

Our lot is a small lot, 0.31 acre, which is approximately 13,504 s.f. The majority of lots in Woodland Subdivision, properties zoned RS, are of similar size. Some lots in Inlet View Subdivision, property zoned RS-1, are of slightly larger size, approximately 16,500 s.f., but are still small lots. The RS-2 Zone also has small lots.

The raising of chickens will have similar impacts on all of these RS Zones, but only properties in RS Zone are subject to the impacts that will be caused by this ordinance as written. There is no explanation of the policy reason supporting excepting all properties in the RS-1 and RS-2 Zones while including all properties in the RS Zone. This is arbitrary.

As you know, the City's Land Use Table establishes the land uses in the RS Zone (like the other zones) that are Permitted (P), Conditional (C), Secondary (S), and Not Permitted (N). "Chickens" are defined to be "livestock", and "agriculture" includes "raising livestock." The Land Use Table for RS, RS-1 and RS-2 Zones all have a "N" for **Not Permitted** for "general agriculture." Raising 12 chicken hens in small lots can qualify as "general agriculture" in a small lot, and would violate the residential character of the environment.

Even if the Commission and the Council deem raising 12 chicken hens on a small lot to be not “general agriculture,” this ordinance does not distinguish between raising chickens for personal use and for commercial use. There is at least one tenant in Woodland Subdivision who offers eggs for sale, and chicks for individuals who want to raise chickens, through use of social media. That is a retail business.

Retail business and wholesale business are both “N” in RS-1 and RS-2, but are a C in RS Zone. But this ordinance does not provide that commercial use is prohibited, nor does it require a conditional use permit or any application at all for any use, or the written consent of the property owner who has leased the property to the tenant who is raising livestock.

The ordinance should be amended to add the RS Zone to the exceptions, or to limit the lot sizes to lots greater than 20,000 s.f., while also limiting the maximum number of chicken hens to six (6) hens.

Other issues.

There are many other issues not addressed in this ordinance, such as:

- Nothing limits containment areas to back yards;
- Nothing about setbacks from streams and other waters;
- Free range within a fence is allowed, since enclosed shelters such as coops are optional;
- Nothing specific about standards for the dimensions, materials, and appearance of a “containment structure” such as a coop, or for protections against bears and other predators;
- Nothing requiring the containment area to be kept clean and sanitary, and nothing about removal of waste or other issues regarding odor;
- Nothing about enforcement and resources for enforcement.

Thank you for your consideration.



Bob Molloy

Jeremy & Bridget Grieme
PO Box 2066
Kenai, AK 99611
bhgrieme@gmail.com

January 24, 2023

City of Kenai Planning & Zoning Members and Kenai City Council Members

To Whom It May Concern:

We are writing to express our support for City Ordinance No. 3332-2023a to allow residents on properties less than 40,000 square feet in size to own up to twelve laying hens to address food security issues.

The cost of a dozen eggs has increased sixty-percent in the last few months. This is on top of consistent and drastic rising food costs over the last three years. At last check, a dozen fresh local eggs was selling for \$10. Eggs are not isolated in these drastic increases. Allowing residents to keep up to twelve hens on their property to provide eggs for their family would help alleviate the financial burden that rising food costs have on Kenai residents.

Chickens require a small amount of space to be healthy and happy. Three square feet per chicken is recommended by Rural Living Today. That means that a thirty-six square foot coop could easily accommodate up to twelve chickens. That equates to a relatively small (6'x6') coop, which is smaller than most backyard sheds in Kenai neighborhoods. Chickens, unlike dogs and other animals, do not need to be outside and have room to roam – and actually are quite content to not be outside in the winter months. To this end, giving residents the option to keep up to twelve laying hens will not create an eye sore, or reduce the aesthetic appearance of our neighborhoods and homes.

Some may raise concerns about the potential noise nuisance that chickens could create in residential neighborhoods. People, such as myself, who choose to live in residential neighborhoods accept the noise that comes with living in close proximity to others. These sources of noise are often dogs, loud vehicles, and even children. A dozen laying hens would not create additional noise pollution or raise it to an unbearable level. Not unlike homeowners who have multiple dogs, it would be chicken owners' responsibility to be considerate of others and be sure their pets are not interfering with the quality of life for their neighbors. Homeowners who have pets have to perform "poop patrol" to clean up after their pets in their yards. Similarly, chicken owners would clean up after their chickens. Spring time in Alaska is an odorific experience – with or without chickens. I feel confident that home owners can and will do this in a responsible and appropriate way, no different than other pet owners.

Alaskans pride themselves on being self-sufficient and providing for themselves and their families. How many members of the council or committee have proudly announced to

friends and family that they harvested a moose or filled the freezer with salmon to feed their family all winter. Eggs are no different, and allowing up to twelve hens reinforces the Alaskan way of life that we are proud of and what sets us apart from other parts of the country.

Amending the current ordinance to allow up to twelve laying hens for residents of Kenai would be beneficial for families to provide for themselves and to share with their neighbors. Being an Alaskan is also about never knowing a stranger. Through this amendment, chicken owners will have the opportunity to share eggs with others who are also struggling to make ends meet due to the current economic climate we are experiencing.

Mr. Douthit's proposed amendment is fair, reasonable, and attainable. It is a small change in policy that has the potential to make a huge change for residents. For these reasons, and those outlined above, I urge you to pass this ordinance.

Respectfully,
Jeremy & Bridget Grieme

January 24, 2023

Planning & Zoning Commission
City of Kenai
210 Fidalgo Avenue
Kenai, Alaska 99611

Chicken Ordinance No. 3332-2023

Dear Commissioners:

I do not support Ordinance 3332-2023, which would allow keeping of 12 chickens in RS (Suburban Residential) zones with very little regulation of this practice to protect the neighbors. Currently, chickens are not allowed on property in RS zones. For some reason, the ordinance singles out RS zones to allow chickens, while keeping a no chicken rule in RU, RS-1, RS-2 and TSH zones, with no explanation. Also, the RS zone currently does not permit agriculture such as chicken raising without a conditional use permit, in the Land Use Table.¹

My neighborhood, Woodland Subdivision, is zoned RS. My family has lived in the subdivision since 1985. Our subdivision consists of small lots of one-quarter to one-third acre. Allowing large flocks of unregulated chickens would be a nuisance -- noise, odor, unsightly sheds and pens -- and disturb the quality of life in our neighborhood. There is little to nothing in the ordinance to address these concerns. Just take a look at the photo in your packet (page 38) of what one Woodland Subdivision owner gets to look at out their side window, and ask yourself *if this is what you would want to see on five sides around you.*²

Here is a partial list of reasons why you should give this ordinance a “no” recommendation if you have to vote on it Wednesday 1/25/2023. It would be better if you had a work session on the ordinance, to bring out all the issues with it, and address them.

1. The Planning Commission and City Council Voted Down Chicken Ordinances in 2013 and 2015, and Nothing Has Changed. The Planning Commission (6-0) and the Kenai City Council (4-3) voted down a similar unregulated 12-chicken ordinance in 2013, even when the ordinance sponsor agreed to reduce the number of chickens to 6. The City Council also voted down a similar ordinance two years later, in 2015.³ Nothing has changed since 2013 and 2015 that would make this chicken ordinance any more acceptable. The Commission really needs to review what happened in 2013 and 2015, and the reasons why these ordinances failed.

¹ The ordinance does not address the conflict with the land use table.

² Woodland Subdivision lots are staggered, so there could be five lots with chickens around a lot such as our lot, for a total of 60 chickens. See attached photo; our lot has yellow borders.

³ See, “Kenai Chicken Ordinance Fails Again,” Peninsula Clarion 11/6/2015.

2. Chickens Are A Nuisance And Ordinance 3332-2023 Does Nothing To Reduce Or Prevent the Nuisance. There is nothing in the ordinance that reduces or prevents the well known nuisances of barnyard animals, such as noise, odor, open waste, close proximity to residences, and attractiveness to dangerous predators such as bears. The setbacks are not sufficient. The ordinance merely recites that chicken keeping should not be a public nuisance (undefined). That is not enough.

3. Ordinance 3332-2023 Is Discriminatory, In Ways That Do Not Make Sense. For some unexplained reason, this ordinance singles out the RS zone to allow chickens, but excepts the RU, RS-1, RS-2 and TSH zones – why? The ordinance does not distinguish between large lots in the RS zone, where keeping chickens might be less burdensome on the neighbors, and small lots such as those in Woodland Subdivision – why not? Traditionally the City of Kenai has recognized that there can be more negative impacts on high density subdivisions versus lower density subdivisions in land use decisions – why is this not a consideration in this ordinance?⁴

The Animal Control Code, Title 3, has substantial regulations on keeping more than 3 dogs, or keeping bees, but few regulations on keeping chickens, which doesn't make sense. I can't see how bees in the summer are more of a problem than having up to 60 chickens living around you, year round.

4. The Price Or Scarcity of Eggs Are Red Herrings. You will no doubt hear that the price or scarcity of eggs are factors in favor of the ordinance. However, the reason for the increase in price or scarcity of eggs involves several factors, all of which are temporary, such as the bird flu pandemic (spread by backyard chickens), and egg farmers holding back product because retailers won't pay the prices they want. These temporary issues will resolve in a short period of time, but the ordinance, if passed, could have a very negative effect on people owning homes in Kenai, over the long term.

5. The Ordinance Has Insufficient Protection For Homeowners/Neighborhoods. This ordinance has little to no regulation to protect adjacent homeowners or neighborhoods from the negative effects of chickens. Even Wasilla, Alaska has chicken keeping regulations that provide some protections, including requiring administrative approval or permits. Some examples of regulations that should be in the ordinance:

- (a) Prohibit keeping chickens in front yards (allowed under Ord. 332-2023);
- (b) Require licenses, like dogs (currently required in the Animal Code);
- (c) Require that the chickens be kept for personal use only, and that the chicken farming can't be spread over multiple lots;
- (d) Require the homeowner's written consent for tenants keeping chickens;
- (e) Regulate the location, number and materials of pens or sheds to reduce nuisances such as noise, odor, waste and unsightliness;
- (f) Stiff fines for roosters, because of course chicken farmers will keep them too.

⁴ See, "Kenai Chicken Ordinance Fails Again," Peninsula Clarion 11/6/2015.

Also, the ordinance is written to be self-enforcing, or complaint-driven. That won't work, especially when you are allowing 3,000+ more lots to have chicken farms, but no more funding for enforcement. The days when most people recognized a responsibility to be good citizens and obey municipal laws and regulations are over. Now people do what they want until they are caught. That is why permits should be required; so that the Animal Control Office has a handle on where potential problems may arise.

6. The Ordinance Does Not Protect Public Safety. In 2013, Larry Lewis from the Alaska Department of Fish and Game testified that backyard chickens were bear attractants. Brett Reid, Kenai Animal Control officer, testified that backyard chickens caused bear and other problems. There is nothing different now.

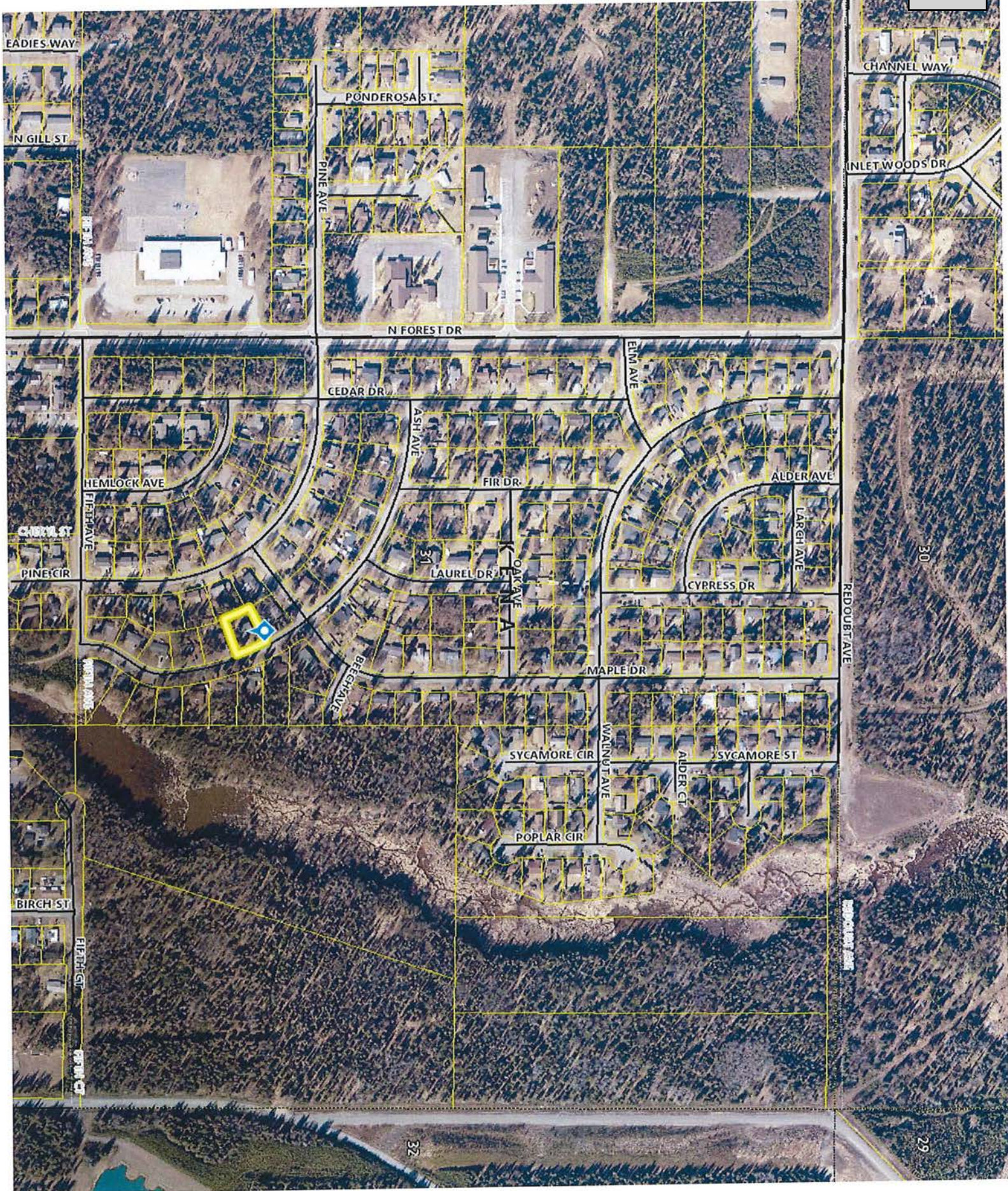
Now there is also a bird flu epidemic worldwide, that is killing millions of birds, especially wild birds. Backyard chickens are a major reason for the spread of bird flu. Many Kenai residents enjoy the wild birds that live here, and Kenai is known throughout Alaska and Outside for its wild birding – we even built a platform on the Kenai River Flats for better birding. It doesn't make sense to risk more bird flu infection by opening up 3,000+ more Kenai lots to infection.

These are just a few reasons why Ordinance 3332-2023 is a bad fit for Kenai as written. Please vote "no" on this ordinance.

Sincerely,



Kristine A. Schmidt
513 Ash Avenue
Kenai, Alaska 99611
(907) 283-7373



EADIES WAY

N GILL ST

PONDEROSA ST

PINE AVE

N FOREST DR

CHANNEL WAY

INLET WOODS DR

CEDAR DR

ELM AVE

HEMLOCK AVE

ASH AVE

FIR DR

ALDER AVE

CHERRY ST

FIFTH AVE

PINE CIR

LAUREL DR

OAK AVE

CYPRESS DR

LARCH AVE

30

RED OUBT AVE

BEECH AVE

MAPLE DR

SYCAMORE CIR

WALNUT AVE

SYCAMORE ST

POPLAR CIR

ALDER CT

BIRCH ST

FIFTH CT

PINE CT

RED OUBT AVE

32

29

Kenai chicken ordinance fails again

ADVERTISEMENT

By Ben Boettger

Friday, November 6, 2015 6:07pm | NEWS KENAI

Kenai city council members Terry Bookey and Ryan Marquis introduced an ordinance allowing up to twelve hens to be kept on Kenai residential properties under 40,000 square feet — an activity that currently violates city code. At Wednesday's council meeting, the council voted down the ordinance 4-3. A similar chicken ordinance, introduced by then-member Mike Boyle, failed in 2013.

Marquis, who declined to run in the recent election and will soon leave the council after two terms, said that voting against the 2013 chicken ordinance was one of his few regrets.

"At that time, my primary reason for voting against it was bears being attracted to residential areas because of the chickens," Marquis said. "Since then, I've spent a lot of time walking through residential neighborhoods, and I realize how many people have chickens within the city — I'm assuming illegally — and I haven't heard much about any increased bear activity within the city."

Mayor Pat Porter was the first to oppose the ordinance.

"I live within 15 feet of my neighbor," Porter said. "The subdivision I live in is really tight quarters, and I cannot imagine having to live next door to chickens. Particularly where they don't have to be fenced off where I can't see them, or they can get loose."

Asked about bear activity by Porter, Kenai Police Chief Gus Sandahl said that bear reports in Kenai have been "significantly lower in the past two summers." When Porter asked again at a later point, Sandahl said bear encounters in Kenai have been "minimal."

"Maybe it's because we don't have any chickens," Porter said.

Chickens can be legally kept in Kenai — on lots greater than 40,000 square feet, or if the owner applies for and receives a conditional use permit from the Planning and Zoning Commission. Kenai City Manager Rick Koch said no chicken permits had been applied for in his nine years as City Manager.

Council member Henry Knackstedt is a legal Kenai chicken owner — he said he keeps about 30 egg-laying hens on about 30 acres.

"I really haven't had any problems with bears..." Knackstedt said. "I haven't had any problems with my neighbors because of the size of the lot. The zoning works, because I'm greater than 40,000 square feet."

Knackstedt said he “spent a lot of time” with the 2013 chicken ordinance as a then-member of the Planning and Zoning commission. According to previous Clarion reporting, the 2013 chicken ordinance was debated by the city council and Planning and Zoning for 7 months.

“If it’s done right, I don’t think anyone would have a problem with (hen-keeping),” Knackstedt said. “And I think there are people who should have conditional use permits, but don’t. It goes on just fine, just like a lot of other things. But when I look at this, it looks like it has Planning and Zoning written all over it... the way it should be managed, supervised. I think neighbors should have a say if they don’t want to have chickens next door. I’m conflicted because I think it can be done, but not the way it’s written at this point.”

Knackstedt encouraged Marquis and Bookey to send the ordinance to the Planning and Zoning commission, pointing out that “it’s a different planning and zoning than we had a few years ago.”

Council member Tim Navarre said he opposed allowing hen-keeping, not because of bears but because of “health issues that come with chickens.” Council member Brian Gabriel said the present permit allowance was sufficient to allow hen-keeping where appropriate.

“The fact is that when you get into smaller lot sizes, you run into issues that aren’t really relevant to larger lot sizes,” Gabriel said. “Such as proximity to your neighbors. Your neighbors might have dogs on several sides of your chicken coop. The effect on them could be pretty dramatic... I don’t have an objection to chickens, but the idea of having neighbors weigh in on the effects it might have on them in high-density neighborhoods, there’s a value to that I don’t think we should overlook.”

Bookey responded to Gabriel.

“To address the dogs, I think that’s more an issue of property-owners having dogs and not controlling them,” Bookey said. “I understand the reasoning and the need for zoning and planning and things like that. But when we continually reference ‘your neighbors should have a say in what you do on your property,’ I think that’s true to some extent. But in many, many cases we’re putting more value on what the neighbors think I should do on the parcel of land that I own than what I think I should do on the parcel of land that I own.”

Council members Gabriel, Knackstedt, Navarre, and Mayor Porter voted against chicken legalization.

Reach Ben Boettger at ben.boettger@peninsulaclarion.com

From: Deni Oren <mrsoren23@gmail.com>
Sent: Tuesday, January 24, 2023 6:19 PM
To: City of Kenai Planning Department
Subject: Ordinance No. 3332-2023a

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,

Good evening, I am writing to express my support in favor of City of Kenai's Ordinance No. 3332-2023a; in regards to allowing residents on properties less than 40k square feet in size to own up to 12 laying hens.

As a City of Kenai resident I think this is a great idea to help offset some of the food supply issues and food insecurities my fellow neighbors and myself are starting to face in regards to inflation and supply chain issues lately. I do understand the concerns of some when it relates to how the city will pass this in a manner that doesn't create neighborhood nuisances. But as homeowners, I think this can be done in a responsible and appropriate way just as we are expected to do with any of our pets.

I think passing this ordinance would be so beneficial for local residents, not only for just each individual property/homeowner, but as well as for our neighbors who may benefit from receiving or purchasing fresh local eggs when our local stores are depleted. With rising costs of food, lack of food on shelves, it would be a world of difference to be able to offset some of these worries by having a more sustainable way to provide food for our families. I have read through the expectations listed and I find them to be very fair, and do believe it would help to reduce any issues in regards to having the hens. I also believe the allowance of up to 12 hens is perfect for a majority of the properties in the City of Kenai.

Thank you for your time and I hope that the City of Kenai takes my support into consideration.

Respectfully,
Mr. & Mrs. Oren

From: [Nathan Smith](#)
To: [City Clerk](#)
Subject: Ordinance No. 3332-2023
Date: Wednesday, January 25, 2023 1:37:48 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Afternoon,

I send you this due to the email address posted(city_council@kenai.city)to send any support or concern continues to reject mine and my wife's email in support of this email. It comes up with a 550 code which is due to a spam blocker the city uses. This is concerning of itself as how many people attempt to have their voices heard but are met with this Code when attempting to email city council.

It would be foolish to not pass this ordinance and allow the citizens of kenai to raise Chickens. This could help provide food to low income families as well as teach children a valuable skill of raising and harvesting their own food.

I encourage the council to pass this ordinance and look forward to being allowed to raise my own chickens within city limits.

Thank you,

Nathan Smith

From: [Amanda Smith](#)
To: [City Clerk](#)
Subject: Comment for Ordinance No. 3332-2023
Date: Wednesday, January 25, 2023 2:56:13 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Afternoon,

As a resident who would be directly impacted by the proposed amendment of Kenai Municipal Code Section 3.10.070, I am writing to express my support.

Removing barriers to individual food security and self-reliance only serves to improve the lives of residents of the City of Kenai. When individuals are able to provide for themselves, their family, and friends, the entire community becomes more economically resilient. This is always important, but has become especially critical during the economic crises that have continued to impact various sectors since the start of Covid-19.

With no end in sight for the current economic downturn, I implore you to allow Kenai residents the freedom to feed their families.

Sincerely,
Amanda Smith

January 26, 2023

City of Kenai
210 Fidalgo Avenue
Kenai, AK 99611

City Council, and Mayor Gabriel,

Subject: Opposition to Ordinance No. 3332-2023
Allowing for Chickens to be Kept on Lots Less Than 40,000 s.f.

I urge the city council to NOT support Ordinance No. 3332-2023. I am opposed to Ordinance No. 3332-2023 which would allow chickens to be kept on lots less than 40,000 s.f. in a densely populated residential zone. I live in a residential neighborhood that is zoned RS (Woodland Subdivision, Part 4). I would like the city council to continue to preserve the character and integrity of our residential neighborhoods. Allowing chickens to be kept in a residential neighborhood like the Woodland Subdivision would cause great angst among neighbors. When I bought my house in 1988 I deliberately chose a lot in a residential neighborhood because I didn't want to live next to farm animals, a pack of sled dogs, a gravel pit, or other disruptive nuisances and I certainly didn't want to live next door to where chickens could be slaughtered. If I wanted to live in an area with less regulations, I could have bought property outside city limits as there is plenty of lots to pick from. I enjoy the amenities that the City of Kenai has to offer and I don't want to see the character and integrity of our residential neighborhoods compromised.

In a memorandum from Council Member Alex Douthit, dated December 29, 2022 two reasons were given for the proposed code changes: 1) Provide a supply of fresh eggs, and 2) Promote food security.

I have never had a problem with buying fresh eggs from the local grocery stores, until recently, but the current egg shortage in all likelihood is just temporary. As for food security we first need to understand what it is. One definition of food security is this: *"The state of having reliable access to a sufficient quantity of affordable, nutritious food."* By that definition I don't see a problem in our community. We have four grocery stores in the City of Kenai which seem to provide reliable access to a sufficient quantity of food. If the City of Kenai wants to address food security then maybe it would be better to establish a Food Security Task Force to recommend the best ways to address it. It seems that there are better ways to address this issue without compromising the integrity of our peaceful residential neighborhoods. One way to address food security without impacting one's neighbors is to grow a garden.

To bring further clarity to this issue we need to ask the right question. If you ask the question: Do you want fresh eggs and food security then the answer is yes. But if you ask the question: Are the proposed changes to the city code appropriate for lots less than 40,000 s.f. in a residential zone (RS zone) then the answer is No.

The second Whereas in Ordinance 3332-2023 is also misleading. It states that residents have expressed an interest in keeping chickens hens on lots less than forty thousand (40,000) square feet for personal use. While this statement may be technically true it's really just a few residents that have expressed this interest. There is no massive demand by the residents to raise chickens in residential neighborhoods. This ordinance aims to satisfy the interest of a few residents at the expense of all others. This ordinance reeks of an agenda to be satisfied and appears to be retaliatory in nature due to the last incident involving chickens kept on a residential lot when neighbors expressed opposition to a Livestock Permit for Chickens (Case No. BA-22-01, Board of Adjustment Hearing of June 20, 2022).

The sponsor of this ordinance has clearly demonstrated that he does not know how to balance the interests of residents in the Kenai community. The agenda that is driving this ordinance is simply bias.

Ordinance No. 3332-2023, as written, is not a balanced proposal

Currently the city code allows for chickens to be raised on 28% of the city's lots but if this ordinance passes, then it would allow for chickens to be raised on 96% of the city's lots. This would create a complete imbalance for those who want chickens in their residential neighborhood and those who don't.

Facts and Figures

Total number of Kenai city lots is 4,895

Current number of lots allowed to raise chickens is 1,384 (28%)

The proposed ordinance would allow an additional 3,307 (68%) lots for raising chickens

The result of the proposed ordinance would allow a total of 4,691 (96%) lots for raising chickens

These facts and figures can be verified with City Planning Director, Linda Mitchell

Inequity Among Subdivisions

The Inlet View Subdivision (Rogers Road area) is zoned RS1 and does not allow for raising chickens. But I live in the Woodland Subdivision, Part 4 which is zoned RS and this ordinance would allow for the raising of chickens. However, these two subdivisions have similar profiles (lot sizes, densely populated, street widths, etc.) but yet they are treated differently when it comes to raising chickens. The lot sizes in both of these subdivisions are too small to provide adequate buffers or practical setbacks to protect adjacent neighbors from nuisance activities. The proposed ordinance, as written, would create further inequity among subdivisions with similar profiles.

(To create equity among similar subdivisions, see Alternative 1 and 2 below)

Reasons not to change the code:

- 1) The current code already allows for the raising of chickens on and is adequate.
- 2) There are plenty of parcels outside city limits to raise chickens.
- 3) The city has no practical way to monitor properties for compliance. A complaint-driven system only pits neighbor against neighbor. This type of system only invites conflict and angst among neighbors.
- 4) Setback requirements are based on the property lines, which means that the city would need to hire a surveyor before it could determine compliance. This would be cost-prohibitive for the city or any property owner to do.
- 5) Ordinance No. 3332-2023 is not a balanced proposal. It only considers the will of those who want to raise chickens in a residential area.
- 6) Ordinance No. 3332-2023 creates a situation where the raising of chickens it is likely to be a breeding place for flies, mosquitoes, vermin, or disease. See KMC 12.10.010 (L)
- 7) Ordinance No. 3332-2023 invites the potential for more nuisance in our residential neighborhoods.
- 8) Ordinance No. 3332-2023 would change the character and integrity of our residential neighborhoods that are currently zoned RS.
- 9) Ordinance No. 3332-2023 creates a situation of competing interest among neighbors, inviting angst and conflict in our neighborhoods.
- 10) Ordinance No. 3332-2023 invites the potential to attract predators and rodents into our residential neighborhoods.
- 11) Ordinance No. 3332-2023 invites the potential to attract domestic cats and dogs to prey on neighborhood chickens causing more conflict among neighbors.
- 12) Ordinance No. 3332-2023 will circumvent the conditional use process. The conditional use process helps to decide if a particular parcel has merit for raising chickens. The proposed ordinance is a blanket proposal which would allow chickens to be raised on almost any lot without consideration.

City of Soldotna

The City of Soldotna prohibits the raising of chickens in all residential zones that are less than 1½ acres.

City of Soldotna Municipal Code 17.10.365 – Animals: *“In the Single, Single-Family/Two-Family and Multi-Family Residential Districts and on properties in the Rural Residential District 1½ acres or less in size, the keeping of farm or wild animals shall be prohibited...”*

I urge the Kenai City Council to NOT support Ordinance No. 3332-2023 as written and consider some compromise between those who want chickens in their residential neighborhood and those who don't.

I ask the City Council to consider some alternatives.

Alternative 1: Amend the proposed ordinance as follows:

Prohibit the raising of chickens in Parts 2, 3, and 4 of the Woodland Subdivision. This would be a more balanced proposal and preserve the character and integrity of our neighborhoods.

Parts 2, 3, and 4 have a profile that is on par with the Inlet View Subdivision (Rogers Road area) which is zoned RS1 and prohibits the raising of chickens. (See Exhibit A, attached)

Alternative 2: It would make more sense to amend the proposed ordinance to prohibit the raising of chickens in **RS Zones** (Suburban Residential) by inserting the RS Zone into the language below. Also striking the RU Zone from the language below will allow for the raising of chickens in the RU Zones (Rural Residential) as follows:

Please amend Section 1, part (b) to read as follows:

(b) No livestock shall be allowed in the RS, ~~RU~~, RS1, RS2 or TSH zones.

Please amend Section 1, part (h) to read as follows:

(h) The keeping of chickens hens on lots less than 40,000 square feet is allowed, except in the RS, ~~RU~~, RS1, RS2 and TSH zoning districts, subject to the following standards:

Including the **RS zone** into Section 1, part (b) and part (h) above will help to preserve the character and integrity of our residential neighborhoods and removing the RU zone above allows for those who want to raise chickens in a rural residential area.

Alternative 3: Amend the proposed ordinance as follows:

Add language that would establish a minimum lot size of 20,000 s.f. to raise chickens.

Lots that are 20,000 s.f. will be large enough to sustain more impactful activities while buffering neighboring properties. Such lots are large enough to provide natural buffers and practical setbacks to protect neighboring properties from impactful activities.

Any of the above alternatives would seem to be a reasonable balance between those who want chickens in their densely populated residential neighborhood and those who don't. If no compromise can be made then I urge the city council to NOT support Ordinance No. 3332-2023.

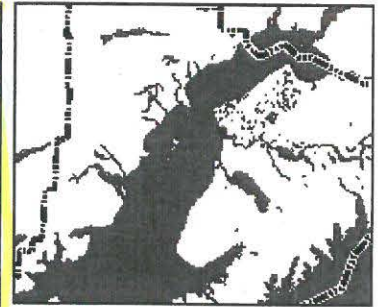
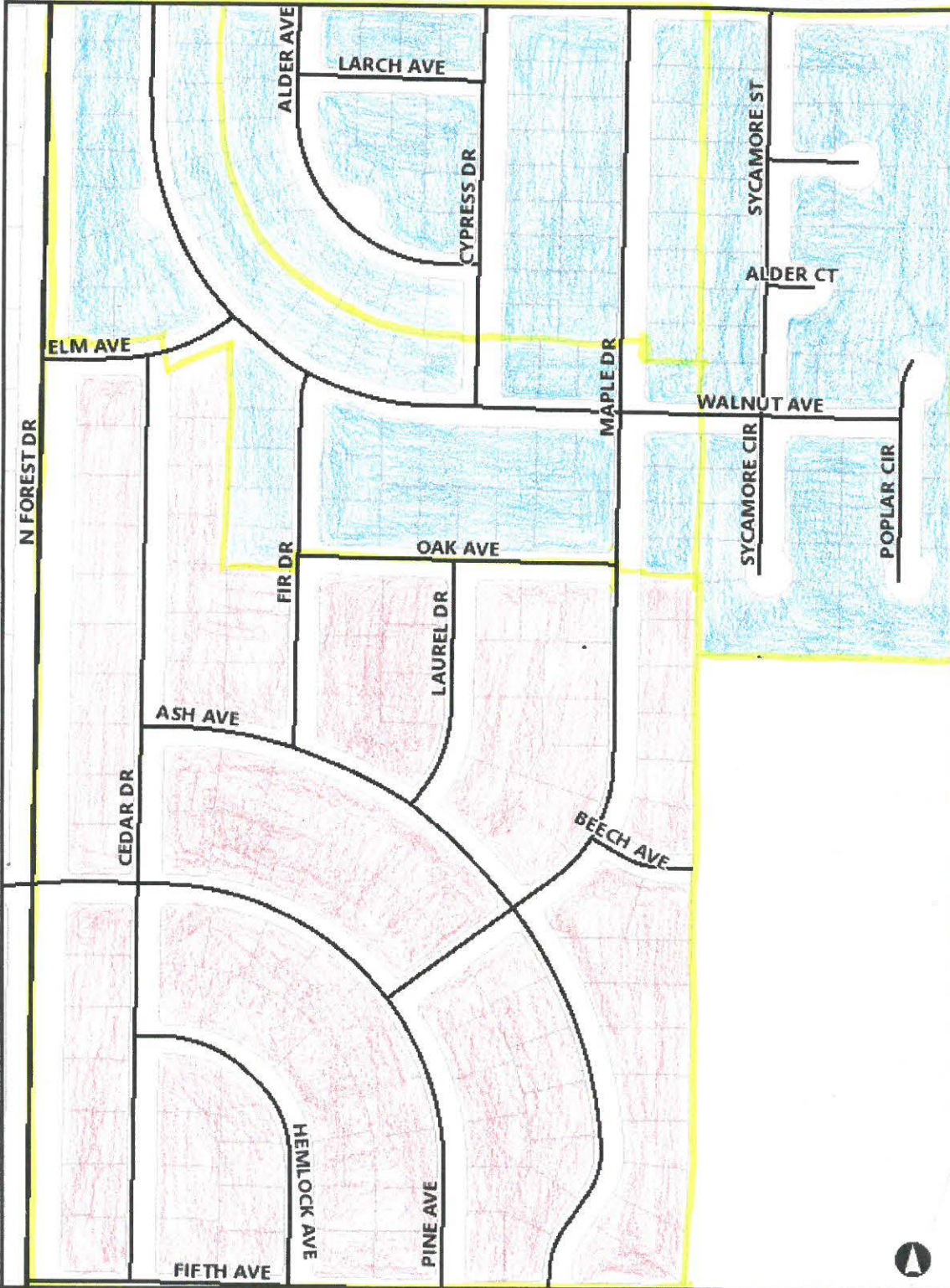
Sincerely,

Daniel A. Conetta

Daniel A. Conetta



EXHIBIT A



Legend

- Mileposts
- Highways
- Major Roads
- Roads
 - Town Medium Volume
 - Town Low/Seasonal; Other
 - Proposed
- Parcels

WOODLAND SUB

PART 1 ■
 PARTS 2,3,4 ■



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. It is not to be used for navigation.

Notes

January 26, 2023

Kenai City Council
City of Kenai
210 Fidalgo Avenue
Kenai, Alaska 99611

Opposition To Chicken Ordinance No. 3332-2023

Dear Council Members:

Please vote **NO** on Ordinance No. 3332-2023 as written. It will be harmful to my small lot (high density) subdivision neighborhood, and **has many problems** which were brought up during the January 25, 2023 Planning & Zoning Commission meeting last night.¹ A majority of Commissioners were going to vote against the ordinance because of the problems with it, but then they were convinced by the City Attorney and City Planner to vote for it, on condition that there be a Council/Commission work session, and an amendment for backyard chickens only. Please honor these requests of the Commission: postpone action on the ordinance, hold a work session with the Commission, and adopt amendments to protect homeowners. Last night's Commission meeting proved that this ordinance **affects 96% of City lots**. There is no reason to rush this problematic ordinance through.

Dan Conetta made an important point (in his letter and testimony last night): let's have some balance between protecting the quality of life in high density residential subdivisions, and allowing incompatible uses like barnyard animals. At the Commission meeting last night, the only people who testified in favor of the ordinance were renters, and a woman who lives in the RR zone.² All except one of those who wrote to the Commission in favor of the ordinance were renters. There hasn't been a stampede of **actual homeowners in the RS zone** advocating for this ordinance, while several **actual homeowners** who would be adversely affected have written and testified against the ordinance as written. We Kenai homeowners who live here, located our businesses here, and paid property and sales taxes for decades deserve more consideration than renters, most of whom will be here a short time, and have nothing at stake like a home.

I put together a list of problems and potential solutions discussed last night for your information; see next page. I am also providing the Wasilla ordinance. Thank you for considering my comments and materials.



Kristine A. Schmidt
513 Ash Avenue ,Kenai, Alaska 99611
(907) 283-7373

¹ My letters to the Planning & Zoning Commission have details of some problems.

² I am assuming that people who didn't provide physical addresses or telephone numbers in their letters and emails are renters; as they aren't listed in the Borough property owner database.

ORDINANCE 3332-2023

• **Problem:** The ordinance allows lots in the RS (Suburban Residential) zone to have 12 chickens, but exempts RS-1 and RS-2 zones, even though the size and density of lots, and land uses in the three zones are very similar. No property owner living in an RS zone testified or wrote in favor of this before the Commission last night.

-- **Solutions:** Exempt the RS zone from the ordinance, but leave in the rural residential (RR) zone; or reduce incompatible uses by limiting lot sizes to 20,000+ s.f. or limiting number of chickens: for example, no more than 4.

• **Problem:** The ordinance allows chickens to be kept in front yards, which would destroy the residential character of a neighborhood.

--**Solution:** Restrict chickens to the back yard, defined according the City Planner as the area behind the primary residence.

• **Problem:** The ordinance does not state that keeping chickens is for personal use only, not commercial use, although that is supposedly the intent. We are supposed to figure this out by referring to Title 14, the Zoning Code. This is confusing.

-- **Solution:** Add specific language that restricts chickens to “personal use only.”

• **Problem:** The ordinance does not require an application/license to have chickens, however, City Code does require a license to have a dog.³ This makes no sense; licensing is simple, easy and would give Animal Control information about where problems could arise.

-- **Solution:** add “chicken hens” to KMC 3.20 (requiring dog licenses).

• **Problem:** The ordinance appears to allow free range within an existing fenced yard, but then has setbacks for “enclosed shelters” or “containment structures, which are optional. There are no standards for “enclosed shelters” or “containment structures” such as location, materials, dimensions, appearance, protection against bears and other predators.

-- **Solutions:** Require containment within the setbacks, add standards for shelters and structures to avoid eyesores.

• **Problem:** The ordinance does not require proof of homeowner consent; the homeowner may have no idea that their renter is keeping chickens.

-- **Solution:** Require written homeowner consent for application/license.

³ Even Wasilla, Alaska requires some kind of permit for keeping chickens. See Wasilla ordinance attached.

Code Ordinance

By: Planning
Introduced: March 12, 2018
Public Hearing: April 9, 2018
Amended: April 9, 2018
Adopted: April 9, 2018
Yes: Dryden, Graham, Harvey, Ledford, O’Barr
No: None
Absent: Burney

**City of Wasilla
Ordinance Serial No. 18-12 (AM)**

An Ordinance Of The Wasilla City Council Amending Wasilla Municipal Code Section 16.04.070, Definitions, To Add Definitions For “Beehives”, “Exotic Animal”, “Pet Animal”, “Poultry”, And “Wild Animal”; Amending Section 16.04.070, Definitions, To Revise The Definitions For “Agriculture”, “Animal Husbandry”, And “Farm Animal”; Amending Section 16.16.060, Specific Approval Criteria, To Revise The Criteria That Regulates Farm Animals, Poultry, And Beehives; Amending Section 16.20.020, District Use Chart, To Identify The Appropriate Zoning Districts And Permit Types For Beehives, Exotic Animals, Poultry, And Wild Animals; And Other Minor Revisions.

Section 1. Classification. This ordinance is of a general and permanent nature and shall become part of the city code.

Section 2. Amendment of section. WMC 16.04.070, Definitions, is hereby amended to read as follows:

“Agriculture” is a use involving the commercial growing of vegetation or the raising, **controlled breeding, management, or keeping of beehives, farm animals, or poultry. Animals may be bred and raised for utility (e.g. meat, milk, eggs, fur), sport, pleasure, or research.**

“Animal husbandry” means a use involving the keeping of one or more ~~farm animals.~~

“Beehive” means a man-made housing structure for the keeping of bee colonies and production of honey.

Bold & Underline, added. Strikethrough, deleted

“Exotic animal” means any animal not otherwise identified in the definitions provided in this section that is native to a foreign country or of foreign origin or character, or was introduced from abroad and is not native to the state of Alaska. This term specifically includes animals such as, but not limited to, lions, tigers, leopards, elephants, camels, antelope, anteaters, kangaroos, alligators, and water buffalo, and species of foreign domestic cattle, such as Ankole, Gayal, and Yak and any animals regulated by the State of Alaska Department of Fish and Game. Exotic animals that are typically kept as indoor pets are exempt from this definition.

~~“Farm animal” means an accessory use involving a single animal with an adult weight over two hundred fifty (250) pounds usually associated with agriculture; or any combination totaling ten (10) poultry or rabbits, three sheep or three goats or other small animals; but not including domestic dogs and cats. Other animals including the orders Felidae (cats) and Ursidae (bears) which, in the opinion of the planner, may pose a threat to human safety are not a farm animal~~ any domestic species of cattle, sheep, swine, goat, horse, mule, donkey, llama, and alpaca, which are normally and have historically been kept and raised on farms in the United States and used or intended for use as food or fiber, or for improving animal nutrition, breeding, management, or production efficiency. This term also includes animals such as rabbits, mink, and chinchilla, when they are used solely for purposes of meat or fur.

“Pet animal” means any animal that has commonly been kept as a pet in family households in the United States, such as, but not limited to, dogs,

Bold & Underline, added, Strikethrough, deleted

cats, guinea pigs, rabbits, and hamsters. This term excludes farm, exotic, and wild animals as defined in this section.

“Poultry” means chickens, doves, ducks, geese, grouse, ptarmigan, pigeons, quail, swans, guinea fowl, peacocks, and turkeys.

“Wild animal” means any animal which is now or historically has been found in the wild, or in the wild state, within the boundaries of the United States, its territories, or possessions. This term includes, but is not limited to, animals such as: Moose, caribou, elk, mink, Dall sheep, deer, bear, coyote, squirrel, fox, and wolf. Also included are any animals regulated by the State of Alaska Department of Fish and Game.

Section 3. Amendment of subsection. WMC 16.16.060(E), within Specific approval criteria, is hereby amended to read as follows:

E. Farm Animals, **Poultry, and Beehives.** ~~Farm animals are allowed as an accessory use to agriculture in the industrial zone. In the rural residential and single family residential farm animal(s) may be allowed as described in the following:~~ **Farm animals, poultry, and beehives are allowed as indicated in the District Use Chart in Section 16.20.020(A), as an accessory use subject to the standards below. The uses identified in this section are not subject to the provisions in Title 7. The keeping of these uses consistent with the terms of this Title does not in and of itself constitute a nuisance or a disturbance.**

~~1. A residential use in the RR, R1 or R2 district with a total lot area of forty thousand (40,000) square feet or more may include the keeping of one farm animal as an accessory use, provided that a suitable fence is provided~~

Bold & Underline, added, Strikethrough, deleted

~~and no stable or building used for farm animals may be closer than twenty-five (25) feet from any exterior lot line. Two farm animals may be kept provided that a site plan is approved by the planner.~~

~~2. A residential use in the RR, R1 or R2 district may include the keeping of three or more farm animals if all of the above is met and the total lot area is eighty thousand (80,000) square feet or more.~~

~~3. Up to three dogs are allowed per residence. Keeping of more than three dogs more than four months of age is a kennel (see kennel in use chart).~~

~~4. No more than four hives per ten thousand (10,000) square feet of lot area shall be allowed and bee colonies shall be managed in such a manner that their flight path to and from the hive will not bring them into contact with people on adjacent property. To accomplish this, the colonies shall:~~

~~a. Be at least twenty-five (25) feet from any exterior lot line not in common ownership and be oriented with entrances facing away from adjacent property; or~~

~~b. Be placed behind a fence at least six feet in height and extending at least ten (10) feet beyond the hive in both directions.~~

1. Farm animals. The keeping of farm animals is subject to the following standards:

a. Farm animals are prohibited on lots with a total lot area of less than 40,000 square feet;

Bold & Underline, added. Strikethrough, deleted

b. A suitable fence must be provided to safely contain the farm animal(s);

c. Stables or buildings used as shelter or storage of food for farm animals must be a minimum of 25 feet from any exterior lot line;

d. All fenced areas, pens, enclosures, stables, shelters, or other similar buildings or uses for a farm animal must be a minimum of 75 feet from the high-water mark of any water course or body of water, excluding man-made ponds on private property;

e. All facilities shall be kept in good repair, maintained in a clean and sanitary condition, and be free of vermin, obnoxious smells and substances, to the greatest extent feasible. The facilities may not create a nuisance or disturb neighboring residents due to excessive noise, odor, damage, or threats to public health. No storage of manure or other waste materials shall be permitted within 50 feet of any exterior lot line;

f. On lots with a minimum lot area of 40,000 square feet or more in the RR, R1, or R2 zoning districts, the following farm animals are allowed. Additional farm animals in the quantities indicated below may be allowed for each additional 20,000 square feet of lot area:

i. One farm animal (with an adult weight of 250 pounds or greater); or

Bold & Underline, added. Strikethrough, deleted

ii. Ten or fewer rabbits or similarly sized farm animals; or

iii. Three or fewer animals with an adult weight less than 250 pounds.

g. In the Industrial zoning district, farm animals are only allowed as an accessory use to a primary industrial use; and

h. If the applicant does not own the property, written proof of the owner’s consent must be submitted with the application.

2. Poultry. The keeping of poultry is allowed as an accessory use to a residential dwelling and must meet the following standards:

a. Excessively noisy poultry including, but not limited to, roosters, turkeys, guinea fowl, peacocks, or geese are prohibited unless the total lot area is a minimum of 80,000 square feet and the animals and supporting structures and pens are a minimum of 100 feet from an adjoining lot;

b. All poultry must be contained by a suitable structure, fenced enclosure, pen, and/or fenced area that safely contains the poultry at all times. All structures, enclosures, and pens must meet the following dimensional standards:

i. Maximum height of structures, coops, enclosures, or runs is 15 feet in height;

ii. All facilities shall be kept in good repair, maintained in a clean and sanitary condition, and be free of vermin.

Bold & Underline, added, Strikethrough, deleted

obnoxious smells and substances to the greatest extent feasible. The facility will not create a nuisance or disturb neighboring residents due to excessive, noise, odor, damage, or threats to public health; and

iii. Chicken coops or other shelters may not be located in a front yard or side yard that abuts a street in the R1, R2, and RM zoning districts.

c. No storage of manure shall be permitted within 50 feet of the exterior lot line; and

d. If the applicant does not own the property, written proof of the owner's consent must be submitted with the application.

e. All structures, runs, and enclosures must be a minimum of 25 feet from residential dwellings on neighboring lots. For lots with more than one dwelling on the same lot, the structures, runs, and enclosures must also be a minimum of 25 feet from all other dwellings on the lot except the poultry owners' dwelling.

f. On lots with a total area less than 40,000 square feet, the following additional standards apply:

i. Maximum of six poultry on lots up to 20,000 square feet and a maximum of 12 poultry on lots greater than 20,000 square feet and less than 40,000 square feet. Poultry under the age of six months do not count towards the allowed numbers;

ii. Free-ranging within fenced yards is only allowed under direct supervision by the poultry owner and with consent of all tenants

Bold & Underline, added. Strikethrough, deleted

and/or property owners who have legal access to the premises at the time of permit application;

g. On lots with a total area of 40,000 square feet or greater, the following additional standards apply:

i. Maximum of 15 poultry on lots between 40,000 square but less than 50,000 square feet; an additional three poultry are allowed for each additional full 10,000 square feet of lot area. No proration of the number of poultry is allowed for lots with less than a full 10,000 square feet of lot area. Poultry under the age of six months do not count towards the allowed numbers.

h. In the Industrial zoning district, poultry is only allowed as an accessory use to a primary industrial use.

3. Beehives. The following standards apply:

a. Beehives are allowed in all zoning districts as an accessory use;

b. Four beehives are allowed per 10,000 square feet of lot area. No proration of the number of beehives is allowed for lots with less than a full 10,000 square feet of lot area;

c. Colonies shall be managed in such a manner that the flight path of bees to and from the hive will not bring the bees into contact with people on adjacent property. To that end, colonies shall:

i. Be situated at least twenty-five feet from any lot line not in common ownership; or

Bold & Underline, added, Strikethrough, deleted

ii. Oriented with entrances facing away from adjacent property; or

iii. Placed at least eight feet above ground level; or

iv. Placed behind a fence at least six feet in height and extending at least ten feet beyond each hive in both directions.

d. The maximum height for a beehive at ground level is eight feet measured from the base of the beehive, inclusive of any temporary or permanent stand or foundation. Beehives are permitted on rooftops or elevated decks provided that the beehive does not exceed five feet in height above the surface of the rooftop or deck and the rooftop or deck is a minimum of eight feet above ground level;

e. If the applicant does not own the property, written proof of the owner’s consent must be submitted with the application; and

f. All beekeeping shall comply with applicable laws and regulations.

Section 4. Amendment of subsection. WMC 16.20.020(A), within District use chart, is hereby amended to read as follows:

A. The following chart summarizes the uses allowed and the standard of review for each use. In the commercial and industrial districts, more than one building housing a permissible principal use may be erected on a single lot; provided, that each building and use shall comply with all applicable requirements of this chapter and other borough, state or federal regulations.

Bold & Underline, added. Strikethrough, deleted

AA = Administrative approval UP = Use permit CU = Conditional use EX = Excluded Blank = No city approval necessary							
Districts	RR Rural	R1 Single-Family	R2 Residential	RM Multi-family	C Commercial	I Industrial	P Public
Uses							
Accessory Uses	AA	AA	AA	AA	AA	UP	AA
Agriculture	UP	EX	EX	EX	EX	EX	EX
Animal Husbandry	UP	EX	UP	EX	EX	EX	EX
<u>Beehives</u> ¹	<u>AA</u>	<u>AA</u>	<u>AA</u>	<u>UP</u>	<u>UP</u>	<u>UP</u>	<u>EX</u>
<u>Exotic Animals</u>	<u>EX</u>	<u>EX</u>	<u>EX</u>	<u>EX</u>	<u>EX</u>	<u>EX</u>	<u>EX</u>
Farm Animals ¹	AA	UP	UP	EX	EX	AA	EX
<u>Poultry</u> ¹	<u>AA</u>	<u>AA</u>	<u>AA</u>	<u>UP</u>	<u>UP</u>	<u>CU</u>	<u>EX</u>
<u>Wild Animals</u>	<u>EX</u>	<u>EX</u>	<u>EX</u>	<u>EX</u>	<u>EX</u>	<u>EX</u>	<u>EX</u>

¹Must comply with specific approval criteria in Section 16.16.060.

Bold & Underline, added. Strikethrough, deleted

Section 5. Effective date. This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on April 9, 2018.


BERT L. COTTLE, Mayor

ATTEST:


JAMIE NEWMAN, MMC, City Clerk

[SEAL]



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3333-2023**

AN ORDINANCE AMENDING KENAI MUNICIPAL CODE 8.05.010 - ADOPTION OF FIRE PREVENTION STANDARDS, AND REPEALING AND REPLACING KENAI MUNICIPAL CODE 8.05.030 - LOCAL AMENDMENTS TO THE 2009 INTERNATIONAL FIRE CODE, TO ADOPT THE 2021 INTERNATIONAL FIRE CODE WITH LOCAL AMENDMENTS.

WHEREAS, the City previously adopted the International Fire Code, 2009 Edition of the International Code Council, including the appendices with local amendments; and,

WHEREAS, the State of Alaska has already adopted the updated International Fire Code 2021 Edition in October 2022, with local amendments; and,

WHEREAS, the Administration accordingly recommend adoption of the 2021 Edition of the International Fire Code as adopted by the State of Alaska, with certain amendments; and,

WHEREAS, it is in the best interest of the City to adopt the 2021 Edition of the International Fire Code and the updated standards therein as adopted by the State of Alaska, and amended for the City, in order to protect the health, safety, and welfare of its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

Section 1. Amendment of Section 8.05.010 of Kenai Municipal Code: That Kenai Municipal Code, Section 8.05.010. Adoption of fire prevention standards, is hereby amended as follows:

8.05.010 Adoption of ~~[F]~~Fire ~~[P]~~Prevention ~~[S]~~Standards.

- (a) There is hereby adopted for the purpose of regulating all occupancies and buildings to safeguard life and property from the hazards of fire and explosion arising from the storage, handling, and use of hazardous substances, materials, and devices, and from other conditions hazardous to life, that certain code known as the "International Fire Code," (IFC) Chapters 1-12, 20-40, 50-67 and 80 [THROUGH 47] and Appendices B through [G, I, K, L, and [J]N (20[09] 21 Edition) as adopted by the State of Alaska pursuant to 13 AAC 50.025 [AND THAT CERTAIN CODE KNOWN AS THE NATIONAL FIRE CODE OF FIFTEEN (15) VOLUMES (2009 EDITION) AS REFERENCED BY CHAPTER 45 OF THE IFC,]except for such portions as are hereafter deleted, modified, or amended; and the same are hereby adopted and incorporated as fully as if set out verbatim herein.
- (b) The above codes are available for inspection and use by the public in the Public Safety Building in an office designated by the Fire Chief.

Section 2. Repeal and Reenactment of Section 8.05.030 of Kenai Municipal Code: That Kenai Municipal Code, Section 8.05.030. Local amendments to the 2009 International Fire Code, is hereby Repealed and Reenacted as follows:

[8.05.030 LOCAL AMENDMENTS TO THE 2009 INTERNATIONAL FIRE CODE.

CHAPTERS 1 THROUGH 47 AND APPENDICES B THROUGH G, I, AND J OF THE INTERNATIONAL FIRE CODE, 2009 EDITION (IFC), AND THE NATIONAL FIRE CODE OF FIFTEEN (15) VOLUMES (2009 EDITION) ARE ADOPTED BY REFERENCE WITH THE FOLLOWING REVISIONS:

DELETE THE FOLLOWING SUBSECTIONS: 308.4.1, 315.1, 601.2, 901.3, 1101.3, 1201.2, 1301.2, 1501.2, 1601.2, 1701.2, 1801.5, 1901.2, 2001.2, 2101.2, 2201.2, 2301.2, 2403.4, 2501.2, 2601.2, 2701.5, 2801.2, 2901.3, 3001.2, 3101.2, 3201.2, 3301.2, 3401.4, 3501.2, 3601.2, 3701.2, 3801.2, 3901.2, 4001.2, 4101.2, 4201.2, 4301.2 AND 4401.2.

AMEND BY DELETING ALL REFERENCES TO THE "ICC ELECTRICAL CODE" AND REPLACING THEM WITH "ELECTRICAL CODE AS ADOPTED BY KMC."

AMEND BY DELETING ALL REFERENCES TO THE "NFPA 70" AND REPLACING THEM WITH "ELECTRICAL CODE AS ADOPTED BY KMC."

AMEND BY DELETING ALL REFERENCES TO THE "INTERNATIONAL FUEL GAS CODE" AND THE "INTERNATIONAL PLUMBING CODE" AND BY REPLACING THEM WITH "PLUMBING CODE AS ADOPTED BY KMC."

108 BOARD OF APPEALS. DELETE THE ENTIRE SECTION. REFER TO KMC CHAPTER 4.40.

109.3 VIOLATION PENALTIES. DELETE THE ENTIRE SECTION. REFER TO KMC CHAPTER 4.40.

111.4 FAILURE TO COMPLY. DELETE AND REPLACE WITH:

ANY PERSON WHO SHALL CONTINUE ANY WORK AFTER HAVING BEEN SERVED WITH A STOP WORK ORDER, EXCEPT SUCH WORK AS THAT PERSON IS DIRECTED TO PERFORM TO REMOVE A VIOLATION OR UNSAFE CONDITION, SHALL BE LIABLE TO A FINE OF NOT MORE THAN \$500.00 DOLLARS. EACH AND EVERY DAY SHALL CONSTITUTE A SEPARATE VIOLATION.

202 GENERAL DEFINITIONS. DELETE OCCUPANCY CLASSIFICATION, [B] EDUCATIONAL GROUP E, AND REPLACE WITH:

[B] EDUCATIONAL GROUP E

THE USE OF A BUILDING OR STRUCTURE, OR PORTION OF THE BUILDING OR STRUCTURE, FOR EDUCATION, SUPERVISION, OR PERSONAL CARE SERVICES FOR MORE THAN FIVE CHILDREN WHO ARE OLDER THAN TWO AND ONE-HALF YEARS OF AGE, INCLUDING CHILDREN RELATED TO THE STAFF SHALL BE CLASSIFIED AS A GROUP E OCCUPANCY.

ADD THE FOLLOWING EXCEPTION:

EXCEPTION

FAMILY CHILD CARE HOMES (GROUP R-3) OPERATING BETWEEN THE HOURS OF 6:00 A.M. AND 10:00 P.M. MAY ACCOMMODATE A TOTAL OF 12 CHILDREN OF ANY AGE WITHOUT CONFORMING TO THE REQUIREMENTS OF A GROUP E OCCUPANCY EXCEPT FOR: (1) SMOKE DETECTORS AND ALARMS AS DESCRIBED IN SECTION 907.2.10; (2) CARBON MONOXIDE DETECTORS AND ALARMS AS SPECIFIED IN THE INTERNATIONAL BUILDING CODE SECTION 425; (3) MEANS OF EGRESS REQUIREMENTS OF SECTION 1003, INCLUDING EMERGENCY ESCAPE AND RESCUE OPENINGS, AS REQUIRED BY SECTION 1025, IN NAPPING OR SLEEPING ROOMS; AND (4) PORTABLE FIRE EXTINGUISHER REQUIREMENTS AS DESCRIBED IN SECTION 906.

AMEND OCCUPANCY CLASSIFICATION, [B] INSTITUTIONAL GROUP I-1, BY ADDING A PARAGRAPH BETWEEN THE FIRST AND SECOND PARAGRAPHS OF THE DEFINITION TO READ:

A FACILITY IN THIS OCCUPANCY CLASSIFICATION THAT HAS OCCUPANTS WHO NEED PHYSICAL ASSISTANCE TO RESPOND IN EMERGENCY SITUATIONS MUST COMPLY WITH THE INTERNATIONAL BUILDING CODE, SECTION 405.

FURTHER AMEND OCCUPANCY CLASSIFICATION, [B] INSTITUTIONAL GROUP I-1, BY AMENDING THE FIRST SENTENCE OF THE LAST PARAGRAPH TO READ:

A FACILITY SUCH AS ONE DESCRIBED ABOVE WITH FIVE OR FEWER PERSONS, INCLUDING PERSONS RELATED TO THE STAFF, SHALL BE CLASSIFIED AS GROUP R-3.

AMEND OCCUPANCY CLASSIFICATION, [B] INSTITUTIONAL GROUP I, [B] GROUP I-2, BY ADDING A SECOND AND THIRD PARAGRAPH TO READ:

A FACILITY SUCH AS ONE DESCRIBED ABOVE, WITH FIVE OR FEWER PERSONS INCLUDING PERSONS RELATED TO THE STAFF, SHALL BE CLASSIFIED AS GROUP R-3.

A CHILD CARE FACILITY THAT PROVIDES CARE ON A 24-HOUR BASIS TO MORE THAN FIVE CHILDREN WHO ARE TWO AND ONE-HALF YEARS OF AGE OR LESS, INCLUDING CHILDREN RELATED TO THE STAFF SHALL BE CLASSIFIED AS GROUP I-2.

AMEND OCCUPANCY CLASSIFICATION, [B] INSTITUTIONAL GROUP I, [B] GROUP I-4, DAY CARE FACILITIES, BY REVISING THE SECOND SENTENCE TO READ:

A FACILITY WITHIN THIS OCCUPANCY CLASSIFICATION WITH FIVE OR FEWER PERSONS, INCLUDING PERSONS RELATED TO THE STAFF, SHALL BE CLASSIFIED AS A GROUP R-3.

AMEND OCCUPANCY CLASSIFICATION, RESIDENTIAL GROUP R, R-4, BY ADDING A PARAGRAPH BETWEEN THE FIRST AND SECOND PARAGRAPHS TO READ:

FACILITIES WITHIN THIS OCCUPANCY CLASSIFICATION THAT HAVE OCCUPANTS NEEDING PHYSICAL ASSISTANCE TO RESPOND IN EMERGENCY SITUATIONS MUST COMPLY WITH THE INTERNATIONAL FIRE CODE SECTION 405.11.

307.2 PERMIT REQUIRED. DELETE AND REPLACE WITH:

APPROVAL

THE FIRE CHIEF OF A REGISTERED DEPARTMENT HAVING JURISDICTION, MAY ALLOW A FIRE FOR RECOGNIZED SILVICULTURAL OR RANGE OR WILDLIFE MANAGEMENT PRACTICES, PREVENTION, OR CONTROL OF DISEASE OR PESTS, OR A BONFIRE. APPLICATION, AS REQUIRED BY THE CHIEF OF THAT REGISTERED FIRE DEPARTMENT, MUST BE PRESENTED BY THE OWNER OF THE LAND UPON WHICH THE FIRE IS TO BE KINDLED BEFORE KINDLING SUCH FIRE.

308.3 OPEN FLAME. DELETE AND REPLACE WITH:

OPEN FLAME

THE USE OF OPEN FLAME IN CONNECTION WITH A PUBLIC MEETING OR GATHERING FOR THE PURPOSES OF DELIBERATION, WORSHIP, ENTERTAINMENT, AMUSEMENT, INSTRUCTION, EDUCATION, RECREATION, AWAITING TRANSPORTATION, OR SIMILAR PURPOSES IN ASSEMBLY OR EDUCATIONAL OCCUPANCIES MUST BE DONE IN CONSULTATION WITH THE REGISTERED FIRE DEPARTMENT HAVING JURISDICTION.

401.3.4 FALSE ALARM CHARGES. ADD A NEW SUBSECTION 401.3.4 TO READ:

401.3.4 FALSE ALARM CHARGES

EXCEPT AS OTHERWISE PROVIDED HEREIN, THE OWNER OF A BUILDING CONTAINING A FIRE PROTECTION, FIRE ALARM, OR OTHER TYPES OF EMERGENCY NOTIFICATION SYSTEMS, SHALL PAY A CHARGE IN ACCORDANCE WITH THIS SECTION FOR EACH AND EVERY FALSE ALARM TO WHICH THE FIRE DEPARTMENT RESPONDS.

EXCEPTIONS:

1. NO CHARGE FOR THE FIRST TWO FALSE ALARMS WITHIN A CALENDAR YEAR.
2. EACH FALSE ALARM IN EXCESS OF TWO DURING A CALENDAR YEAR WILL BE CHARGED A RESPONSE FEE OF \$200.00.

THE CITY SHALL BILL THE OWNER FOR FALSE ALARMS AT THE END OF EVERY SIX MONTHS.

ALL FALSE ALARM CHARGES SHALL BE DEPOSITED INTO THE CITY’S GENERAL FUND.

AS USED BY THE SECTION, “FALSE ALARM” MEANS AN ALARM SIGNAL GENERATED BY A PRIVATELY OWNED FIRE OR EMERGENCY ALARM SYSTEM REPORTING AN ALARM FOR WHICH NO FIRE OR EMERGENCY ACTUALLY EXISTS; IT INCLUDES SYSTEM MALFUNCTIONS, FAULTY OPERATION OF DETECTORS, AND FALSE ALARMS NOT CLASSIFIED ABOVE. IT DOES NOT INCLUDE THOSE INCIDENTS WHERE THE DETECTOR OR SYSTEM OPERATED AS DESIGNED SUCH AS, BUT NOT LIMITED TO, A SMOKE DETECTOR SOUNDING FROM SOMEONE SMOKING UNDER THE DETECTOR OR A MANUAL PULL STATION BEING PULLED.

405.10 FALSE ALARMS. ADD A NEW SUBSECTION 405.10 TO READ:

405.10 FALSE ALARMS

FALSE ALARMS MAY NOT COUNT AS A FIRE DRILL FOR THE PURPOSE OF SECTION 405 EMERGENCY EVACUATION DRILLS.

ADD A NEW SUBSECTION 405.11 TO READ:

405.11 EMERGENCY EVACUATION DRILLS

405.11 OCCUPANTS NEEDING PHYSICAL ASSISTANCE

405.11.1 APPLICABILITY

THE PROVISIONS OF THIS SECTION APPLY TO ALL GROUPS I-1 AND R-4 OCCUPANCIES WHERE THE OCCUPANTS NEED PHYSICAL ASSISTANCE FROM STAFF OR OTHERS TO RESPOND TO EMERGENCIES.

405.11.2 DEFINITIONS

IN THIS SECTION:

“EVACUATION CAPABILITY” MEANS THE ABILITY OF OCCUPANTS, RESIDENTS, AND STAFF AS A GROUP EITHER TO EVACUATE A BUILDING OR TO RELOCATE FROM THE POINT OF OCCUPANCY TO A POINT OF SAFETY;

“POINT OF SAFETY” MEANS A LOCATION THAT: (A) IS EXTERIOR TO AND AWAY FROM A BUILDING; OR (B) IS WITHIN A BUILDING OF ANY TYPE CONSTRUCTION PROTECTED THROUGHOUT BY AN APPROVED AUTOMATIC SPRINKLER SYSTEM AND THAT IS EITHER: (1) WITHIN AN EXIT ENCLOSURE MEETING THE REQUIREMENTS OF I.B.C. SECTION 1020; OR (2) WITHIN ANOTHER PORTION OF THE BUILDING THAT IS SEPARATED BY SMOKE PARTITIONS MEETING THE REQUIREMENTS OF I.B.C. SECTION 710, WITH NOT LESS THAN A ONE-HALF HOUR FIRE RESISTANCE RATING, AND THE PORTION OF THE BUILDING HAS ACCESS TO A MEANS OF ESCAPE OR EXIT THAT CONFORMS TO THE REQUIREMENTS OF THIS CODE AND DOES NOT REQUIRE RETURN TO THE AREA OF THE FIRE.

405.11.3 FIRE DRILLS AND EVACUATION CAPABILITY DETERMINATION

THE INITIAL DETERMINATION OF EVACUATION CAPABILITY WILL BE DETERMINED BY A FIRE DRILL CONDUCTED BY A FIRE CODE OFFICIAL OR BY AN EMPLOYEE OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES RESPONSIBLE FOR LICENSING THE FACILITY. CHANGES TO THE EVACUATION CAPABILITY WILL BE MADE BY A FIRE CODE OFFICIAL, BASED ON A RECORD OF FIRE DRILLS CONDUCTED BY THE FACILITY STAFF. THE DRILLS WILL BE CONDUCTED SIX TIMES A YEAR ON A BIMONTHLY BASIS, WITH AT LEAST TWO DRILLS CONDUCTED DURING THE NIGHT WHEN RESIDENTS ARE SLEEPING. RECORDS MUST INDICATE THE TIME TAKEN TO REACH A POINT OF SAFETY, DATE AND TIME OF THE DRILL, LOCATION OF SIMULATED FIRE ORIGIN, ESCAPE PATHS USED, AND COMMENTS RELATING TO RESIDENTS WHO RESISTED OR FAILED TO PARTICIPATE IN THE DRILLS.

405.11.4 EVACUATION CAPABILITY AND FIRE PROTECTION REQUIREMENTS

FIRE PROTECTION REQUIREMENTS OF A FACILITY UNDER THIS SECTION ARE AS FOLLOWS:

405.11.4.1 PROMPT EVACUATION CAPABILITY

EVACUATION CAPABILITY OF THREE MINUTES OR LESS INDICATES PROMPT EVACUATION CAPABILITY. IN FACILITIES MAINTAINING PROMPT EVACUATION CAPABILITY, THE REQUIREMENTS OF THE CODE FOR GROUPS I-1 OR R-4 OCCUPANCIES MUST BE FOLLOWED.

405.11.4.2 SLOW EVACUATION CAPABILITY

EVACUATION CAPABILITY OF MORE THAN THREE BUT LESS THAN 14 MINUTES INDICATES SLOW EVACUATION CAPABILITY. IN FACILITIES MAINTAINING SLOW EVACUATION CAPABILITY, THE FACILITY MUST BE PROTECTED BY: (A) AN AUTOMATIC SMOKE DETECTION SYSTEM, USING ADDRESSABLE SMOKE DETECTORS, DESIGNED AND INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THIS CODE AND N.F.P.A. 72; AND (B) AN AUTOMATIC SPRINKLER SYSTEM, WITH QUICK-RESPONSE OR RESIDENTIAL SPRINKLERS, INSTALLED IN ACCORDANCE WITH SECTION 903.3.1.2 N.F.P.A. 13R (SPRINKLER SYSTEMS).

405.11.4.3 IMPRACTICAL EVACUATION CAPABILITY

EVACUATION CAPABILITY OF 14 MINUTES OR MORE INDICATES IMPRACTICAL EVACUATION CAPABILITY. IN FACILITIES MAINTAINING IMPRACTICAL EVACUATION CAPABILITY, THE FACILITY MUST BE PROTECTED BY: (A) THE PROTECTIONS FOR A FACILITY WITH SLOW EVACUATION CAPABILITY UNDER SECTION 405.11.4.2; (B) ONE-HALF HOUR FIRE-RESISTIVE CONSTRUCTION THROUGHOUT THE FACILITY; AND (C) DIRECT EGRESS FROM SLEEPING ROOMS FOR OCCUPANTS NEEDING EVACUATION ASSISTANCE EITHER: (I) TO THE EXTERIOR AT GRADE LEVEL, TO AN EXTERIOR PORCH OR LANDING VIA A 3 FOOT 6 INCH WIDE DOOR; OR (II) IF THE SLEEPING ROOMS ARE SEPARATED FROM THE REST OF THE BUILDING BY SMOKE PARTITIONS INSTALLED IN ACCORDANCE WITH I.B.C. SECTION 710, BY EGRESS WINDOWS CONFORMING TO THE PROVISIONS OF SECTION 1029.

407.1 GENERAL. DELETE AND REPLACE WITH:

GENERAL. THE PROVISIONS OF SECTIONS 407.2 THROUGH 407.7 SHALL BE APPLICABLE, IN THE DISCRETION OF THE CHIEF OF THE REGISTERED FIRE DEPARTMENT THAT HAS JURISDICTION, WHERE HAZARDOUS MATERIALS ARE LOCATED ON THE PREMISES.

408.3 GROUP E AND I OCCUPANCIES AND GROUP R-2 COLLEGE AND UNIVERSITY BUILDINGS. AMEND BY ADDING A NEW SUBSECTION 408.3.5 TO READ:

408.3.5 FALSE ALARMS

FALSE ALARMS MAY NOT BE COUNTED AS A FIRE DRILL FOR THE PURPOSES OF THIS SECTION.

503.1.1 BUILDINGS AND FACILITIES. AMEND AS FOLLOWS:

BUILDINGS AND FACILITIES

THE FIRE CHIEF OF THE REGISTERED DEPARTMENT HAVING JURISDICTION MAY REQUIRE APPROVED FIRE APPARATUS ROADWAYS FOR EVERY FACILITY, BUILDING, OR PORTION OF A BUILDING CONSTRUCTED OR MOVED INTO OR WITHIN THE JURISDICTION. THE FIRE APPARATUS ACCESS ROADWAY MUST BE REQUIRED TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION AS DETERMINED BY THE CHIEF OF THAT JURISDICTION AND BE REQUIRED TO EXTEND WITHIN 150 FEET (45,720 MM) OF ALL PORTIONS OF THE FACILITY OR BUILDING OR ANY PORTION OF THE EXTERIOR WALL OF THE FIRST STORY OF THE FACILITY OR BUILDING AS MEASURED BY AN APPROVED ROUTE AROUND THE EXTERIOR OF THE BUILDING OR FACILITY.

AMEND FURTHER BY REPLACING THE FIRST SENTENCE OF THE LISTED EXCEPTIONS TO READ:

THE CHIEF (OR THEIR DESIGNEE) OF THE REGISTERED FIRE DEPARTMENT HAVING JURISDICTION MAY INCREASE OR DECREASE THE DIMENSION OF 150 FEET (45,720 MM) WHERE:

505.1 ADDRESS NUMBERS. AMEND THE FIRST SENTENCE AND INSERT A NEW SECOND SENTENCE TO READ:

ALL NEW AND EXISTING BUILDINGS SHALL BE PROVIDED WITH APPROVED ADDRESS NUMBERS, BUILDING NUMBERS, OR OTHER APPROVED BUILDING IDENTIFICATION CLEARLY VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY, OR ON THE STREET OR ROAD IF THE BUILDING IDENTIFICATION IS NOT VISIBLE FROM THE STREET OR ROAD. IDENTIFICATION MUST BE A MINIMUM OF FOUR INCHES IN HEIGHT AND A CONTRASTING COLOR. ON ALL NEW CONSTRUCTION THE ABOVE IDENTIFICATION SHALL BE LOCATED ON THE UPPER LEFT CORNER OF THE BUILDING AS VIEWED FROM THE STREET.

506.1 WHERE REQUIRED. AMEND BY DELETING THE PHRASE "IN AN APPROVED LOCATION" IN THE FIRST SENTENCE AND REPLACING IT WITH "FULLY VISIBLE AND RECOGNIZABLE FROM THE MAIN OR FRONT ENTRANCE TO THE BUILDING."

507.5.4 OBSTRUCTIONS. AMEND BY ADDING THE PHRASE "DEPOSITING OF SNOW WITHIN THREE (3) FEET OF A HYDRANT" TO THE END OF THE FIRST SENTENCE.

703.2.3 DOOR OPERATION. ADD A NEW SUBSECTION 703.2.3.1 TO READ:

703.2.3.1 OPERATION

FIRE ASSEMBLIES MAY NOT BE OBSTRUCTED OR OTHERWISE IMPAIRED FROM THEIR PROPER OPERATION AT ANY TIME. WHEN TWO OR MORE SELF-CLOSING FIRE ASSEMBLIES WITHIN A BUILDING HAVE BEEN DOCUMENTED AS HAVING BEEN OBSTRUCTED OR IMPAIRED DURING THREE OR MORE CONSECUTIVE INSPECTIONS, THE FIRE CODE OFFICIAL MAY ORDER THE INSTALLATION OF AUTOMATIC-CLOSING DEVICES MEETING THE REQUIREMENTS OF SECTION 714.4.7.2 OF THE I.B.C.

901.4 INSTALLATION OF FIRE PROTECTION SYSTEMS. AMEND BY ADDING AN EXCEPTION AT THE END OF THIS SUBSECTION TO READ:

EXCEPTION

BUILDINGS TEMPORARILY CLOSED DUE TO SEASONAL OPERATIONS MAY HAVE THEIR FIRE SYSTEMS DEACTIVATED UNDER THE FOLLOWING CONDITIONS:

1. BUILDING IS UNOCCUPIED.
2. BUILDING IS PROPERLY SECURED.
3. ALL UTILITIES ARE DISCONNECTED AND DRAINED.
4. THE FIRE SYSTEMS ARE CERTIFIED AS OPERATIONAL BEFORE THE BUILDING IS REOCCUPIED.
5. A 24-HOUR A DAY FIRE WATCH AS DEFINED IN SECTION 202 IS PROVIDED DURING THE INTERIM BETWEEN WHEN UTILITIES ARE REACTIVATED AND THE FIRE SYSTEMS ARE CERTIFIED AS OPERATIONAL.

6. THE FIRE DEPARTMENT MUST BE NOTIFIED OF SUCH CLOSURE.
7. A LETTER FROM THE INSURANCE CARRIER OR, OWNER IF SELF-INSURED, INDICATING KNOWLEDGE OF THE CLOSURE IS PROVIDED TO THE FIRE DEPARTMENT.

901.4.5 MARKING OF FIRE PROTECTION EQUIPMENT.

ADD A NEW SUBSECTION 901.4.5 TO READ:

901.4.5 MARKING OF FIRE PROTECTION EQUIPMENT. FIRE DEPARTMENT CONNECTION DEVICES FOR BUILDING SPRINKLER SYSTEMS IN NEW AND EXISTING BUILDINGS SHALL BE IDENTIFIED BY THE INSTALLATION OF SIGNS INSTALLED ABOVE THE DEVICE IN AN UNOBSTRUCTED LOCATION AT APPROXIMATELY 7 FEET ABOVE GRADE. FDC SIGNS SHALL BE A MINIMUM OF 8 X 12 INCHES IN SIZE AND HIGHLY VISIBLE WITH CONTRASTING COLORS.

901.5 INSTALLATION ACCEPTANCE TESTING. AMEND BY ADDING A THIRD SENTENCE TO THE END OF THE PARAGRAPH TO READ:

ALL RESULTS OF SUCH TEST MUST BE FORWARDED TO THE KENAI FIRE MARSHAL WITHIN 30 DAYS.

901.6 INSPECTION, TESTING AND MAINTENANCE. AMEND BY ADDING A NEW SECOND PARAGRAPH TO READ:

SUPERSEDING OTHER CODE OR STANDARD REQUIREMENTS, FIRE PROTECTION SYSTEMS AND FIRE EXTINGUISHERS MUST BE INSPECTED, TESTED, AND SERVICED AS FOLLOWS:

1. ANNUALLY EXCEPT STANDPIPE SYSTEMS MUST BE INSPECTED, TESTED, AND SERVICED EVERY FIVE YEARS.
2. AFTER ANY USE OR ACTIVATION.
3. ANY TIME DAMAGE IS FOUND.
4. AFTER REPAIR OR ALTERATION.
5. WHEN REQUIRED BY THE CHIEF.
6. AFTER SEASONAL SHUTDOWN.

901.6.2.2 REPORTS. ADD A NEW SUBSECTION 901.6.2.2 TO READ:

901.6.2.2 REPORTS

A COPY OF ALL SERVICE REPORTS SHALL BE SENT TO THE KENAI FIRE MARSHAL WITHIN 30 DAYS. EACH SYSTEM SHALL BE TAGGED BY THE INSPECTION AGENCY, INDICATING THE DATE OF SERVICE AND WHETHER OR NOT THE SYSTEM IS IN CONFORMANCE WITH THE ASSOCIATED STANDARDS.

901.7 SYSTEMS OUT OF SERVICE. DELETE THE FIRST SENTENCE AND REPLACE WITH:

WHERE A REQUIRED FIRE PROTECTION SYSTEM IS OUT OF SERVICE FOR MORE THAN EIGHT HOURS IN A TWENTY-FOUR HOUR PERIOD, AN IMPAIRMENT PLAN WILL BE SUBMITTED TO THE FIRE DEPARTMENT AND THE FIRE CODE OFFICIAL IMMEDIATELY AND, WHERE REQUIRED BY THE FIRE CODE OFFICIAL, THE BUILDING SHALL EITHER BE EVACUATED OR AN APPROVED FIRE WATCH SHALL BE PROVIDED FOR ALL OCCUPANTS LEFT UNPROTECTED BY THE SHUTDOWN UNTIL THE FIRE PROTECTION SYSTEM HAS BEEN RETURNED TO SERVICE.

901.10 DAMAGE PROTECTION. ADD A NEW SUBSECTION 901.10 TO READ:

901.10 DAMAGE PROTECTION

WHEN EXPOSED TO PROBABLE VEHICULAR DAMAGE DUE TO PROXIMITY TO ALLEYS, DRIVEWAYS OR PARKING AREAS, STANDPIPES, POST INDICATOR VALVES AND SPRINKLER SYSTEM OR STANDPIPE SYSTEM, CONNECTIONS SHALL BE PROTECTED IN AN APPROVED MANNER.

903.2.3 *GROUP E*. DELETE AND REPLACE WITH:

GROUP E

AN AUTOMATIC SPRINKLER SYSTEM MUST BE PROVIDED THROUGHOUT ALL GROUP E OCCUPANCIES. AN AUTOMATIC SPRINKLER SYSTEM SHALL ALSO BE PROVIDED FOR EVERY PORTION OF EDUCATIONAL BUILDINGS BELOW THE LEVEL OF EXIT DISCHARGE. THE USE OF FIRE WALLS DOES NOT ESTABLISH A SEPARATE BUILDING FOR PURPOSES OF THIS SECTION. DAY CARE USES THAT ARE LICENSED TO CARE FOR MORE THAN 5 PERSONS BETWEEN THE HOURS OF 10:00 P.M. AND 6:00 A.M. SHALL BE EQUIPPED WITH AN AUTOMATIC SPRINKLER SYSTEM DESIGNED AND INSTALLED IN ACCORDANCE WITH SECTION 903.3.1.3. THIS INCLUDES CHILDREN RELATED TO THE STAFF.

EXCEPTION:

1. BUILDINGS WITH E OCCUPANCIES HAVING AN OCCUPANT LOAD OF 49 OR LESS.

903.2.8 *GROUP R*. DELETE AND REPLACE WITH:

GROUP R

AN AUTOMATIC SPRINKLER SYSTEM MUST BE INSTALLED IN GROUP R OCCUPANCIES AS REQUIRED IN SECTIONS 903.2.8.1 THROUGH 903.2.8.2.

EXCEPTION: ALL R-3S AND BED AND BREAKFAST OCCUPANCIES WITH FIVE RENTED SLEEPING ROOMS OR LESS DO NOT REQUIRE AN AUTOMATIC SUPPRESSION SYSTEM.

903.2.8.1 *GROUP R-1*. ADD A NEW SUBSECTION 903.2.8.1 TO READ:

903.2.8.1 GROUP R-1

HEALTH CLINICS WITH TRANSIENT QUARTERS MAY UTILIZE A 13D SPRINKLER SYSTEM THROUGHOUT THE BUILDING; A FIRE BARRIER CAN BE UTILIZED TO SEPARATE THE BUILDING AND UTILIZE A 13R.

903.2.8.2 *GROUP R-2*.

ADD NEW SUBSECTION 903.2.8.2 TO READ:

903.2.8.2 *GROUP R-2*. AN AUTOMATIC SPRINKLER SYSTEM OR A RESIDENTIAL SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH SECTION 903.3.1.2 SHALL BE PROVIDED THROUGHOUT ALL BUILDINGS WITH A GROUP R-2 FIRE AREA THAT ARE MORE THAN TWO STORIES IN HEIGHT, INCLUDING BASEMENT, OR HAVE MORE THAN 4 DWELLING UNITS OR 16 SLEEPING ROOMS.

903.3.1.1.2 *ELEVATOR HOISTWAYS AND MACHINE ROOMS*. ADD A NEW SUBSECTION 903.3.1.1.2 TO READ:

903.3.1.1.2 ELEVATOR HOISTWAYS AND MACHINE ROOMS

WHEN THE PROVISIONS OF THIS CODE REQUIRE THE INSTALLATION OF AUTOMATIC SPRINKLER SYSTEMS, THE INSTALLATION IN ELEVATOR HOISTWAYS AND MACHINE ROOMS MUST OCCUR AS DESCRIBED IN N.F.P.A. 13, (ELEVATOR HOISTWAYS AND MACHINE ROOMS) AND ADOPTED BY REFERENCE AND THE AMERICAN SOCIETY FOR MECHANICAL ENGINEERS (A.S.M.E.) A17.1 SAFETY CODE FOR ELEVATORS AND ESCALATORS AND ADOPTED BY REFERENCE. THE FIRE SPRINKLER HEAD FOR THE TOP OF ELEVATOR SHAFTS MAY HAVE A GLOBE VALVE INSTALLED SO THE SINGLE HEAD CAN BE TURNED OFF IN AN EMERGENCY. THE GLOBE VALVE MUST BE MARKED AND SEALED OR LOCKED IN THE OPEN POSITION.

EXCEPTION: SPRINKLERS ARE NOT REQUIRED IN AN ELEVATOR MACHINE ROOM WHERE THE MACHINE ROOM IS:

- (1) SEPARATED FROM THE REMAINDER OF THE BUILDING AS DESCRIBED IN I.B.C. SECTION 3006.4;
- (2) SMOKE DETECTION IS PROVIDED IN ACCORDANCE WITH N.F.P.A.72 AND ADOPTED BY REFERENCE;
- (3) NOTIFICATION OF ALARM ACTIVATION IS RECEIVED AT A CONSTANTLY MONITORED LOCATION; AND
- (4) FIRE EXTINGUISHER IS PROVIDED IN THE ELEVATOR MACHINE ROOM.

903.3.1.1.3 INSPECTORS TEST VALVE. ADD A NEW SUBSECTION 903.3.1.1.3 TO READ:

903.3.1.1.3 INSPECTORS TEST VALVE

A TEST VALVE WILL BE INSTALLED AT THE FAR END OF THE REMOTE AREA IN WET SYSTEMS TO EQUAL THE REQUIRED FLOW OF ONE SPRINKLER HEAD. IN LOCATIONS THAT USE FLOOR CONTROL VALVES THE INSPECTOR TEST VALVE MAY BE CO-LOCATED. APPROPRIATE DRAINAGE SHALL BE PROVIDED.

903.6.3 ALTERATIONS AND ADDITIONS TO E OCCUPANCIES. ADD NEW SUBSECTION 903.6.3 TO READ:

903.6.3 ALTERATIONS AND ADDITIONS TO E OCCUPANCIES

AN APPROVED AUTOMATIC FIRE SUPPRESSION SYSTEM MUST BE INSTALLED IN E OCCUPANCIES IN ACCORDANCE WITH SECTION 903.2.3 WHENEVER ALTERATIONS OR ADDITIONS ARE MADE TO AN EXISTING STRUCTURE CONTAINING E OCCUPANCY.

906.1 WHERE REQUIRED. AMEND BY DELETING THE EXCEPTION FROM NUMBER 1.

907.1.2 CONSTRUCTION DOCUMENTS. AMEND BY ADDING NEW ITEMS TO THE LIST TO READ:

14. SYSTEM RISER DIAGRAM.
15. FIRE SYSTEM DESIGNER STAMP, SIGNATURE AND DATE.

907.2.1 GROUP A. DELETE THE EXCEPTION AND REPLACE WITH:

EXCEPTION: A MANUAL FIRE ALARM SYSTEM SHALL BE INSTALLED IN GROUP A-2 OCCUPANCIES WITH AN OCCUPANT LOAD OF 100 OR MORE.

907.2.2 GROUP B.

AMEND BY DELETING THE EXCEPTION.

907.2.3 GROUP E.

AMEND BY ADDING A SECOND PARAGRAPH TO READ:

ROOMS USED FOR SLEEPING OR NAPPING PURPOSES WITHIN A DAY CARE USE OF GROUP E OCCUPANCIES MUST BE PROVIDED WITH SMOKE DETECTORS THAT COMPLY WITH SECTION 907.2.11.2 AND BY DELETING EXCEPTION 3.

907.2.4 GROUP F. AMEND BY DELETING THE EXCEPTION.

907.2.6.1 GROUP I-1. AMEND BY DELETING EXCEPTION 1.

907.2.7 GROUP M. AMEND BY DELETING EXCEPTION 2.

907.2.8.1 MANUAL FIRE ALARM SYSTEM. AMEND BY DELETING EXCEPTION 2.

907.2.9.1 MANUAL FIRE ALARM SYSTEM. AMEND BY DELETING EXCEPTION 2.

907.2.10.1 MANUAL FIRE ALARM SYSTEM. AMEND BY DELETING EXCEPTION 2.

907.2.11 SINGLE- AND MULTI-STATION SMOKE ALARMS. AMEND BY ADDING A SECOND PARAGRAPH TO READ:

WHEN ALTERATIONS, REPAIRS OR ADDITIONS REQUIRING A PERMIT ARE MADE TO AN EXISTING GROUP R OCCUPANCY, SMOKE ALARMS MUST BE INSTALLED AS DESCRIBED IN SECTION 907.2.11.

907.8 ACCEPTANCE TEST AND COMPLETION. AMEND BY ADDING A SECOND PARAGRAPH TO READ:

A KENAI CODE OFFICIAL MUST WITNESS THE ACCEPTANCE TEST, AND A COPY OF THE ACCEPTANCE TEST CERTIFICATE MUST BE FORWARDED TO THE KENAI FIRE MARSHAL BY THE FIRM CONDUCTING THE TEST WITHIN 30 DAYS OF THE COMPLETION OF THE INSTALLATION.

908.7 CARBON MONOXIDE DETECTORS. ADD A NEW SUBSECTION 908.7 TO READ:

908.7 CARBON MONOXIDE DETECTORS

CARBON MONOXIDE DETECTORS SHALL BE INSTALLED ON EACH FLOOR LEVEL OF GROUP I-1, I-2 AND R OCCUPANCIES. WHERE THERE ARE SLEEPING ROOMS ON A FLOOR, THE DETECTOR SHALL BE PLACED OUTSIDE THE SLEEPING ROOMS. THE ALARM SHALL BE CLEARLY AUDIBLE IN ALL BEDROOMS OVER BACKGROUND NOISE LEVELS WITH ALL INTERVENING DOORS CLOSED. ALL CARBON MONOXIDE DETECTORS SHALL BE LISTED AND INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THIS CODE.

EXCEPTION: CARBON MONOXIDE DETECTORS AND ALARMS ARE NOT REQUIRED IN DWELLING UNITS AND STRUCTURES THAT HAVE NO COMBUSTION APPLIANCES, ATTACHED GARAGES, OTHER VEHICLE PARKING WITHIN 25 FEET OF ANY DIRECT OPENING, OR HAVE ONLY DIRECT VENT COMBUSTION APPLIANCES.

IN NEW CONSTRUCTION, ALL CARBON MONOXIDE DETECTORS AND ALARMS LOCATED WITHIN A SINGLE DWELLING UNIT SHALL BE INTERCONNECTED IN SUCH A MANNER THAT ACTUATION OF ONE ALARM SHALL ACTIVATE ALL OF THE ALARMS WITHIN THE INDIVIDUAL DWELLING UNIT.

IN NEW CONSTRUCTION, CARBON MONOXIDE DETECTORS AND ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING IF THE WIRING IS SERVED FROM A COMMERCIAL SOURCE, AND SHALL BE EQUIPPED WITH A BATTERY BACKUP. WIRING SHALL BE PERMANENT AND WITHOUT A DISCONNECTING SWITCH OTHER THAN WHAT IS REQUIRED FOR OVERCURRENT PROTECTION. IN EXISTING CONSTRUCTION, CARBON MONOXIDE DETECTORS AND ALARMS MAY BE POWERED BY BATTERY OR A CORD-AND-PLUG WITH BATTERY BACKUP.

CARBON MONOXIDE DETECTORS SHALL HAVE AN ALARM AND BE INSTALLED AND MAINTAINED ACCORDING TO MANUFACTURER'S INSTRUCTIONS.

THE LANDLORD SHALL PROVIDE SMOKE AND CARBON MONOXIDE DETECTION DEVICES. IT IS THE RESPONSIBILITY OF THE TENANT TO MAINTAIN THE DEVICES.

908.8 POWER SOURCE. ADD A NEW SUBSECTION 908.8 TO READ:

908.8 POWER SOURCE

IN NEW CONSTRUCTION, THE REQUIRED CARBON MONOXIDE DETECTORS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING SYSTEM, AND WHEN PRIMARY POWER IS INTERRUPTED, SHALL RECEIVE POWER FROM A BATTERY. WIRING SHALL BE PERMANENT AND WITHOUT A DISCONNECTING SWITCH OTHER THAN THOSE REQUIRED FOR OVER CURRENT PROTECTION. CARBON MONOXIDE DETECTORS SHALL BE PERMITTED TO BE ELECTRICAL OUTLET TYPE WITH BATTERY BACK UP WHEN INSTALLED IN EXISTING BUILDINGS THAT UNDERGO ALTERATIONS, REPAIRS, OR ADDITIONS THAT DO NOT RESULT IN THE REMOVAL OF THE INTERIOR WALL OR CEILING FINISHES EXPOSING THE STRUCTURE.

908.8.1 *INTERCONNECTION*. ADD A NEW SUBSECTION 908.8.1 TO READ:

908.8.1 INTERCONNECTION

IN NEW CONSTRUCTION, ALL CARBON MONOXIDE DETECTORS AND ALARMS LOCATED WITHIN A SINGLE DWELLING UNIT SHALL BE INTERCONNECTED IN SUCH A MANNER THAT ACTUATION OF ONE ALARM SHALL ACTIVATE ALL OF THE ALARMS WITHIN THE INDIVIDUAL DWELLING UNIT.

909.18 *ACCEPTANCE TESTS*. AMEND BY ADDING A NEW SENTENCE TO READ:

A COPY OF THE ACCEPTANCE TEST CERTIFICATE MUST BE FORWARDED TO THE FIRE MARSHAL HAVING AUTHORITY BY THE FIRM CONDUCTING THE TEST WITHIN 30 DAYS OF THE COMPLETION OF THE INSTALLATION.

910.1 *GENERAL*. AMEND BY DELETING EXCEPTION 2.

912.2.1 *VISIBLE LOCATION*. DELETE AND REPLACE WITH:

THE FIRE DEPARTMENT CONNECTIONS SHALL BE LOCATED FULLY VISIBLE AND RECOGNIZABLE FROM THE MAIN OR FRONT ENTRANCE TO THE BUILDING.

1007.3 *STAIRWAYS*. AMEND BY DELETING EXCEPTIONS 1 THROUGH 7.

1009.1 *STAIRWAYS*. AMEND BY ADDING A NEW EXCEPTION TO READ:

5. STAIRS OR LADDERS USED ONLY TO ATTEND EQUIPMENT ARE EXEMPT FROM THE REQUIREMENTS OF THIS SECTION.

1009.6.2 *OUTDOOR CONDITIONS*. AMEND BY ADDING THE PHRASE "SNOW OR ICE" AFTER THE WORD "WATER."

1010.7.2 *OUTDOOR CONDITIONS*. AMEND BY ADDING THE PHRASE "SNOW OR ICE" AFTER THE WORD "WATER."

TABLE 1018.1 *CORRIDOR FIRE-RESISTANCE RATING*. AMEND BY ADDING A NOTE (D) TO READ:

(D) R-2 OCCUPANCIES SHALL BE PERMITTED TO HAVE A ONE-HOUR RATED CORRIDOR.

FURTHER, AMEND BY ADDING A REFERENCE TO THE NEW NOTE (D) AT R UNDER THE "OCCUPANCY" COLUMN ON THE LEFT OF THE TABLE AND ALSO NEXT TO "NOT PERMITTED" IN THE "WITHOUT SPRINKLER SYSTEM" COLUMN.

1019.1 *GENERAL*. AMEND BY ADDING A NEW SENTENCE AT THE END OF THE SECTION TO READ:

EXTERIOR EXIT BALCONIES SHALL BE DESIGNED TO MINIMIZE ACCUMULATION OF SNOW OR ICE THAT IMPEDES THE MEANS OF EGRESS.

1021.2 *SINGLE EXITS*. AMEND BY ADDING A SECOND PARAGRAPH TO READ:

BASEMENTS OR THE FIRST LEVEL BELOW THE FIRST STORY IN ALL OCCUPANCIES, EXCEPT GROUP R-3, USED EXCLUSIVELY FOR THE SERVICE OF THE BUILDING MAY HAVE ACCESS TO ONLY ONE EXIT. ANY OTHER USE OF THE BASEMENT OR FIRST LEVEL BELOW THE FIRST STORY MUST HAVE AT LEAST TWO EXITS ARRANGED IN ACCORDANCE WITH SECTION 1015.2. FOR PURPOSES OF THIS EXCEPTION, STORAGE ROOMS, LAUNDRY ROOMS, MAINTENANCE OFFICES, AND SIMILAR USES MAY NOT BE CONSIDERED AS PROVIDING SERVICE TO THE BUILDING.

1029.1 *GENERAL*. AMEND BY DELETING EXCEPTIONS 1, 2, 3, 4, AND 7.

1102.1 *DEFINITIONS*. AMEND BY DELETING THE PHRASE "WITH AN OVERALL LENGTH GREATER THAN 39 FEET (11,887 MM) AND AN OVERALL EXTERIOR FUSELAGE WIDTH GREATER THAN 6.6 FEET (2,012 MM)" IN THE FIRST SENTENCE OF THE DEFINITION OF "AIRPORT."

1103.5 DISPENSING OF FLAMMABLE AND COMBUSTIBLE LIQUIDS. DELETE THE LAST SENTENCE AND REPLACE WITH:

AIRCRAFT MOTOR VEHICLE FUEL-DISPENSING STATIONS SHALL BE IN ACCORDANCE WITH CHAPTER 22, AND N.F.P.A. 407.

1105.8 REPORTING USE. DELETE SUBSECTION 1105.8.

1106.3 CONSTRUCTION OF AIRCRAFT-FUELING VEHICLES AND ACCESSORIES. AMEND BY ADDING AN EXCEPTION AT THE END OF THIS SUBSECTION TO READ:

EXCEPTION

A VEHICLE OR TRAILER TANK WITH A CAPACITY OF 250 GALLONS OR LESS MAY BE USED FOR NONCOMMERCIAL REFUELING OF PRIVATE NONCOMMERCIAL AIRCRAFT IF THE FOLLOWING REQUIREMENTS ARE MET:

1. THE TANK IS PLACARDED WITH NO SMOKING SIGNS, TYPE OF FUEL CONTAINED IN THE TANK AND THE TANK CAPACITY;
2. THE TANK AND ALL APPURTENANCES USED IN THE FUELING OPERATION ARE LISTED AND APPROVED FOR THE SPECIFIC PURPOSES; AND
3. ELECTRICAL BONDING IS PROVIDED AS REQUIRED UNDER SECTION 1106.3.7.

2206.2.3 ABOVE GROUND TANKS LOCATED OUTSIDE, ABOVE GRADE. AMEND BY ADDING A NEW ITEM 5 TO READ:

5. APPROVED ABOVE GROUND ATMOSPHERIC TANKS MAY BE USED WITHOUT A SPECIAL ENCLOSURE OR FIRE RATING IF THE FOLLOWING CRITERIA ARE MET:
 - A. TANKS MUST BE LOCATED AS REQUIRED FOR "OTHER TANKS" BY TABLE 2206.2.3; AND
 - B. TANKS MUST BE ENCLOSED BY A SIX-FOOT HIGH INDUSTRIAL TYPE CHAIN LINK FENCE WITH A MINIMUM OF TWO ACCESS GATES LOCATED AT OPPOSITE SIDES OF THE ENCLOSURE. EACH GATE MUST BE AT LEAST 36 INCHES WIDE. THERE MUST BE A MINIMUM WORKING DISTANCE OF FIVE FEET BETWEEN THE TANK AND THE FENCE.

2206.7.7.1 LEAK DETECTION. AMEND BY ADDING AN EXCEPTION TO READ:

EXCEPTION

A LEAK DETECTION DEVICE IS NOT REQUIRED IF THE UNDERGROUND PIPING IS AN EXTRA-HEAVY STEEL WALL WITH ALL WELDED JOINTS, DIELECTRIC COATING, AND CATHODIC PROTECTION.

2211.2.3 DRAINAGE AND DISPOSAL OF LIQUIDS AND OIL-SOAKED WASTE. AMEND BY ADDING A SENTENCE AT THE END OF THE FIRST PARAGRAPH TO READ:

WHERE OIL SEPARATORS OR TRAPS ARE PROVIDED, NEITHER THE OIL NOR WATER PHASE MAY DRAIN TO A SEPTIC SYSTEM, DRY WELL OR OTHER MEANS OF UNDERGROUND DISCHARGE.

TABLE 2306.2 GENERAL FIRE PROTECTION AND LIFE SAFETY REQUIREMENTS. AMEND THE TABLE BY CHANGING THE SPRINKLER REQUIREMENT FOR THE AREA OF "501-2,500" (SQUARE FEET) IN THE THIRD COLUMN FROM THE LEFT SIDE OF THE TABLE TITLED "AUTOMATIC FIRE EXTINGUISHING SYSTEM" FROM "NOT REQUIRED" TO "YES."

2701.6 FACILITY CLOSURE. DELETE AND REPLACE WITH:

DOCUMENTATION

THE FIRE CHIEF OF THE REGISTERED FIRE DEPARTMENT HAVING JURISDICTION MAY REQUIRE THE DOCUMENTATION OF THE CLOSURE PLANS FOR THE TERMINATION OF THE STORAGE, USE, OR HANDLING OF HAZARDOUS MATERIALS AT LEAST 30 DAYS BEFORE THE TERMINATION. THE FIRE CHIEF IS AUTHORIZED TO REQUIRE THAT THE DOCUMENTATION INCLUDE AN APPROVED FACILITY CLOSURE PLAN IN ACCORDANCE WITH SECTION 2701.6.3. THE FIRE CHIEF MAY REQUIRE THE SUBMISSION OF THE HAZARDOUS MATERIALS MANAGEMENT PLAN AND HAZARDOUS MATERIALS INVENTORY STATEMENT INDICATED IN SECTIONS 2701.5.1 AND 2701.5.2.

CHAPTER 33 EXPLOSIVES AND FIREWORKS. DELETE THIS CHAPTER. REFER TO KMC CHAPTER [8.20](#), FIREWORKS CONTROL.

3404.3.5.1 BASEMENT STORAGE. DELETE THIS SUBSECTION.

3501.3 PLAN REVIEW. ADD A NEW SUBSECTION 3501.3 TO READ:

3501.3 PLAN REVIEW. WHERE A SINGLE CONTAINER IS OVER 500-GALLON (1,892.7 L) WATER CAPACITY OR THE AGGREGATE CAPACITY OF CONTAINERS IS OVER 500-GALLON (1,892.7 L) WATER CAPACITY, THE INSTALLER SHALL SUBMIT PLANS FOR REVIEW BY THE FIRE MARSHAL BEFORE INSTALLATION.

CHAPTER 47 REFERENCED STANDARDS

CHANGE THE REFERENCED NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARDS FROM THE PUBLICATION DATE LISTED TO THE FOLLOWING EDITIONS:

10—10	PORTABLE FIRE EXTINGUISHERS	TABLE 901.6.1, 906.2, 906.3, TABLE 906.3(1), TABLE 906.3(2), 906.3.2, 906.3.4, 2106.3, 1101.1
11—10	LOW-, MEDIUM- AND HIGH-EXPANSION FOAM	904.7, 3404.2.9.2.2
12—11	CARBON DIOXIDE EXTINGUISHING SYSTEMS	TABLE 901.6.1, 904.8, 904.11
12A—09	HALON 1301 FIRE EXTINGUISHING SYSTEMS	TABLE 901.6.1, 904.9
13—10	INSTALLATION OF SPRINKLER SYSTEMS	903.3.1.1, 903.3.2, 903.3.5.1.1, 903.3.5.2, 904.11, 905.3.4, 907.7.3, 2301.1, 2304.2, TABLE 2306.2, 2306.9, 2307.2, 2307.2.1, 2308.2.2, 2308.2.2.1, 2308.4, 2310.1, 2501.1, 2804.1, 2806.5.7, 3404.3.3.9, TABLE 3404.3.6.3(7), 3404.3.7.5.1, 3404.3.8.4
13D—10	INSTALLATION OF SPRINKLER SYSTEMS IN ONE- AND TWO-FAMILY DWELLINGS AND MANUFACTURED HOMES	903.3.1.3, 903.3.5.1.1
13R—10	INSTALLATION OF SPRINKLER SYSTEMS IN RESIDENTIAL OCCUPANCIES UP TO AND INCLUDING FOUR STORIES IN HEIGHT	903.3.1.2, 903.3.5.1.1, 903.3.5.1.2, 903.4

14—10	INSTALLATION OF STANDPIPE AND HOSE SYSTEMS	905.2, 905.3.4, 905.4.2, 905.6.2, 905.8
15—12	WATER SPRAY FIXED SYSTEMS FOR FIRE PROTECTION	3404.2.9.2.3
16—11	INSTALLATION OF FOAM-WATER SPRINKLER AND FOAM-WATER SPRAY SYSTEMS	904.7, 904.11
17—09	DRY CHEMICAL EXTINGUISHING SYSTEMS	TABLE 901.6.1, 904.6, 904.11
17A—09	WET CHEMICAL EXTINGUISHING SYSTEMS	TABLE 901.6.1, 904.5, 904.11
20—10	INSTALLATION OF STATIONARY PUMPS FOR FIRE PROTECTION	913.1, 913.2, 913.5.1
22—08	WATER TANKS FOR PRIVATE FIRE PROTECTION	507.2.2
24—10	INSTALLATION OF PRIVATE FIRE SERVICE MAINS AND THEIR APPURTENANCES	507.2.1, 1909.5
25—11	INSPECTION, TESTING AND MAINTENANCE OF WATER-BASED FIRE PROTECTION SYSTEMS	507.5.3, TABLE 901.6.1, 904.7.1, 912.6, 913.5, 1101.1
30—12	FLAMMABLE AND COMBUSTIBLE LIQUIDS CODE	3403.6.2, 3403.6.2.1, 3404.2.7, 3404.2.7.1, 3404.2.7.2, 3404.2.7.3.6, 3404.2.7.4, 3404.2.7.6, 3404.2.7.7, 3404.2.7.8, 3404.2.7.9, 3404.2.9.3, 3404.2.9.4, 3404.2.9.6.1.1, 3404.2.9.6.1.2, 3404.2.9.6.1.3, 3404.2.9.6.1.4, 3404.2.9.6.1.5, 3404.2.9.6.2, 3404.2.9.7.4, 3404.2.10.2, 3404.2.11.4, 3404.2.11.5.2, 3404.2.12.1, 3404.3.1, 3404.3.6, TABLE 3404.3.6.3(1), TABLE 3404.3.6.3(2), TABLE 3404.3.6.3(3), 3404.3.7.2.3, 3404.3.8.4, 3406.8.3
30A—12	CODE FOR MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES	2201.4, 2201.5, 2201.6, 2206.6.3, 2210.1
30B—11	MANUFACTURE AND STORAGE OF AEROSOL PRODUCTS	2801.1, 2803.1, 2804.1, TABLE 2804.3.1, TABLE 2804.3.2, TABLE 2804.3.2.2, 2804.4.1, 2804.5.2, 2804.6, 2806.2.3, 2806.3.2, TABLE 2806.4, 2806.5.1, 2806.5.6, 2807.1
31—11	INSTALLATION OF OIL-BURNING EQUIPMENT	603.1.7, 603.3.1, 603.3.3
32—11	DRY CLEANING PLANTS	1207.1, 1207.3

33—11	SPRAY APPLICATION USING FLAMMABLE OR COMBUSTIBLE MATERIALS	1504.3.2
34—11	DIPPING AND COATING PROCESSES USING FLAMMABLE OR COMBUSTIBLE LIQUIDS	1505.3, 1505.4.1.1
35—11	MANUFACTURE OF ORGANIC COATINGS	2001.3, 2005.4
40—11	STORAGE AND HANDLING OF CELLULOSE NITRATE FILM	306.2
51—07	DESIGN AND INSTALLATION OF OXYGEN-FUEL GAS SYSTEMS FOR WELDING, CUTTING AND ALLIED PROCESSES	2601.5, 2607.1, 2609.1
51A—12	ACETYLENE CYLINDER CHARGING PLANTS	2608.1
52—10	VEHICULAR FUEL SYSTEM CODE	3001.1
55—10	STANDARD FOR THE STORAGE, USE AND HANDLING OF COMPRESSED GASES AND CRYOGENIC FLUIDS IN PORTABLE AND STATIONARY CONTAINERS CYLINDERS AND TANKS	2209.2.1, 3201.1, 3501.1, 4001.1
58—11	LIQUEFIED PETROLEUM GAS CODE	603.4.2.1.1, 3801.1, 3803.1, 3803.2.1, 3803.2.1.2, 3803.2.1.7, 3803.2.2, 3804.1, 3804.3.1, 3804.4, 3806.2, 3806.3, 3807.2, 3808.1, 3808.2, 3809.11.2, 3811.3
59A—09	PRODUCTION, STORAGE AND HANDLING OF LIQUEFIED NATURAL GAS (LNG)	3001.1, 3201.1
61—08	PREVENTION OF FIRES AND DUST EXPLOSIONS IN AGRICULTURAL AND FOOD PROCESSING FACILITIES	TABLE 1304.1
69—08	EXPLOSION PREVENTION SYSTEMS	911.1, 911.3, TABLE 1304.1
70—11	NATIONAL ELECTRICAL CODE	603.1.3, 603.1.7, 603.5.2, 604.2.15.1, 605.3, 605.4, 605.9, 606.16, 904.3.1, 907.1, 909.11, 909.12.1, 909.16.3, 1106.3.4, 1204.2.3, TABLE 1304.1, 1404.7, 1503.2.1, 1503.2.1.1, 1503.2.1.4, 1503.2.5, 1504.9.4, 1604.5, 1703.2, 1803.7.1, 1803.7.2, 1803.7.3, 1903.4, 2004.1, 2205.4, 2208.8.1.2.4, 2209.2.3, 2211.3.1, 2211.8.1.2.4, 2403.12.6.1, 2404.15.7, 2606.4, 2703.7.3, 3003.7.6, 3003.8, 3003.16.11, 3003.16.14, 3203.6, 3203.7.2, 3403.1, TABLE 3403.1.1, 3403.1.3, 3404.2.8.12, 3404.2.8.17, 3406.2.8, 3503.1.5, 3503.1.5.1, 3507.1.10, 3606.5.5, 3606.5.6, 3704.2.2.8

72—10	NATIONAL FIRE ALARM CODE	508.1.5, TABLE 901.6.1, 903.4.1, 904.3.5, 907.2, 907.2.6, 907.2.11, 907.2.13.2, 907.3, 907.4.3, 907.4.4, 907.6.2.1.2, 907.6.2.2, 907.7, 907.7.1, 907.7.2, 907.7.5, 907.8, 907.8.1, 907.8.2, 907.9, 907.9.2, 907.9.5, 1101.1, J103.1.4
80—10	FIRE DOORS AND OTHER OPENING PROTECTIVES	703.1.3, 1008.1.3.3
85—11	BOILER AND COMBUSTION SYSTEM HAZARDS CODE	TABLE 1304.1
86—11	Ovens AND FURNACES	2101.1
99—12	HEALTH CARE FACILITIES	3006.4
101—12	LIFE SAFETY CODE	1028.6.2
105—10	INSTALLATION OF SMOKE DOOR ASSEMBLIES AND OTHER OPENING PROTECTIVES	703.1.2
110—10	EMERGENCY AND STANDBY POWER SYSTEMS	604.1, 604.3, 604.4, 913.5.2, 913.5.3
111—11	STORED ELECTRICAL ENERGY EMERGENCY AND STANDBY POWER SYSTEMS	604.1, 604.3, 604.4
120—10	COAL PREPARATION PLANTS	TABLE 1304.1
160—11	FLAME EFFECTS BEFORE AN AUDIENCE	308.3.2
170—09	STANDARD FOR FIRE SAFETY AND EMERGENCY SYMBOLS	1024.2.6.1
211—10	CHIMNEYS, FIREPLACES, VENTS AND SOLID FUEL-BURNING APPLIANCES	603.2
241—09	SAFEGUARDING CONSTRUCTION, ALTERATION AND DEMOLITION OPERATIONS	1401.1
253—11	STANDARD TEST FOR CRITICAL RADIANT FLUX OF FLOOR COVERING SYSTEMS USING A RADIANT HEAT ENERGY SOURCE	804.3
260—09	METHODS OF TESTS AND CLASSIFICATION SYSTEM FOR CIGARETTE IGNITION RESISTANCE OF COMPONENTS OF UPHOLSTERED FURNITURE	805.1.1.1, 805.2.1.1, 805.3.1.1, 805.4.1.1
261—09	METHOD OF TEST FOR DETERMINING RESISTANCE OF MOCK-UP UPHOLSTERED	805.2.1.1, 805.3.1.1, 805.4.1.1

FURNITURE MATERIAL ASSEMBLIES TO IGNITION BY SMOLDERING CIGARETTES		
265—11	METHOD OF FIRE TESTS FOR EVALUATING ROOM FIRE GROWTH CONTRIBUTION OF TEXTILE WALL COVERINGS IN FULL HEIGHT PANELS AND WALLS	803.5.1, 803.5.1.1, 803.5.1.2, 805.4.1.1
286—11	STANDARD METHOD OF FIRE TESTS FOR EVALUATING CONTRIBUTION OF WALL AND CEILING INTERIOR FINISH TO ROOM FIRE GROWTH	803.1, 803.1.2, 803.1.2.1, 803.5.1
303—11	FIRE PROTECTION STANDARD FOR MARINAS AND BOATYARDS	905.3.7, 4503.5, 4503.6, 4504.2
385—07	TANK VEHICLES FOR FLAMMABLE AND COMBUSTIBLE LIQUIDS	3406.5.4.5, 3406.6, 3406.6.1
407—12	AIRCRAFT FUEL SERVICING	1106.2, 1106.3
409—11	AIRCRAFT HANGARS	914.8.2, TABLE 914.8.2, 914.8.2.1, 914.8.5
484—12	COMBUSTIBLE METALS	TABLE 1304.1
495—10	EXPLOSIVE MATERIALS CODE	911.1, 911.4, 3301.1.1, 3301.1.5, 3302.1, 3304.2, 3304.6.2, 3304.6.3, 3304.7.1, 3305.1, 3306.1, 3306.5.2.1, 3306.5.2.3, 3307.1, 3307.9, 3307.11, 3307.15
498—10	SAFE HAVENS AND INTERCHANGE LOTS FOR VEHICLES TRANSPORTING EXPLOSIVES	3301.1.2
505—11	POWERED INDUSTRIAL TRUCKS, INCLUDING TYPE DESIGNATIONS, AREAS OF USE, MAINTENANCE AND OPERATION	2703.7.3
654—06	PREVENTION OF FIRE AND DUST EXPLOSIONS FROM THE MANUFACTURING, PROCESSING AND HANDLING OF COMBUSTIBLE PARTICULATE SOLIDS	TABLE 1304.1
655—07	PREVENTION OF SULFUR FIRES AND EXPLOSIONS	TABLE 1304.1
664—12	PREVENTION OF FIRES AND EXPLOSIONS IN WOOD PROCESSING AND WOODWORKING FACILITIES	TABLE 1304.1, 1905.3
701—10	METHODS OF FIRE TESTS FOR FLAME- PROPAGATION OF TEXTILES AND FILMS	806.2, 807.1, 807.1.2, 807.2, 807.4.2.2, 1703.5, 2404.2

703—12	FIRE RETARDANT IMPREGNATED WOOD AND FIRE RETARDANT COATINGS FOR BUILDING MATERIALS	803.4
704—12	IDENTIFICATION OF THE HAZARDS OF MATERIALS FOR EMERGENCY RESPONSE	606.7, 1802.1, 2404.2, 2703.2.2.1, 2703.2.2.2, 2703.5, 2703.10.2, 2705.1.10, 705.2.1.1, 2705.4.4, 3203.4.1, 3404.2.3.2, F101.1, F101.2
750—10	WATER MIST FIRE PROTECTION SYSTEMS	TABLE 901.6.1
1122—08	MODEL ROCKETRY	3301.1.4
1123—10	FIREWORKS DISPLAY	3302.1, 3304.2, 3308.1, 3308.2.2, 3308.5, 3308.6
1124—06	MANUFACTURE, TRANSPORTATION, STORAGE AND RETAIL SALES OF FIREWORKS AND PYROTECHNIC ARTICLES	3302.1, 3304.2, 3305.1, 3305.3, 3305.4, 3305.5
1125—12	MANUFACTURE OF MODEL ROCKET AND HIGH POWER ROCKET MOTORS	3301.1.4
1126—116	USE OF PYROTECHNICS BEFORE A PROXIMATE AUDIENCE	3304.2, 3305.1, 3308.1, 3308.2.2, 3308.4, 3308.5
1127—08	HIGH POWER ROCKETRY	3301.1.4
1142—12	WATER SUPPLY FOR SUBURBAN AND RURAL FIRE FIGHTING	B103.3
2001—12	CLEAN AGENT FIRE EXTINGUISHING SYSTEMS	TABLE 901.6.1, 904.10

APPENDIX OF THE I.F.C. AMEND THE APPENDIX BY ADDING A NEW APPENDIX K TO READ:

APPENDIX K FIRE STATUS REPORTING

K101 (SCOPE)

ALL FIRE SERVICE COMPANIES PROVIDING SERVICES IN THE STATE OF ALASKA SHALL PROVIDE A LEGIBLE COPY OF ALL FIRE SYSTEM SERVICE REPORTS TO THE FIRE MARSHAL OFFICE AS ADOPTED AND AMENDED TO THE 2009 INTERNATIONAL FIRE CODE AS LISTED BELOW.

EXEMPTION: INDUSTRIAL OCCUPANCIES WITH AN APPROVED FIRE SYSTEM PREVENTIVE MAINTENANCE PROGRAM.

SEE BELOW FOR CONTACT INFORMATION.

K102 (STATUS 1) SYSTEMS OUT OF SERVICE OR MAJOR DEFICIENCIES

THE FIRE SERVICE COMPANY SHALL IMMEDIATELY CONTACT THE FIRE MARSHAL OFFICE, IF THE SYSTEM CANNOT BE RETURNED TO SERVICE. ON A WEEKEND OR AFTER HOURS, CONTACT THE FIRE MARSHAL OFFICE ON THE FIRST BUSINESS DAY. WRITTEN NOTIFICATION SHALL BE FAXED TO THE FIRE MARSHAL OFFICE WITHIN 24 HOURS. NOTIFICATION MAY BE MADE BY EMAIL.

K102.1 CORRECTIVE ACTION TIME

STATUS 1 REPORTS SHALL BE REPAIRED IMMEDIATELY.

K102.1.1 FOR EXAMPLE BUT NOT LIMITED TO

K102.1.1.1 FIRE SPRINKLER OR WATER BASED SYSTEMS

1. NON-WORKING FLOW/PRESSURE SWITCHES.
2. DAMAGE TO FIRE DEPARTMENT CONNECTIONS.
3. NO WATER TO SYSTEM.
4. FROZEN OR OTHERWISE DAMAGED SYSTEM.

K102.1.1.2 FIRE PUMPS

1. NON-WORKING FIRE PUMPS.
2. FIRE PUMP CONTROLS NOT WORK OR MALFUNCTIONING.

K102.1.1.3 FIRE ALARM SYSTEMS (DETECTION AND ALARM)

1. NON-WORKING FIRE ALARM PANEL.
2. MALFUNCTIONING FIRE ALARM PANEL.
3. AUDIO AND VISUAL DEVICES NOT WORKING ENTIRE NAC LOOP.
4. DETECTION NOT WORKING ENTIRE DETECTION LOOP.
5. LOSS OF PROGRAMMING.

K102.1.1.4 KITCHEN HOOD FIRE SYSTEMS

1. SYSTEM CYLINDER IS NOT CHARGED OR LEAKING.
2. APPLIANCE NOT PROPERLY COVERED DUE TO REARRANGEMENT OF APPLIANCES.
3. PLUGGED DISCHARGE NOZZLES.
4. AUTOMATIC DETECTION NOT FUNCTIONAL.
5. GAS OR ELECTRIC NOT SHUTTING DOWN.

K102.1.1.5 CLEAN AGENT OR SPECIAL HAZARD SYSTEM

1. SYSTEM CYLINDER IS NOT CHARGED OR LEAKING.
2. RELEASING PANEL NOT FUNCTIONAL.

K103 (STATUS 2) SYSTEMS

K103 (STATUS 2) SYSTEMS THAT HAVE CRITICAL DEFICIENCY REPORTS SHALL BE PROVIDED TO THE FIRE MARSHAL OFFICE WITHIN 14 DAYS.

K103.1 CORRECTIVE ACTION TIME

STATUS 2 SYSTEMS SHALL BE REPAIRED WITHIN 14 DAYS.

K103.1.1 FOR EXAMPLE (BUT NOT LIMITED TO):

K103.1.1.1 FIRE SPRINKLER OR WATER BASED SYSTEM

1. FIVE OR MORE PAINTED SPRINKLER HEADS IN A CONCENTRATED AREA OR MORE THAN 10 IN A FACILITY.
2. CHANGE OF USE THAT WILL AFFECT THE PERFORMANCE OF THE SPRINKLER SYSTEM.
3. LOW WATER PRESSURE.
4. ANY OTHER MAJOR PROBLEM THAT WILL AFFECT THE PERFORMANCE.
5. NO MONITORING ON REQUIRED SYSTEMS.

K103.1.1.2 FIRE PUMPS

1. LOW FUEL.
2. PUMP PACKING LEAKING BEYOND SPECIFICATIONS.
3. FIRE PUMP ROOM BELOW 40 DEGREES.
4. FIRE PUMP NOT MEETING ITS RATED DISCHARGE PRESSURE OR GPM FLOW OVER A 10% DIFFERENCE.
5. ANY OTHER MAJOR PROBLEM THAT WILL AFFECT THE PERFORMANCE.

K103.1.1.3 FIRE ALARM SYSTEMS (DETECTION AND ALARM)

1. BATTERIES OVERDUE FOR REPLACEMENT.
2. NO MONITORING ON REQUIRED SYSTEM.
3. AUDIO AND VISUAL DEVICES NOT WORKING – UP TO 3 DEVICES, OVER 3 DEVICES STATUS 1.
4. DETECTION NOT WORKING – UP TO 3 DEVICES, OVER 3 DEVICES STATUS 1.
5. ANY OTHER MAJOR PROBLEM THAT WILL AFFECT THE PERFORMANCE.

K103.1.1.4 KITCHEN HOOD FIRE SYSTEMS

1. HOOD AND DUCTS WITH HEAVY GREASE BUILDUP.
2. ANY OTHER MAJOR PROBLEMS THAT WILL AFFECT THE PERFORMANCE.

K104 (STATUS 3)

MINOR DEFICIENCY REPORTS SHALL BE PROVIDED TO THE FIRE MARSHAL’S OFFICE WITHIN 30 DAYS. THESE DEFICIENCIES WILL NOT AFFECT THE PERFORMANCE OF THE SYSTEM.

K104.1 CORRECTIVE ACTION TIME

STATUS 3 SYSTEMS SHALL BE REPAIRED WITHIN 30 DAYS.

K105 (STATUS 4)

SYSTEM WITH NO DEFICIENCIES SHALL BE REPORTED TO THE FIRE MARSHAL’S OFFICE WITHIN 30 DAYS.

K105.1 SYSTEM SERVICE REPORTS SHALL HAVE THE FOLLOWING INFORMATION ON THEM:

1. INSPECTION COMPANY NAME SHALL BE PRINTED ON ALL REPORTS WITH ADDRESS AND PHONE NUMBER.
2. INSPECTOR’S FIRST AND LAST NAME SHALL BE PRINTED WITH STATE OF ALASKA FIRE SYSTEMS PERMIT NUMBER.
3. INSPECTOR’S PHONE NUMBER: OFFICE AND CELL IF AVAILABLE.

4. DEFICIENCIES SHALL BE TYPED OR LEGIBLY HAND WRITTEN AND SHALL BE PRINTED TEXT (NO CURSIVE/LONG HAND HANDWRITING). REPORTS WILL BE WRITTEN WITH A MINIMUM LINE SPACING OF A 3/8 INCH PER LINE.
5. ALL REPORTS SHALL HAVE BUILDING NAME, OCCUPANCY INSPECTED, AND ADDRESS CLEARLY IDENTIFIED ON THE 1ST PAGE, AND ALL SUBSEQUENT PAGES SHALL HAVE THE BUILDING NAME AND DATE OF INSPECTION ON THE TOP OF THE PAGE.
6. ALL REPORTS SHALL HAVE THE BUILDING CONTACT PERSON'S NAME WITH PHONE NUMBER ON THE FRONT PAGE.
7. ONLY WHITE AND YELLOW COPIES WILL BE ACCEPTED FOR REPORTS SUBMITTED.
8. DEFICIENCY WRITE UPS MUST INCLUDE THE CODE CITATION THAT IS IN VIOLATION AND A DESCRIPTION OF THE PROBLEM.

ITEMS HAVING MINOR DEFICIENCIES SHALL BE MAILED WITHIN 30 DAYS TO:

THE KENAI FIRE MARSHAL OFFICE

105 SOUTH WILLOW STREET KENAI, AK 99611 ---907-283-7666---907-283-8171 FAX

SYSTEMS OUT OF SERVICE AND THOSE WITH MAJOR DEFICIENCIES SHALL HAVE A REPORT FAXED AND MAILED IMMEDIATELY WITHIN 1 DAY TO THE ADDRESS ABOVE.]

8.05.030 Local Amendments to the 2021 International Fire Code.

Chapters 1-12, 20-40, 50-67, and 80 and appendixes B-I, K, L, and N (2021 Editions) are adopted by reference as adopted by the State of Alaska, with the following additional revisions:

Chapter 1 (Administration) of the IFC, is revised by replacing all references to permits with "plan review, inspection and approval" in Section 105, and the related permit requirements of Sections 301.2, 308.2, 315.2, 608.2 [315.1, 601.2], 901.3, 1101.3, 1207.3.7.1(1), 2001.3, 2101.2, 2201.2, 2401.3, 2501.2, 2601.2, 2701.5, 2801.2, 2901.2, 3001.2, 2301.2, 3201.2, 3103.4, 3401.2, 3501.2, 3601.2, 3701.3, 5001.5, 5101.2, [5201.3,] 5301.2, 5401.2, 5501.2, 5601.2, 5701.4, 5801.2, 5901.2, 6001.2, 6101.2, 6201.2, 6301.2, 6401.2, 6501.2, 6601.2, and 6701.2

Amend by deleting all references to the "ICC Electrical Code" and replacing them with "Electrical Code as adopted by KMC."

Amend by deleting all references to the "NFPA 70" and replacing them with "Electrical Code as adopted by KMC."

Amend by deleting all references to the "International Fuel Gas Code" and the "International Plumbing Code" and by replacing them with "Plumbing Code as adopted by KMC."

111 Means of Appeals. Delete the entire section. Refer to KMC Chapter 4.40.

112.4 Violation Penalties. Delete the entire section. Refer to KMC Chapter 4.40.

113.4 Failure to Comply. Delete and replace with:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than \$500.00 dollars. Each and every day shall constitute a separate violation.

903.3.1.1 NFPA 13 Sprinkler Systems. Amend by adding a new subsection to read:

903.3.1.2.4 Elevator Hoist Ways and Machine Rooms

Where the provisions of this code require the installation of automatic sprinkler systems, the installation in elevator hoist ways and machine rooms must occur as described in NFPA 13, and ASME A17.1 Safety Code for Elevators and Escalators and the fire sprinkler head for the top of elevator shafts may have a globe valve installed so the single head can be turned off in an emergency. The globe valve must be marked and sealed or locked in the open position.

Exception: Sprinklers are not required in an elevator machine room where the machine room is:

- (1) Separated from the remainder of the building as described in Section 3006.4;
- (2) Smoke detection is provided in accordance with NFPA;
- (3) Notification of alarm activation is received at a constantly monitored location; and
- (4) Fire extinguisher is provided in the elevator machine room.

907.1.2 Fire Alarm Shop Drawings. Amend by adding the following to the end of the paragraph to read as follows: System riser diagrams and Fire system designer stamp, signature, date.

907.2.2 Group B. Amend by deleting the exception.

907.2.7 Group M. Amend by deleting Exception 2.

907.2.8.1 Manual Fire Alarm System. Amend by deleting Exception 2.

907.2.9.1 Manual Fire Alarm System. Amend by deleting Exception 2.

915.1. Carbon Monoxide Detectors. Add a new subsection 915.1.1.1, Carbon Monoxide Detectors, to read as follows:

Carbon monoxide detectors shall be installed on each floor level of Groups I-1, I-2, I-4 and R occupancies. Where there are sleeping rooms on a floor, the detector shall be placed outside the sleeping rooms. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. All carbon monoxide detectors shall be listed and installed in accordance with the provisions of this code.

1009.1. Stairway Width. Amend by adding exception to read: 3. Ladders used only to attend equipment are exempt from the requirements of Section 1009.

1021.1 General. Amend by adding a new sentence at the end of the section to read: Exterior exit balconies shall be designed to minimize the accumulation of snow or ice that impedes the means of egress.

Chapter 56, Section 5601.1 (Scope) of the IFC, is revised to insert “and KMC 8.20, Fireworks Control” after “The provisions of this chapter”

Chapter 56, Section 5601.1.3 (Fireworks) of the IFC, is revised, with the exception remaining, to read: “The storage, use, and handling of fireworks is prohibited except as allowed in this section and KMC 8.20, Fireworks control.

Section 3. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in

which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 4. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 1ST DAY OF FEBRUARY, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced: January 18, 2023
Enacted: February 1, 2023
Effective: March 3, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

THROUGH: Scott Curtin, Director of Public Works

FROM: Don Hendrickson, Building Official

DATE: January 11, 2023

SUBJECT: **Ordinance 3333-2023 Fire Code Adoption**

This memo requests Council’s approval and support in the adoption of the newest edition of the International Fire Code. The State of Alaska this past fall formally adopted the 2021 edition, and it is our recommendation that it is in the best interest of the City to follow suit and adopt this edition as well.

This code, similar to the Building Codes, are generally revised every three years, and Kenai is currently working from the 2009 edition respectively. Adoption of this code will improve coordination with Architects and Engineers who generally prefer to work with the newer codes. Generally 90+% of the code remain very similar from version to version, with typically certain sections seeing appropriate updates based on the latest standards and best practices.

The Building Official and Fire Marshal have coordinated efforts on the local amendments appropriate for our area. Adoption of this code at this time will provide staff with the tools required to ensure construction projects and occupied facilities are meeting appropriate standards within City limits.

The Department is working toward updating our permit packets and applications and with Council’s approval the new codes and forms will be ready for the upcoming construction season. Council’s support is respectfully requested.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3334-2023

AN ORDINANCE AMENDING KENAI MUNICIPAL CODE TITLE 4-UNIFORM CODES, TO ADOPT THE 2021 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL FUEL GAS CODE, UNIFORM PLUMBING CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE AND THE 2020 NATIONAL ELECTRICAL CODE AND INCORPORATE LOCAL AMENDMENTS.

WHEREAS, the City of Kenai has previously adopted the 2009 International Building Code, International Mechanical Code, International Fuel Gas Code, 2012 Uniform Plumbing Code, International Residential Code, Existing Building Code, International Property Maintenance Code and the 2014 National Electrical Code; and,

WHEREAS, every three years the International Code Council updates the Codes, and the City of Kenai is taking this step now to update our adoption of these uniform codes; and,

WHEREAS, the Administration recommends this adoption, as the majority of professional architectural and engineering services performing work in the private and public sectors are familiar with this updated set of codes and the State of Alaska formally adopted the 2021 Codes effective October 28, 2022; and,

WHEREAS, adoption of these codes, with local amendments, is in the best interest of the City and is intended to support the health, safety and welfare of our citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

Section 1. Amendment of Section 4.05.010 of Kenai Municipal Code: That Kenai Municipal Code, Section 4.05.010 - Adoption, is hereby amended as follows:

4.05.010 Adoption.

There is hereby adopted for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location, and maintenance of buildings and structures, including permits and penalties, those certain bound volumes known as the "International Building Code," 20[09]21 Edition, of the International Code Council, including the appendices, except for such portions as are herein deleted, modified, or amended, and the same is hereby adopted and incorporated as fully as if set out verbatim herein.

Section 2. Amendment of Section 4.05.015 of Kenai Municipal Code: That Kenai Municipal Code, Section 4.05.015 - Local amendments to the International Building Code 2009, is hereby amended as follows:

4.05.015 Local [A]Amendments to the International Building Code 20[09]21

The International Building Code (I.B.C.) Chapters 1-12, 14-28, 30-32, 34-35, [AND APPENDIX H] are adopted by reference to regulate all occupancies and buildings with the following revisions

101.4.1. [GAS. DELETE THIS SECTION] Amend reference to *International Fuel Gas Code* as to read *International Fuel Gas Code* adopted by the City of Kenai.

101.4.3 Plumbing. Delete reference to “International Plumbing Code” and insert reference to “Uniform Plumbing Code” as adopted by the City of Kenai. This reference is applicable throughout the 2021 IBC.

101.4.6 Energy. Delete this section.

105.5 Expiration. Add the Following:

A building permit shall expire two (2) years after the date of issuance unless an extension has been granted as provided for in this subsection. Extensions to building permits may not to exceed six (6) months total.

107.1 General. Amend by adding the following:

It is the property owner's responsibility to have the property corners physically located and marked to make sure the structure is accurately placed on the site as per the submitted site plan. If, at initial building inspection for construction, the site plan is not accurate, or due to site conditions, it cannot be ascertained if the proposed building will be in compliance with the building setback requirements of the Kenai Planning and Zoning Code, the administrative authority shall require the permit holder to provide a state registered land surveyor's stamped site plan.

109.3 Building Permit Valuations. Add the following to the last sentence:

... from the Building Valuation Data Table shown in the latest edition of the Building Safety Journal published by the International Code Council.

109.4 Work Commencing Before Permit Issuance. Add the following:

[THIS FEE SHALL BE THE SAME AS THE BUILDING PERMIT FEE] This fee will be twice the amount of the building permit fee.

Section 113 Board of Appeals. Delete the entire section. Refer to KMC Chapter [4.40](#).

Section 114.4 Violation Penalties. Delete the entire section. Refer to KMC Chapter [4.40](#).

[201.3 TERMS DEFINED IN OTHER CODES. DELETE REFERENCES TO “INTERNATIONAL FUEL GAS CODE” AND “INTERNATIONAL PLUMBING CODE” AND REPLACE WITH REFERENCE TO “UNIFORM PLUMBING CODE AS ADOPTED BY KMC.”]

305.2 [DAY CARE. DELETE AND REPLACE WITH] Group E, day care facilities. Add the following:

Including children related to the staff. Exception: Family child care homes occupied as their primary residence (R-3) operating between the hours of 6:00 a.m. And 10:00 p.m. May accommodate a total of 12 children, including children related to the staff, of any age without conforming to the requirements of this regulation (E occupancy) except for smoke detectors, alarms, and fire extinguisher requirements as described in the International Fire Code 2021 Edition.

[THE USE OF A BUILDING OR STRUCTURE, OR PORTION THEREOF, FOR EDUCATIONAL, SUPERVISION OR PERSONAL CARE SERVICES FOR MORE THAN FIVE CHILDREN OLDER THAN 2 1/2 YEARS OF AGE, INCLUDING CHILDREN RELATED TO THE STAFF, SHALL BE CLASSIFIED AS A GROUP E OCCUPANCY.

FURTHER, ADD A NEW EXCEPTION TO READ:

EXCEPTION: FAMILY CHILD CARE HOMES OCCUPIED AS THEIR PRIMARY RESIDENCE (R-3) OPERATING BETWEEN THE HOURS OF 6:00 A.M. AND 10:00 P.M. MAY ACCOMMODATE A TOTAL OF 12 CHILDREN,

INCLUDING CHILDREN RELATED TO THE STAFF, OF ANY AGE WITHOUT CONFORMING TO THE REQUIREMENTS OF THIS REGULATION (E OCCUPANCY) EXCEPT FOR SMOKE DETECTORS AND ALARMS AS DESCRIBED IN SUBSECTION 907.2.10, CARBON MONOXIDE DETECTORS AND ALARMS AS SPECIFIED IN SECTIONS 908.7 AND 908.8, MEANS OF EGRESS REQUIREMENTS OF SECTION 1003, INCLUDING EMERGENCY ESCAPE AND RESCUE OPENINGS (AS REQUIRED BY SECTION 1026) IN NAPPING OR SLEEPING ROOMS, AND FIRE EXTINGUISHER REQUIREMENTS AS DESCRIBED IN THE INTERNATIONAL FIRE CODE 2009 EDITION.]

306.2 FACTORY INDUSTRIAL F-1 MODERATE-HAZARD OCCUPANCY. AMEND BY ADDING “SHOPS RELATED TO AN EDUCATIONAL FACILITY” TO THE LIST AFTER “SHOES.”

308.2 GROUP I-1. AMEND BY ADDING A NEW PARAGRAPH BETWEEN THE FIRST AND SECOND PARAGRAPHS TO READ:

FACILITIES WITHIN THIS OCCUPANCY CLASSIFICATION THAT HAVE OCCUPANTS NEEDING PHYSICAL ASSISTANCE TO RESPOND IN EMERGENCY SITUATIONS MUST COMPLY WITH SECTION 426.

308.3 GROUP I-2. DELETE THE LAST SENTENCE AND REPLACE WITH:

A FACILITY SUCH AS THE ABOVE WITH FIVE OR FEWER PERSONS, INCLUDING PERSONS RELATED TO THE STAFF, SHALL BE CLASSIFIED AS A GROUP R-3.

308.3.1 CHILD CARE FACILITY. DELETE AND REPLACE WITH:

A CHILD CARE FACILITY THAT PROVIDES CARE ON A 24-HOUR BASIS TO MORE THAN FIVE CHILDREN 2 1/2 YEARS OF AGE OR LESS, INCLUDING CHILDREN RELATED TO THE STAFF, SHALL BE CLASSIFIED AS GROUP I-2.

308.5 GROUP I-4, DAY CARE FACILITIES. DELETE SECOND SENTENCE AND REPLACE WITH:

A FACILITY SUCH AS THE ABOVE WITH FIVE OR FEWER PERSONS, INCLUDING PERSONS RELATED TO THE STAFF SHALL BE CLASSIFIED AS A GROUP R-3.

308.5.1 (ADULT CARE FACILITY). AMEND BY DELETING THE EXCEPTION.

310.1 R-1. AMEND BY CHANGING THE LAST SENTENCE TO READ:

BED AND BREAKFAST OCCUPANCIES WITH FIVE RENTED SLEEPING ROOMS OR LESS SHALL BE PERMITTED TO COMPLY WITH THE CONSTRUCTION REQUIREMENTS FOR GROUP R-3.]

310.5[1] Residential Group R-4. Amend by adding a sentence to the end of the first paragraph to read:

Foster Homes: Once a provider takes in six or more (nonrelated) children, the occupancy is identified as an R-4, otherwise the occupancy is R-3.

[406.1.4 SEPARATION. AMEND AS FOLLOWS: SEPARATIONS SHALL COMPLY WITH THE FOLLOWING: PARAGRAPH 1 IS REVISED BY DELETING “1/2-INCH GYPSUM BOARD” AND REPLACING IT WITH “5/8-INCH TYPE X GYPSUM BOARD.”]

412.3[4].1 Exterior Walls. Amend by deleting “30 feet (9,144mm)” and replacing it with “20 feet (6,098mm).”

[415.6.4 DRY CLEANING PLANTS. DELETE REFERENCE TO “INTERNATIONAL PLUMBING CODE” AND INSERT REFERENCE TO “UNIFORM PLUMBING CODE AS ADOPTED BY KMC.”

415.8.2.8.1 GENERAL. DELETE REFERENCE TO “ICC ELECTRICAL CODE” AND INSERT REFERENCE TO “NATIONAL ELECTRICAL CODE AS ADOPTED BY KMC.”

SECTION 424 SPECIAL SECURITY REQUIREMENTS FOR ELEVATED BUILDINGS. AMEND BY ADDING A NEW SECTION AS FOLLOWS:

424.1 ALL ELEVATED BUILDINGS WITH THE LOWER FLOOR LEVEL ABOVE GRADE AND OPEN ON THE SIDES MUST BE FENCED AROUND THE EXTERIOR OR HAVE SKIRTING BELOW THE EXTERIOR WALLS TO PREVENT UNAUTHORIZED ACCESS, IF THE BUILDING IS HIGHER THAN 2 FEET TO THE UNDERSIDE OF FLOOR FRAMING.

EXCEPTIONS:

1. NORMALLY UNOCCUPIED BUILDINGS.
2. BUILDINGS OF OR WITH F, H, S AND U OCCUPANCIES.
3. ALL OCCUPANCIES WITHIN AN INDUSTRIAL AREA THAT IS SECURED AND THERE IS NO PUBLIC ACCESS.

SECTION 425 CARBON MONOXIDE DETECTORS AND ALARMS. AMEND BY ADDING THE FOLLOWING SECTIONS AS FOLLOWS:

425.1 THE PROVISIONS OF THIS SECTION SHALL APPLY TO GROUPS I-1, I-2, AND ALL R OCCUPANCIES. AT LEAST ONE CARBON MONOXIDE DETECTOR OR ALARM SHALL BE INSTALLED ON EACH FLOOR LEVEL. IF A FLOOR LEVEL CONTAINS BEDROOMS OR SLEEPING ROOMS, AT LEAST ONE DETECTOR SHALL BE LOCATED IN THE IMMEDIATE VICINITY OF THE SLEEPING AREA, OUTSIDE OF THE BEDROOMS OR SLEEPING ROOMS. CARBON MONOXIDE DETECTORS AND ALARMS SHALL BE INSTALLED IN ACCORDANCE WITH THEIR LISTING. THE ALARM SHALL BE CLEARLY AUDIBLE IN ALL SLEEPING ROOMS, EVEN IF THE INTERVENING DOORS ARE CLOSED.

EXCEPTIONS:

1. CARBON MONOXIDE DETECTORS AND ALARMS ARE NOT REQUIRED IN DWELLING UNITS AND STRUCTURES THAT HAVE ALL THE FOLLOWING:
 - A. NO COMBUSTION APPLIANCES,
 - B. NO ATTACHED GARAGE, AND
 - C. NO VEHICLE PARKING WITHIN 25 FEET OF ANY DIRECT AIR INTAKE OPENING.
2. CARBON MONOXIDE DETECTORS AND ALARMS ARE NOT REQUIRED IF ALL COMBUSTION EQUIPMENT IS LOCATED WITHIN A MECHANICAL ROOM SEPARATED FROM THE REST OF THE BUILDING BY CONSTRUCTION CAPABLE OF RESISTING THE PASSAGE OF SMOKE. IF THE STRUCTURE HAS AN ATTACHED AND ENCLOSED PARKING GARAGE, THE GARAGE SHALL BE VENTILATED BY AN APPROVED AUTOMATIC CARBON MONOXIDE EXHAUST SYSTEM DESIGNED IN ACCORDANCE WITH THE 2009 I.M.C.

425.2. INTERCONNECTION

IN NEW CONSTRUCTION, ALL CARBON MONOXIDE DETECTORS AND ALARMS LOCATED WITHIN A SINGLE DWELLING UNIT SHALL BE INTERCONNECTED IN SUCH A MANNER THAT ACTUATION OF ONE ALARM SHALL ACTIVATE ALL OF THE ALARMS WITHIN THE INDIVIDUAL DWELLING UNIT.

425.3 POWER SOURCE

IN NEW CONSTRUCTION, CARBON MONOXIDE DETECTORS AND ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING IF THE WIRING IS SERVED FROM A COMMERCIAL SOURCE, AND SHALL BE EQUIPPED WITH A BATTERY BACKUP. WIRING SHALL BE PERMANENT AND WITHOUT A DISCONNECTING SWITCH OTHER THAN WHAT IS REQUIRED FOR OVERCURRENT PROTECTION. IN EXISTING CONSTRUCTION, CARBON MONOXIDE DETECTORS AND ALARMS MAY BE POWERED BY BATTERY OR A CORD-AND-PLUG WITH BATTERY BACKUP.

SECTION 426 OCCUPANTS NEEDING PHYSICAL ASSISTANCE.

426.1. APPLICABILITY.

THE PROVISIONS OF THIS SECTION APPLY TO ALL GROUPS I-1 AND R-4 OCCUPANCIES WHERE THE OCCUPANTS NEED PHYSICAL ASSISTANCE FROM STAFF OR OTHERS TO RESPOND TO EMERGENCIES.

426.2. DEFINITIONS. IN THIS SECTION:

“EVACUATION CAPABILITY” MEANS THE ABILITY OF OCCUPANTS, RESIDENTS, AND STAFF AS A GROUP EITHER TO EVACUATE A BUILDING OR TO RELOCATE FROM THE POINT OF OCCUPANCY TO A POINT OF SAFETY;

“POINT OF SAFETY” MEANS A LOCATION THAT: (A) IS EXTERIOR TO AND AWAY FROM A BUILDING; OR (B) IS WITHIN A BUILDING OF ANY TYPE CONSTRUCTION PROTECTED THROUGHOUT BY AN APPROVED AUTOMATIC SPRINKLER SYSTEM AND THAT IS EITHER: (1) WITHIN AN EXIT ENCLOSURE MEETING THE REQUIREMENTS OF SECTION 1020; OR (2) WITHIN ANOTHER PORTION OF THE BUILDING THAT IS SEPARATED BY SMOKE PARTITIONS MEETING THE REQUIREMENTS OF SECTION 710, WITH NOT LESS THAN A ONE-HALF-HOUR FIRE RESISTANCE RATING, AND THE PORTION OF THE BUILDING HAS ACCESS TO A MEANS OF ESCAPE OR EXIT THAT CONFORMS TO THE REQUIREMENTS OF THIS CODE AND DOES NOT REQUIRE RETURN TO THE AREA OF THE FIRE.

426.3. FIRE DRILLS AND EVACUATION CAPABILITY DETERMINATION. THE INITIAL DETERMINATION OF EVACUATION CAPABILITY WILL BE DETERMINED BY A FIRE DRILL CONDUCTED BY A FIRE CODE OFFICIAL OR BY AN EMPLOYEE OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES RESPONSIBLE FOR LICENSING THE FACILITY. CHANGES TO THE EVACUATION CAPABILITY WILL BE MADE BY A FIRE CODE OFFICIAL, BASED ON A RECORD OF FIRE DRILLS CONDUCTED BY THE FACILITY STAFF. THE DRILLS WILL BE CONDUCTED SIX TIMES A YEAR ON A BIMONTHLY BASIS, WITH AT LEAST TWO DRILLS CONDUCTED DURING THE NIGHT WHEN RESIDENTS ARE SLEEPING. RECORDS MUST INDICATE THE TIME TAKEN TO REACH A POINT OF SAFETY, DATE AND TIME OF THE DRILL, LOCATION OF SIMULATED FIRE ORIGIN, ESCAPE PATHS USED, AND COMMENTS RELATING TO RESIDENTS WHO RESISTED OR FAILED TO PARTICIPATE IN THE DRILLS.

426.4. EVACUATION CAPABILITY AND FIRE PROTECTION REQUIREMENTS. FIRE PROTECTION REQUIREMENTS OF A FACILITY UNDER THIS SECTION ARE AS FOLLOWS:

426.4.1 PROMPT EVACUATION CAPABILITY. EVACUATION CAPABILITY OF THREE MINUTES OR LESS INDICATES PROMPT EVACUATION CAPABILITY. IN FACILITIES MAINTAINING PROMPT EVACUATION CAPABILITY, THE REQUIREMENTS OF THE CODE FOR GROUP I-1 OR R-4 OCCUPANCIES MUST BE FOLLOWED.

426.4.2 SLOW EVACUATION CAPABILITY. EVACUATION CAPABILITY OF MORE THAN THREE BUT LESS THAN 14 MINUTES INDICATES SLOW EVACUATION CAPABILITY. IN FACILITIES MAINTAINING SLOW EVACUATION CAPABILITY, THE FACILITY MUST BE PROTECTED BY: (A) AN AUTOMATIC SMOKE DETECTION SYSTEM, USING ADDRESSABLE SMOKE DETECTORS, DESIGNED AND INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THIS CODE AND N.F.P.A. 72; AND (B) AN AUTOMATIC SPRINKLER SYSTEM, WITH QUICK-RESPONSE OR RESIDENTIAL SPRINKLERS, INSTALLED IN ACCORDANCE WITH SECTION 903.3.1.2 (N.F.P.A. 13R (SPRINKLER SYSTEMS)).

426.4.3 IMPRACTICAL EVACUATION CAPABILITY. EVACUATION CAPABILITY OF 14 MINUTES OR MORE INDICATES IMPRACTICAL EVACUATION CAPABILITY. IN FACILITIES MAINTAINING IMPRACTICAL EVACUATION CAPABILITY, THE FACILITY MUST BE PROTECTED BY: (A) THE PROTECTIONS FOR A FACILITY WITH SLOW EVACUATION CAPABILITY UNDER SECTION 426.4.2; (B) ONE-HALF HOUR FIRE-RESISTIVE CONSTRUCTION THROUGHOUT THE FACILITY; AND (C) DIRECT EGRESS FROM SLEEPING ROOMS FOR OCCUPANTS NEEDING EVACUATION ASSISTANCE EITHER: (I) TO THE EXTERIOR AT GRADE LEVEL, TO AN EXTERIOR PORCH OR LANDING VIA A 3 FOOT 6 INCH WIDE DOOR; OR (II) IF THE SLEEPING ROOMS ARE SEPARATED FROM THE REST OF THE BUILDING BY SMOKE PARTITIONS INSTALLED IN ACCORDANCE WITH SECTION 710, BY EGRESS WINDOWS CONFORMING TO THE PROVISIONS OF SECTION 1029.

501.3. LOCATION ON PROPERTY. ADD NEW SECTION TO READ:

New Text Underlined: [DELETED TEXT BRACKETED]

5.3.1 BUILDINGS MUST ADJOIN OR HAVE ACCESS TO A PERMANENT PUBLIC WAY OR YARD ON NOT LESS THAN ONE SIDE. REQUIRED YARDS MUST BE PERMANENTLY MAINTAINED.

504.4. DAY CARE FACILITIES. ADD NEW SECTION TO READ:

504.1. FACILITIES THAT ARE OPERATED IN A PRIMARY RESIDENCE (R-3) BETWEEN THE HOURS OF 6:00 A.M. AND 10:00 P.M., AND ACCOMMODATING UP TO A TOTAL OF 12 CHILDREN OF ANY AGE MAY USE THE SECOND STORY OF THE BUILDING WITHOUT PROVIDING AN AUTOMATIC SPRINKLER SYSTEM, OR COMPLYING WITH TABLE 508.4, TABLE 602, AND THE TYPE VA REQUIREMENTS SET OUT IN TABLE 503, IF ALL OTHER APPLICABLE LEGAL PROVISIONS FOR AN E OCCUPANCY ARE MET.

TABLE 508.2.5. AMEND BY DELETING AND REPLACING THE WORDING IN THE FIRST BLOCK UNDER THE LEFT COLUMN TO READ:

FURNACE ROOMS IN E, I AND R-1, R-2 AND R-4 OCCUPANCIES REGARDLESS OF BTU INPUT, AND FURNACE ROOMS OF ALL OTHER OCCUPANCIES WHERE THE LARGEST PIECE OF EQUIPMENT IS OVER 400,000 BTU PER HOUR INPUT.

CHAPTER 6, SECTION 603.1.3 (ELECTRICAL). ADD NEW SECTION AS FOLLOWS:]

603.1.3 (ELECTRICAL). ADD NEW SECTION AS FOLLOWS: 603.1.3.1 ELECTRICAL WEATHER HEADS SHOULD BE INSTALLED ON THE GABLE ENDS WHEN A METAL ROOF IS INSTALLED.

[717.4.2 GROUPS R-1 AND R-2. DELETE AND REPLACE FIRST PARAGRAPH WITH:

DRAFT STOPPING MUST BE PROVIDED IN ATTICS, MANSARDS, OVERHANGS OR OTHER CONCEALED ROOF SPACES OF GROUP R-2 BUILDINGS WITH THREE OR MORE DWELLING UNITS AND IN ALL GROUP R-1 BUILDINGS. THE INTERVENING SPACE BETWEEN ANY TWO DRAFT-STOPS OR WALLS MUST BE DESIGNED FOR ADEQUATE CROSS VENTILATION AS DESCRIBED IN SECTION 1203.2. DRAFT STOPPING MUST BE INSTALLED ABOVE, AND IN LINE WITH, TENANT AND DWELLING SEPARATION WALLS THAT DO NOT EXTEND TO THE UNDERSIDE OF THE ROOF SHEATHING ABOVE.

717.4.2 GROUPS R-1 AND R-2. REPLACE EXCEPTION 3 TO READ:

DRAFT STOPPING IN ATTIC SPACES OF GROUP R-1 AND R-2 OCCUPANCIES THAT DO NOT EXCEED FOUR STORIES IN HEIGHT MAY BE INSTALLED SO THAT THE AREA BETWEEN DRAFT STOPS THAT EXTENDS FROM THE CEILING TO THE ROOF DOES NOT EXCEED 3,000 SQUARE FEET, AND THE GREATEST HORIZONTAL DIMENSION DOES NOT EXCEED 60 FEET. THE DRAFT STOPS DO NOT HAVE TO BE LOCATED DIRECTLY ABOVE OR IN LINE WITH WALLS SEPARATING TENANT SPACES, UNLESS PART OF CONSTRUCTION REQUIRED BY OTHER PROVISIONS OF THIS CODE. ADEQUATE CROSS VENTILATION MUST BE PROVIDED IN ACCORDANCE WITH SECTION 1203.2.

804.4.1 MINIMUM CRITICAL RADIANT FLUX. AMEND BY REQUIRING THAT I-1, I-2 AND I-3'S SHALL UTILIZE CLASS I FLOOR COVERINGS.]

806.1. General Requirements. Amend by adding to the end of the fourth paragraph: "or treated by a method approved by the fire code official"[AT THE END OF THE FOURTH PARAGRAPH].

903.2.3 Group E. Delete and replace with:

The use of a fire wall or barrier does not establish a separate building or fire area for purposes of this section

Delete Exceptions and replace with the following:

Exceptions: Buildings with E occupancies having an occupant load of 49 or less.

An automatic sprinkler system must also be provided for every portion of educational buildings below the level of exit discharge.

Home day care uses that are licensed to care for more than 5 persons between the hours of 10:00 p.m. and 6:00 a.m. must be equipped with an automatic sprinkler system designed and installed as described in Section 903.3.1.3 or an equivalent system approved by the Building Official.

903.2.8 *Group R*. Delete and replace with:

Group R. An automatic sprinkler system must be installed in Group R occupancies except as required in Sections 903.2.8.1 through 903.2.8.2.

903.2.8.1 Group R-1. (Health Clinics with Transient Quarters) may utilize a 13D sprinkler system throughout the building; a fire barrier may be utilized to separate the building and utilize a 13R.

903.2.8.2 Group R-2. An automatic sprinkler system or a residential sprinkler system installed in accordance with Section 903.3.1.2 must be provided throughout all buildings with a Group R-2 fire area that are more than two stories in height, including basements, or that have more than four dwelling units or sixteen sleep rooms.

903.3.1.1 NFPA 13 Sprinkler Systems. Amend by adding a new subsection to read:

903.3.1.2.4 Elevator Hoist Ways and Machine Rooms

Where the provisions of this code require the installation of automatic sprinkler systems, the installation in elevator hoist ways and machine rooms must occur as described in NFPA 13, and ASME A17.1 Safety Code for Elevators and Escalators and the fire sprinkler head for the top of elevator shafts may have a globe valve installed so the single head can be turned off in an emergency. The globe valve must be marked and sealed or locked in the open position.

Exception: Sprinklers are not required in an elevator machine room where the machine room is:

- (1) Separated from the remainder of the building as described in Section 3006.4;
- (2) Smoke detection is provided in accordance with NFPA;
- (3) Notification of alarm activation is received at a constantly monitored location; and
- (4) Fire extinguisher is provided in the elevator machine room.

903.3.1.1. Amend by adding a new Section 903.3.1.1.3 to read:

903.3.1.1.3 (Inspectors Test Valve). A test valve will be installed at the remote area in both dry and wet systems to equal the required flow of one sprinkler head. It can be installed to the exterior or to an interior drain.

906.1. Where Required. Amend by deleting the exception in number 1.

907.1.2 Fire Alarm Shop Drawings. Amend by adding the following to the end of the paragraph to read as follows: System riser diagrams and Fire system designer stamp, signature, date.

[907.1.2 FIRE ALARM SHOP DRAWINGS. AMEND BY ADDING THE FOLLOWING TO THE END OF THE PARAGRAPH TO READ AS FOLLOWS:

14. SYSTEM RISER DIAGRAMS.
15. FIRE SYSTEM DESIGNER STAMP, SIGNATURE, DATE.

[907.2.1 GROUP A. DELETE THE EXCEPTION AND REPLACE WITH:

A MANUAL FIRE ALARM SYSTEM SHALL BE INSTALLED IN GROUP A-2 OCCUPANCIES WITH AN OCCUPANT LOAD OF 100 OR MORE.]

907.2.3 Group E. Amend by adding a second paragraph to read:

Rooms used for sleeping or napping purposes within a day care use of a Group E occupancy must be provided with smoke detectors that comply with Section 907.2.11.2.

[FURTHER AMEND BY DELETING EXCEPTION 3.

907.2.4 GROUP F. AMEND BY DELETING THE EXCEPTION.

907.2.6.1 GROUP I-1. AMEND BY DELETING EXCEPTION 1.]

907.2.7 Group M. Amend by deleting Exception 2.

907.2.8.1 Manual Fire Alarm System. Amend by deleting Exception 2.

907.2.9.1 Manual Fire Alarm System. Amend by deleting Exception 2.

[907.2.10.1 MANUAL FIRE ALARM SYSTEM. AMEND BY DELETING EXCEPTION 2.]

907.2.11.1 Single and Multiple Station Smoke Alarms. Amend by adding [SECOND] fourth paragraph to read:

When alterations, repairs or additions requiring a permit are made to an existing Group R occupancy, smoke alarms must be installed as described in Section 907.2.11.

907.7.2 Record of Completion. Amend by adding new sentence to read:

A copy of the acceptance test certificate verifying completion in accordance with N.F.P.A. 72 must be forwarded to the Kenai Fire Marshal by the firm conducting the test within 30 days of the completion of the installation.

[908.7. CARBON MONOXIDE DETECTORS. ADD A NEW SUBSECTION 908.7, CARBON MONOXIDE DETECTORS, TO READ AS FOLLOWS:

CARBON MONOXIDE DETECTORS SHALL BE INSTALLED ON EACH FLOOR LEVEL OF GROUPS I-1, I-2 AND R OCCUPANCIES. WHERE THERE ARE SLEEPING ROOMS ON A FLOOR, THE DETECTOR SHALL BE PLACED OUTSIDE THE SLEEPING ROOMS. THE ALARM SHALL BE CLEARLY AUDIBLE IN ALL BEDROOMS OVER BACKGROUND NOISE LEVELS WITH ALL INTERVENING DOORS CLOSED. ALL CARBON MONOXIDE DETECTORS SHALL BE LISTED AND INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THIS CODE.

EXCEPTION: CARBON MONOXIDE DETECTORS AND ALARMS ARE NOT REQUIRED IN DWELLING UNITS AND STRUCTURES THAT HAVE NO COMBUSTION APPLIANCES, ATTACHED GARAGES, OTHER VEHICLE PARKING WITHIN 25 FEET OF ANY DIRECT OPENING, OR HAVE ONLY DIRECT VENT COMBUSTION APPLIANCES.

908.7.1 ALTERATIONS, REPAIRS, AND ADDITIONS. ADD A NEW SUBSECTION 908.7.1, ALTERATIONS, REPAIRS, AND ADDITIONS, TO READ AS FOLLOWS:

WHEN INTERIOR ALTERATIONS, REPAIRS, OR ADDITIONS REQUIRING A PERMIT OCCUR, OR WHEN ONE OR MORE SLEEPING ROOMS ARE ADDED OR CREATED IN EXISTING DWELLINGS, THE INDIVIDUAL DWELLING UNIT SHALL BE PROVIDED WITH CARBON MONOXIDE DETECTORS AS REQUIRED IN SECTIONS 908.7 AND 908.8.

908.8. POWER SOURCE. ADD A NEW SUBSECTION 908.8, POWER SOURCE, TO READ AS FOLLOWS:

IN NEW CONSTRUCTION, THE REQUIRED CARBON MONOXIDE DETECTORS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING SYSTEM, AND WHEN PRIMARY POWER IS INTERRUPTED, SHALL RECEIVE POWER FROM A BATTERY. WIRING SHALL BE PERMANENT AND WITHOUT A DISCONNECTING SWITCH OTHER THAN THOSE REQUIRED FOR OVER CURRENT PROTECTION. CARBON MONOXIDE DETECTORS SHALL BE PERMITTED TO BE ELECTRICAL OUTLET TYPE WITH BATTERY BACK UP WHEN INSTALLED IN EXISTING BUILDINGS THAT UNDERGO ALTERATIONS, REPAIRS, OR ADDITIONS THAT DO NOT RESULT IN THE REMOVAL OF THE INTERIOR WALL OR CEILING FINISHES EXPOSING THE STRUCTURE.

908.8.1 *INTERCONNECTION*. ADD A NEW SUBSECTION 908.8.1, INTERCONNECTION, TO READ AS FOLLOWS:

IN NEW CONSTRUCTION, ALL CARBON MONOXIDE DETECTORS AND ALARMS LOCATED WITHIN A SINGLE DWELLING UNIT SHALL BE INTERCONNECTED IN SUCH A MANNER THAT ACTUATION OF ONE ALARM SHALL ACTIVATE ALL OF THE ALARMS WITHIN THE INDIVIDUAL DWELLING UNIT.

910.1. *GENERAL*. AMEND BY DELETING EXCEPTION 2.]

915.1. Carbon Monoxide Detectors. Add a new subsection 915.1.1.1, Carbon Monoxide Detectors, to read as follows:

Carbon monoxide detectors shall be installed on each floor level of Groups I-1, I-2 and I-4, and R occupancies. Where there are sleeping rooms on a floor, the detector shall be placed outside the sleeping rooms. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. All carbon monoxide detectors shall be listed and installed in accordance with the provisions of this code.

[1007.3. *EXIT STAIRWAYS*. AMEND BY DELETING EXCEPTIONS 1 THROUGH 7.]

1009.3.1. Stairway Width. Amend by adding exception to read:

3. Ladders used only to attend equipment are exempt from the requirements of Section 1009.

10[09.6]11.7.2 *Outdoor Conditions*. Amend by adding the following sentence:

In occupancies other than Group R-3 and Group U occupancies that are accessory to Group R-3 occupancies, surfaces and landings which are part of exterior stairs in climates with snow or ice shall be designed to minimize the accumulation of the snow or ice.

101[0]2.7.2 *Outdoor Conditions*. Amend by adding the following sentence:

In occupancies other than Group R-3 and Group U occupancies that are accessory to Group R-3 occupancies, surfaces and landings that are part of exterior ramps in climates with snow or ice shall be designed to minimize the accumulation of the snow or ice.

[1015.2.2 *THREE OR MORE EXITS OR EXIT ACCESS DOORWAYS*. AMEND BY ADDING THE FOLLOWING EXCEPTION:

WHERE ACCESS TO THREE OR MORE EXITS IS REQUIRED, THE SEPARATION DISTANCE OF THE THIRD EXIT DOOR OR EXIT ACCESS DOORWAY SHALL NOT BE LESS THAN ONE-THIRD OF THE LENGTH OF THE MAXIMUM OVERALL DIAGONAL DIMENSION OF THE AREA SERVED.

TABLE 1018.1 *CORRIDOR FIRE-RESISTANCE RATING*. AMEND BY ADDING A NOTE (D) TO READ:

D. R-2 OCCUPANCIES SHALL BE PERMITTED TO HAVE A ONE-HOUR RATED CORRIDOR WITHOUT A SPRINKLER SYSTEM WHEN THE CORRIDOR:

1. SERVES ANY OCCUPANT LOAD GREATER THAN 10;
2. SERVES LESS THAN FOUR DWELLING UNITS OR 16 OR MORE SLEEPING ROOMS; AND
3. IS LESS THAN 3 STORIES IN HEIGHT.

1019.1. *GENERAL*. AMEND BY ADDING A SENTENCE:

EXTERIOR EXIT BALCONIES SHALL BE DESIGNED TO MINIMIZE ACCUMULATION OF SNOW OR ICE THAT IMPEDES THE MEANS OF EGRESS.]

Table 1020.2 Corridor Fire-Resistance Rating. Amend by adding a note (e) to read: R-2 occupancies shall be permitted to have a one-hour rated corridor without a sprinkler system when the corridor:

1. Serves any occupant load greater than 10:
2. Serves less than four dwelling units or 16 or more sleeping rooms; and
3. Is less than 3 stories in height.

1021.1. [NUMBER OF EXITS AND CONTINUITY] General. Amend by adding [EXCEPTION] a sentence to read:

Exterior exit balconies shall be designed to minimize accumulation of snow or ice that impedes the means of egress. [EXCEPTION 6: BASEMENTS OR THE FIRST LEVEL BELOW THE FIRST STORY IN ALL OCCUPANCIES EXCEPT R-3, USED EXCLUSIVELY FOR THE SERVICE OF THE BUILDING MAY HAVE ACCESS TO ONLY ONE EXIT. ANY OTHER USE OF THE BASEMENT OR FIRST LEVEL BELOW THE FIRST STORY MUST HAVE AT LEAST TWO EXITS ARRANGED AS DESCRIBED IN SECTION 1015.2. FOR PURPOSES OF THIS EXCEPTION, STORAGE ROOMS, LAUNDRY ROOMS, MAINTENANCE OFFICES AND SIMILAR USES MAY NOT BE CONSIDERED AS PROVIDING SERVICE TO THE BUILDING.]

[1029.1. GENERAL. AMEND BY DELETING EXCEPTIONS 1, 2, 3, 4, AND 7.

SECTION 1102 DEFINITIONS. AMEND BY ADDING THE FOLLOWING DEFINITION:

CONVENTIONAL INDUSTRY TOLERANCES. PLUS OR MINUS 1/2 INCH UP TO 36 INCHES AND PLUS OR MINUS 1 PERCENT OVER 36 INCHES. SLOPES MAY BE PLUS OR MINUS 1 PERCENT.]

1103.2.[4]3 Detached Dwellings. Amend by deleting “one- and two-” and replace with “one-, two-, and three-.”

1201 General. Amend by adding a new Section 1201.2 as follows:

1201.2. Vapor Retarders: All exterior wall, ceilings and roof assemblies which enclose heated spaces and which are exposed to outdoor ambient temperatures shall be protected against water vapor transmission. Assemblies not otherwise of impermeable construction shall have installed, on the heated side of the insulation or air spaces, vapor retarders having a perm rating of 0.06 minimum in accordance with ASTM E 96 (equivalent to 6 mil polyethylene).

1203.3.2 *Exceptions.* Amend by deleting the words “in accordance with the International Energy Conservation Code” from Exception 4.

[1205.4.1 CONTROLS. DELETE THE REFERENCE TO “ICC ELECTRICAL CODE” AND REPLACE WITH “NATIONAL ELECTRICAL CODE AS ADOPTED BY THE KMC.”]

120[6]5.3.3 Court Drainage. Delete the reference to the “International Plumbing Code” and insert the reference to the “Uniform Plumbing Code as adopted by KMC.”

[1405.11.4 GROUNDING. DELETE THE REFERENCE TO “ICC ELECTRICAL CODE” AND REPLACE WITH “NATIONAL ELECTRICAL CODE AS ADOPTED BY THE KMC.”]

**** Section 1809.14 is specifically introduced to aid the KPB school district in the emergency need for portable buildings, until a permanent structure can be put in place****

1809.14. Portable Building Foundation Requirements. Add new section to read:

Non-permanent foundations for portable **E-occupancy** shall be designed and constructed in accordance with Sections 1809.14.1 through 1809.14.5. Materials and methods differing from those described in this section may be approved if submitted for approval prior to installation by the Building Official.

1809.14.1 Support for Portable Buildings. Add new section to read:

Support for portable buildings shall be at bearing points at no more than eight feet on center installed under the mainframe members on each side of the portable building.

1809.14.2 Bearing Point Wood Blocks. Add new section to read:

Bearing point wood blocks in contact with the ground at each bearing point shall be a minimum of two-inch nominal thickness and of preservative treated wood. Support blocking may be regular lumber when placed on the preservative treated wood bearing block or on a concrete pad or a concrete masonry unit but shall be no longer or wider than the block beneath.

1809.14.3 Concrete Blocks. Add new section to read:

Cored concrete blocks or concrete masonry units used for blocking shall be placed vertically. All such concrete blocking shall be load-bearing blocks commonly known as Class A concrete blocks.

1809.14.4 Mechanical Tie-Downs. Add new section to read:

Mechanical tie-downs to an auger type ground anchor are required at each corner of building and at eight-foot intervals between.

1809.14.5 Skirting. Add new section to read:

Skirting made of solid panels with all access openings closed when not in use is required.

2308.5.8 Pipes in Walls. Amend by adding a new paragraph as follows:

All studs in exterior plumbing walls shall be a minimum six-inch (152 mm) nominal width unless otherwise approved.

2308.[10.1]7.5 Wind Uplift. Amend by adding a new paragraph as follows:

Metal framing anchors with a 400-pound uplift capacity shall be spaced no further apart than 24 inches (1,219 mm) for roof rafters or trusses. Where walls have structural panel sheathing, the anchor may be placed on the inside of the wall without direct anchorage to studs below. The continuity of the load path through the walls and floors below shall be considered.

2701.1. Scope. Delete the reference to “NFPA 70” and replace with “National Electrical Code as adopted by KMC.”

[2702.1. INSTALLATION. DELETE THE REFERENCE TO “ICC ELECTRICAL CODE” AND REPLACE WITH “NATIONAL ELECTRICAL CODE AS ADOPTED BY KMC.”]

3103.2 Construction Documents. Amend by adding a second sentence:

Structures of less than 300 square feet in floor area that are designed for the specific purpose of providing an enclosure for non-hazardous equipment, and not containing hazardous materials in excess of those found in Tables 307.1[7](1) and 307.1[7]([2]1) – continued, are not required to be sealed by a registered design professional.

3305.1. Facilities Required. Delete the reference to “International Plumbing Code” and replace with “Uniform Plumbing Code as adopted by KMC.”

[CHAPTER 34. EXISTING STRUCTURES. DELETE THE ENTIRE CHAPTER AND REFER TO THE KMC ADOPTED INTERNATIONAL EXISTING BUILDINGS CODE.]

CHAPTER 35. REFERENCED STANDARDS. REVISE BY CHANGING THE REFERENCED NFPA STANDARDS FROM THE PUBLICATION DATES LISTED TO THE FOLLOWING:

NFPA

STANDARD REFERENCED	REFERENCE IN CODE	
NUMBER	TITLE	SECTION NUMBER
10—10	PORTABLE FIRE EXTINGUISHERS	906.2, 906.3.2, 906.3.4, TABLE 906.3(1), TABLE 906.3(2)
11—10	LOW EXPANSION FOAM	904.7
12—10	CARBON DIOXIDE EXTINGUISHING SYSTEMS	904.8, 904.11
12A—09	HALON 1301 HALON 1301 FIRE EXTINGUISHING SYSTEMS	904.9
13—10	INSTALLATION OF SPRINKLER SYSTEMS	708.2, 903.3.1.1, 903.3.2, 903.3.5.1.1, 903.3.5.2, 904.11, 905.3.4, 907.6.3, 1613.6.3
13D—10	INSTALLATION OF SPRINKLER SYSTEMS IN ONE- AND TWO-FAMILY DWELLINGS AND MANUFACTURED HOMES	903.3.1.3, 903.3.5.1.1
13R—10	INSTALLATION OF SPRINKLER SYSTEMS IN RESIDENTIAL OCCUPANCIES UP TO AND INCLUDING FOUR STORIES IN HEIGHT	903.3.1.2, 903.3.5.1.1, 903.3.5.1.2, 903.4
14—10	INSTALLATION OF STANDPIPE AND HOSE SYSTEM	905.2, 905.3.4, 905.4.2, 905.6.2, 905.8
16—11	INSTALLATION OF FOAM-WATER SPRINKLER AND FOAM-WATER SPRAY SYSTEMS	904.7, 904.11
17—09	DRY CHEMICAL EXTINGUISHING SYSTEMS	904.6, 904.11
17A—09	WET CHEMICAL EXTINGUISHING SYSTEMS	904.5, 904.11

20—10	INSTALLATION OF STATIONARY PUMPS FOR FIRE PROTECTION	913.1, 913.2.1, 913.5
30—12	FLAMMABLE AND COMBUSTIBLE LIQUIDS CODE	415.3
31—11	INSTALLATION OF OIL-BURNING EQUIPMENT	2113.15
32—11	DRY CLEANING PLANTS	415.6.4
40—11	STORAGE AND HANDLING OF CELLULOSE NITRATE FILM	409.1
58—11	LIQUEFIED PETROLEUM GAS CODE	415.6.3
61—08	PREVENTION OF FIRES AND DUST EXPLOSIONS IN AGRICULTURAL AND FOOD PRODUCT FACILITIES	415.6.1
70—11	NATIONAL ELECTRICAL CODE	108.3, 415.8.2.8.2, 904.3.1, 907.6.1, 909.12.1, 909.16.3, 1205.4.1, 2701.1, 3401.3, H106.1, H106.2, K101, K111.1
72—10	NATIONAL FIRE ALARM CODE	901.6, 903.4.1, 904.3.5, 907.2, 907.2.5, 907.2.11, 07.2.13.2, 907.3, 907.3.3, 907.3.4, 907.5.2.1.2, 907.5.2.2, 907.6, 907.6.1, 907.6.5, 907.7, 907.7.1, 907.7.2, 911.1.5, 3006.5, 3007.6
80—10	FIRE DOORS AND OTHER OPENING PROTECTIVES	410.3.5, 508.2.5.2, 715.4, 715.4.5, 715.4.6, 715.4.7.1, 715.4.8.2, 715.5, 715.5.5, 1008.1.4.3
85—11	BOILER AND COMBUSTION SYSTEM HAZARDS CODE	415.6.1

(NOTE: NFPA 8503 HAS BEEN INCORPORATED INTO NFPA 85)

92B—05	SMOKE MANAGEMENT SYSTEMS IN MALLS, ATRIA AND LARGE SPACES	909.8
99—12	STANDARD FOR HEALTH CARE FACILITIES	407.9
101—12	LIFE SAFETY CODE	1028.6.2
105—10	STANDARD FOR THE INSTALLATION OF SMOKE DOOR ASSEMBLIES	405.4.2, 715.4.3.1, 909.20.4.1
110—10	EMERGENCY AND STANDBY POWER SYSTEMS	2702.1
111—11	STORED ELECTRICAL ENERGY EMERGENCY AND STANDBY POWER SYSTEMS	2702.1
120—10	COAL PREPARATION PLANTS	415.6.1
170—09	STANDARD FOR FIRE SAFETY AND EMERGENCY SYMBOLS	1024.2.6.1
211—10	CHIMNEYS, FIREPLACES, VENTS AND SOLID FUEL-BURNING APPLIANCES	2112.5
252—08	STANDARD METHODS OF FIRE TESTS OF DOOR ASSEMBLIES	715.3, 715.4.1, 715.4.2, 715.4.3, 715.4.7.3.1
253—11	TEST FOR CRITICAL RADIANT FLUX OF FLOOR COVERING SYSTEMS USING A RADIANT HEAT ENERGY SOURCE	402.12.1, 406.6.4, 804.2, 804.3
257—07	STANDARD FOR FIRE TEST FOR WINDOW AND GLASS BLOCK ASSEMBLIES	715.3, 715.4.3.2, 715.5, 715.5.1, 715.5.2, 715.5.9.1
259—08	TEST METHOD FOR POTENTIAL HEAT OF BUILDING MATERIALS	2603.4.1.10, 2603.5.3

265—11	METHOD OF FIRE TESTS FOR EVALUATING ROOM FIRE GROWTH CONTRIBUTION OF TEXTILE WALL COVERINGS ON FULL HEIGHT PANELS AND WALLS	803.1.3, 803.1.3.1
268—11	STANDARD TEST METHOD FOR DETERMINING IGNITIBILITY OF EXTERIOR WALL ASSEMBLIES USING A RADIANT HEAT ENERGY SOURCE	1406.2.1, 1406.2.1.1, 1406.2.1.2, 2603.5.7, D105.1
285—06	STANDARD METHOD OF TEST FOR THE EVALUATION OF FLAMMABILITY CHARACTERISTICS OF EXTERIOR NONLOAD-BEARING WALL ASSEMBLIES CONTAINING COMBUSTIBLE COMPONENTS	1407.10.4, 2603.5.5
286—11	STANDARD METHOD OF FIRE TEST FOR EVALUATING CONTRIBUTION OF WALL AND CEILING INTERIOR FINISH TO ROOM FIRE GROWTH	402.16.4, 803.1.2, 803.1.2.1, 803.9, 2603.4, 2603.9
288—07	STANDARD METHOD OF FIRE TESTS OF FLOOR FIRE DOOR ASSEMBLIES INSTALLED HORIZONTALLY IN FIRE-RESISTANCE-RATED FLOOR SYSTEMS	712.8
409—11	AIRCRAFT HANGARS	412.4.6, TABLE 412.4.6, 412.4.6.1, 412.6.5
418—11	STANDARD FOR HELIPORTS	412.7.4
484—12	COMBUSTIBLE METALS	415.6.1
654—06	PREVENTION OF FIRE & DUST EXPLOSIONS FROM THE MANUFACTURING, PROCESSING AND HANDLING OF COMBUSTIBLE PARTICULATE SOLIDS	415.6.1
655—07	PREVENTION OF SULFUR FIRES AND EXPLOSIONS	415.6.1

664—12	PREVENTION OF FIRES AND EXPLOSIONS IN WOOD PROCESSING AND WOODWORKING FACILITIES	415.6.1
701—10	STANDARD METHODS OF FIRE TESTS FOR FLAME-PROPAGATION OF TEXTILES AND FILMS	402.12.1, 410.3.6, 801.1.4, 806.1, 806.1.2, 806.2, 3102.3, 3102.3.1, 3102.6.1.1, 3105.4, D102.2.8, H106.1.1
704—12	STANDARD SYSTEM FOR THE IDENTIFICATION OF THE HAZARDS OF MATERIALS FOR EMERGENCY RESPONSE	414.7.2, 415.2
1124—06	MANUFACTURE, TRANSPORTATION AND STORAGE OF FIREWORKS AND PYROTECHNIC ARTICLES	415.3.1
2001—12	CLEAN AGENT FIRE EXTINGUISHING SYSTEMS	904.10

]

Section 3. Amendment of Section 4.05.025 of Kenai Municipal Code: That Kenai Municipal Code, Section 4.05.025-Application for permit, is hereby amended as follows:

4.05.025 Application for [P]Permit.

Section 107.2.[5]1 of the International Building Code as adopted by this chapter is amended by adding the following:

It is the property owner's responsibility to have the property corners physically located and marked to make sure the structure is accurately placed on the site as per the submitted site plan.

If, at initial building inspection for construction, the site plan is not accurate, or due to site conditions, it cannot be ascertained if the proposed building will be in compliance with the building setback requirements of the Kenai Planning and Zoning Code, the administrative authority shall require the permit holder to provide a state registered land surveyor's stamped site plan.

Section 4. Amendment of Section 4.10.010 of Kenai Municipal Code: That Kenai Municipal Code, Section 4.10.010-Adoption, is hereby amended as follows:

4.10.010 Adoption.

There is hereby adopted for the purpose of establishing rules and regulations for the abatement of dilapidated, defective buildings which endanger life, health, property, and public safety, that certain code known as the International Property Maintenance Code, 20[12]21 Edition, of the International Code Council except for such portions as are hereinafter deleted, modified, or amended, and the same is hereby adopted and incorporated as fully as if set out verbatim herein.

Section 5. Amendment of Section 4.10.015 of Kenai Municipal Code: That Kenai Municipal Code, Section 4.10.015-Local Amendments to the 2012 property Maintenance Code, is hereby amended as follows:

4.10.015 Local Amendments to the 20[12]21 International Property Maintenance Code.

The 20[12]21 International Property Maintenance Code is adopted by reference with the following revisions:

Section 102.3 Application of other Codes. Amend by deleting the reference “NFPA 70” and replace it with “Electrical Code as adopted by KMC throughout.”

Amend by deleting the reference to “International Zoning Code” and replace it with “Title [14](#) of KMCu throughout.”

Amend by deleting the reference “International Plumbing Code” and replace it with “Uniform Plumbing Code as adopted by KMC throughout.”

[SECTION 201.3 TERMS DEFINED IN OTHER CODES. AMEND BY DELETING THE REFERENCE “INTERNATIONAL PLUMBING CODE” AND REPLACE IT WITH “PLUMBING CODE AS ADOPTED BY KMC.”

AMEND BY DELETING THE REFERENCE “NFPA 70” AND REPLACE IT WITH “ELECTRICAL CODE AS ADOPTED BY KMC.”

AMEND BY DELETING THE REFERENCE “INTERNATIONAL ZONING CODE” AND REPLACE IT WITH “TITLE [14](#) OF KMC.”]

Section 111 Means of Appeal. Delete the entire section. Refer to KMC [\[14.20.290\]4.40.](#)

[SECTION 502.5 GENERAL. AMEND BY DELETING THE REFERENCE “INTERNATIONAL PLUMBING CODE” AND REPLACE IT WITH “UNIFORM PLUMBING CODE AS ADOPTED BY KMC.”

SECTION 602.2 RESIDENTIAL OCCUPANCIES AND SECTION 602.3 HEAT SUPPLY. AMEND BY DELETING THE REFERENCE “APPENDIX D OF THE INTERNATIONAL PLUMBING CODE” AND REPLACE IT WITH “UNIFORM PLUMBING CODE AS ADOPTED BY KMC.”

SECTION 604.2 SERVICES. AMEND BY DELETING THE REFERENCE “NFPA 70” AND REPLACE IT WITH “ELECTRICAL CODE AS ADOPTED BY KMC.”]

Section 6. Amendment of Section 4.20.010 of Kenai Municipal Code: That Kenai Municipal Code, Section 4.20.010 - Adoption, is hereby amended as follows:

There is hereby adopted for the purpose of establishing rules and regulations for the installation and maintenance of heating, ventilating, cooling, and refrigeration systems, that certain code known as the “International Mechanical Code,” 20[09]21 Edition, of the International Code Council, including the appendices, except for such portions as are hereafter deleted, modified, or amended; and the same is hereby adopted and incorporated as fully as if set out verbatim herein.

Section 7. Amendment of Section 4.20.015 of Kenai Municipal Code: That Kenai Municipal Code, Section 4.20.015 - Local amendments to the 2009 International Mechanical Code, is hereby amended as follows:

4.20.015 Local amendments to the 20[09]21 International Mechanical Code.

The International Mechanical Code (I.M.C.) Chapters 1 through 15 and Appendix A (20[09]21 Edition) are adopted by reference to regulate all occupancies and buildings with the following revisions:

Delete all the references to the International Energy Conservation Code.

108.4 Violation Penalties. Delete the entire section. Refer to KMC Chapter [4.40](#).

109 Means of Appeal. Delete the entire section. Refer to KMC Chapter [4.40](#).

201.3 Terms Defined in Other Codes. Amend by deleting the reference “ICC Electrical Code” and replace it with “Electrical Code as adopted by KMC.”

Amend by deleting the reference “International Plumbing Code” and replace it with “Plumbing Code as adopted by KMC.”

Amend by deleting the reference “International Fuel Gas Code” and replace it with “Uniform Plumbing Code as adopted by KMC.”

301.2 Energy Utilization. Amend by deleting the phrase “in accordance with the International Energy Conservation Code.”

301.[3]6 Fuel Gas Appliances and Equipment. Amend by deleting the reference “International Fuel Gas Code” and replacing it with “Uniform Plumbing Code as adopted by KMC.”

[301.7 ELECTRICAL. AMEND BY DELETING THE REFERENCE “ICC ELECTRICAL CODE” AND REPLACING IT WITH “ELECTRICAL CODE AS ADOPTED BY KMC.”

301.8 PLUMBING CONNECTIONS. AMEND BY DELETING THE REFERENCE “INTERNATIONAL PLUMBING CODE” AND REPLACING IT WITH “UNIFORM PLUMBING CODE AS ADOPTED BY THE KMC.”]

303.3 Prohibited Locations. Amend by deleting the phrase “of the International Energy Conservation Code” from the second sentence of Exception 3.

304.9 Clearances to Combustible Construction. Amend to read:

Heat-producing equipment and appliances must be installed to maintain the required clearances to combustible construction as specified in the listing and manufacturer’s instructions. These clearances may be reduced only in accordance with Section 308 of the I.M.C. Certain unlisted, heat-producing equipment shall be allowed if equipment is installed in a manner so as to maintain the clearances to combustible construction specified in Table 304.8 of this Code. Clearances to combustibles must include such considerations as door swing, drawer pull, overhead projections or shelving and window swing, shutters, coverings, and drapes. Devices such as doorstops or limits, closers, drapery ties, or guards, may not be used to provide the required clearances.

Amend to add Table 304.[8]9 to read:

Table 304.[8]9. STANDARD INSTALLATION CLEARANCES IN INCHES FOR CERTAIN UNLISTED HEAT-PRODUCING APPLIANCES

Appliances	Fuel	Above Top of Casing or Appliance	From Top and Sides of Warm-Air Bonnet or Plenum	From Front ¹	From Back ⁶	From Sides ⁶
Furnaces—Floor	Solid	18 ²	18 ²	48	18	18

Appliances	Fuel	Above Top of Casing or Appliance	From Top and Sides of Warm-Air Bonnet or Plenum	From Front ¹	From Back ⁶	From Sides ⁶
For mounting on combustible floors.	Automatic Oil or Comb. Gas-Oil	36		12	12	12
Room Heaters ³						
Circulating type.	Oil or Solid	36		24	12	12
Radiant or other type.	Oil or Solid	36		36	36	36
Fireplace Stove	Solid	48 ⁴		54	48 ⁴	48 ⁴
Incinerators						
Domestic types		36 ⁵		48	36	36
Commercial — Type Low Heat Appliances						
Unit Heaters						
Floor-mounted any size.	All fuels	18		48	18	18
Other low-heat industrial appliances. Floor-mounted or suspended.	All fuels	18	18	48	18	18
Commercial Industrial — Type						

Appliances	Fuel	Above Top of Casing or Appliance	From Top and Sides of Warm-Air Bonnet or Plenum	From Front ¹	From Back ⁶	From Sides ⁶
Medium Heat Appliances						
Incinerators						
All sizes.		48		96	36	36

Footnotes:

1 The minimum dimension shall be that necessary for servicing the appliance, including access for cleaning and normal care, tube removal, etc.

2 The dimension may be 6 inches (152 mm) for an automatically stoker-fired forced-warm-air furnace equipped with 250 degree Fahrenheit limit control and with barometric draft control operated by draft intensity and permanently set to limit draft to a maximum intensity of 0.13-inch water gauge (32Pa).

3 Approved appliances must be installed on non-combustible floors and may be installed on protected combustible floors. Heating appliances approved for installation on protected combustible flooring shall be so constructed that flame and hot gases do not come in contact with the appliance base. Protection for combustible floors shall consist of four-inch (102 mm) hollow masonry covered with sheet metal at least 0.021 inch (0.5 mm) thick (No. 24 manufacturer’s standard gauge). Masonry shall be permanently fastened in place in an approved manner with the ends unsealed and joints matched so as to provide free circulation of air through the masonry. Floor protection shall extend 12 inches (305 mm) at the sides and rear of the appliance, except that at least 18 inches (457 mm) shall be required on the appliance-opening side or sides measured horizontally from the edges of the opening.

4 The 48-inch (1,219 mm) clearance may be reduced to 36 inches (914 mm) when protection equivalent to that provided by Items 1 through 6 of Table 304.8.1 is applied to the combustible construction.

5 Clearance above the charging door must be at least 48 inches (1219 mm).

6 If the appliance is encased in brick the 18-inch (457 mm) clearance above and at sides and rear may be reduced to 12 inches (305 mm).

312.1 Load Calculations. Amend the third sentence by deleting the phrase “using the design parameters specified in Chapter 3 of the International Energy Conservation Code.”

[403.3 OUTDOOR AIRFLOW RATE. AMEND TO READ:

VENTILATION SYSTEMS MUST BE DESIGNED TO HAVE THE CAPACITY TO SUPPLY THE MINIMUM OUTDOOR AIRFLOW RATE REQUIRED IN TABLE 403.3 BASED ON THE OCCUPANCY OF THE SPACE AND THE OCCUPANT LOAD OR OTHER PARAMETER AS STATED HEREIN, OR IN ACCORDANCE WITH THE AMERICAN SOCIETY OF HEATING, REFRIGERATION AND AIR CONDITIONING ENGINEERS (ASHRAE) STANDARD 62 2010 EDITION.]

514.1 General. Amend by deleting the second sentence and replacing it with a new second sentence to read:

Energy recovery ventilation systems must be installed according to the manufacturer's instructions and specifications.

804.1 Direct Vent Termination. Amend by adding a second sentence to read:

Combustion vents for Direct Vent Chambers are at least 3 feet high or provide snowdrift prevention and screen covers to prevent wildlife nesting or any other obstructions.

907.1 General. Amend by adding a second sentence to read:

Commercial standard UL 2790 may be accepted as an alternative to UL 791 and residential standard UL 508 and UL 698 may not be acceptable as an alternative to UL 791.

908.5 Water Supply. Amend by deleting the reference "International Plumbing Code" and replacing it with "Uniform Plumbing Code as adopted by KMC."

9[28]31 Unvented Room Heaters. Amend by adding a new Section 9[28]31 Unvented Room Heaters to read:

9[28]31.1 General

Unvented room heaters shall be tested in accordance with American National Standards Institute (ANSI) Z 21.11.2 and may be installed in accordance with the conditions of the listing and the manufacturer's installation instructions.

9[28]31.2 Prohibited Use

One or more unvented room heaters may not be used as the sole source of comfort heating in a dwelling unit.

9[28]31.3 Input Rating

Unvented room heaters may not have an input rating in excess of 40,000 Btu/h (11.7 kW).

9[28]31.4 Prohibited Locations

Unvented room heaters may not be installed within A, E or I Occupancies. Such appliances may not be located in or obtain combustion air from any of the following rooms or spaces:

1. Sleeping rooms.
2. Bathrooms.
3. Toilet rooms.
4. Storage closets.
5. Surgical rooms.

Exceptions:

1. A single wall-mounted unvented room heater equipped with an oxygen depletion safety shutoff system and installed in a bathroom provided the input rating does not exceed 6,000 Btu per hour (1.76 kW) and the bathroom is not a confined space.
2. A single wall-mounted unvented room heater equipped with an oxygen depletion safety shutoff system and installed in a bedroom provided that the input rating does not exceed 10,000 Btu per hour (2.93 kW) and the bedroom is not a confined space.

9[28]31.5 Room or Space Volume

The aggregate input rating of all unvented appliances installed in a room or space may not exceed 20 Btu/h per cubic foot of volume of such room or space. Where the room or space in which the equipment is installed is directly connected to another room or space by a doorway, archway or other opening of

comparable size that cannot be closed, the volume of such adjacent room or space may be permitted to be included in the calculations.

9[28]31.6 Oxygen-Depletion Safety System

Unvented room heaters will be equipped with an oxygen-depletion-sensitive safety shutoff system. The system shall shut off the gas supply to the main and pilot burners when the oxygen in the surrounding atmosphere is depleted to the percent concentration specified by the manufacturer, but not lower than 18 percent. The system will not incorporate field adjustment means capable of changing the set point at which the system acts to shut off the gas supply to room heater.

9[2831].7 Unvented Log Heaters

An unvented log heater may not be installed in a factory-built fireplace unless the fireplace system has been specifically tested, listed and labeled for such use in accordance with Underwriters Laboratories (UL) 127.

Chapter 10 Boilers, Water Heaters, and Pressure Vessels

Amend by deleting references to “International Plumbing Code” and replacing the references with “Uniform Plumbing Code as adopted by KMC” wherever the references occur in this Chapter 10.

1001.1 Scope. Amend to read:

This chapter governs the installation, alteration and repair of boilers, water heaters, and pressure vessels not subject to the provisions of the State Department of Labor under AS [18.60.180](#) through [18.60.395](#).

[1011 TESTS. DELETE THIS SECTION.]

1101.4 *Water Connection*. Amend by deleting the reference “International Plumbing Code” and replacing it with “Uniform Plumbing Code as adopted by KMC.”

[1201.1, 1206.2, AND 1206.3.

AMEND BY DELETING THE REFERENCES TO “INTERNATIONAL PLUMBING CODE” AND REPLACING THEM WITH “UNIFORM PLUMBING CODE AS ADOPTED BY KMC” WHEREVER THESE REFERENCES OCCUR IN THESE SECTIONS.

1204.1 *INSULATION CHARACTERISTICS*. AMEND THE FIRST SENTENCE BY DELETING THE PHRASE “SHALL CONFORM TO THE REQUIREMENTS OF THE INTERNATIONAL ENERGY CONSERVATION CODE.”

1204.2 *REQUIRED THICKNESS*. AMEND BY DELETING THE PHRASE “TO THE THICKNESS REQUIRED BY THE INTERNATIONAL ENERGY CONSERVATION CODE.”]

Chapter 14 Solar Systems. Amend by deleting all references to International Plumbing Code and replace with “Uniform Plumbing Code as adopted by KMC. [THE BODY OF THE CHAPTER AND INSERTING A NEW SECTION 1401 TO READ:

GENERAL. SOLAR ENERGY EQUIPMENT AND APPLIANCES MUST BE INSTALLED IN COMPLIANCE WITH THE SOLAR ENERGY CODE AS ADOPTED BY KMC.]

[CHAPTER 15 REFERENCED STANDARDS. AMEND BY CHANGING THE REFERENCED NFPA STANDARDS TO THE LATEST PUBLISHED EDITION TO READ:

NFPA

STANDARD REFERENCED

REFERENCE IN CODE

NUMBER	TITLE	SECTION NUMBER
30A—12	CODE FOR MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES	304.6
31—11	INSTALLATION OF OIL-BURNING EQUIPMENT	801.2.1, 801.18.1, 801.18.2, 920.2, 922.1, 1308.1
37—10	STATIONARY COMBUSTION ENGINES AND GAS TURBINES	915.1, 915.2
58—11	LIQUEFIED PETROLEUM GAS CODE	502.9.10
69—08	EXPLOSION PREVENTION SYSTEMS	510.8.3
70—11	NATIONAL ELECTRICAL CODE	301.7, 306.3.1, 306.4.1, 511.1.1, 513.11, 513.12.1, 602.2.1.1, 1106.3, 1106.4
72—10	NATIONAL FIRE ALARM CODE	606.3
82—09	INCINERATORS AND WASTE AND LINEN HANDLING SYSTEMS AND EQUIPMENT	601.1
91—10	EXHAUST SYSTEMS FOR AIR CONVEYING OF VAPORS, GASES, AND NONCOMBUSTIBLE PARTICULATE SOLIDS	502.9.5.1, 502.17
92B—05	SMOKE MANAGEMENT SYSTEMS IN MALLS, ATRIA AND LARGE SPACES	513.8
211—10	CHIMNEYS, FIREPLACES, VENTS AND SOLID FUEL-BURNING APPLIANCES	806.1
262—11	STANDARD METHOD OF TEST FOR FLAME TRAVEL AND SMOKE OF WIRES AND CABLES FOR USE IN AIR-HANDLING SPACES	602.2.1.1

704—12	IDENTIFICATION OF THE HAZARDS OF MATERIALS FOR EMERGENCY RESPONSE	502.8.4, TABLE 1103.1, 510.1
853—10	INSTALLATION OF STATIONARY FUEL POWER PLANTS	924.1
8501—97	SINGLE BURNER BOILER OPERATION	1004.1
8502—99	PREVENTION OF FURNACE EXPLOSIONS/IMPLOSIONS IN MULTIPLE BURNER BOILER-FURNACES	1004.1
8504—96	ATMOSPHERIC FLUIDIZED-BED BOILER OPERATION	1004.1

]

Section 8. Amendment of Section 4.25.010 of Kenai Municipal Code: That Kenai Municipal Code, Section 4.25.010-Adoption, is hereby amended as follows:

4.25.010 Adoption.

There is hereby adopted for the purpose of establishing rules and regulations for the qualification of persons engaged in the business of plumbing and the installation, alteration, or repair of plumbing systems, that certain bound volume known as the “Uniform Plumbing Code,” the “Uniform Swimming Pool, Spa and Hot Tub Code,” and the “Uniform Solar Energy Code,” 20[12]21 Edition, of the International Association of Plumbing and Mechanical Officials, including the appendices, except for such portions:

- (1) Deleted, modified, or amended by the State of Alaska, omitting State of Alaska deletions, modifications or amendments regarding administrative procedures, fees, and costs; and
- (2) Deleted, modified, or amended in this chapter relating to administrative procedures, fees and costs (local amendments).

Section 9. Amendment of Section 4.25.015 of Kenai Municipal Code: That Kenai Municipal Code, Section 4.25.015-Local amendments to the 2012 Uniform Plumbing Code, is hereby amended as follows:

4.25.015 Local [A]Amendments to the 20[12]21 Uniform Plumbing Code.

Delete Sections [102.3]107.0 Board of Appeals and [102.5]106.3 Penalties. Appeals and penalties are determined pursuant to KMC Chapter 4.40 Board of Appeals.

Section 10. Amendment of Section 4.30.010 of Kenai Municipal Code: That Kenai Municipal Code, Section 4.30.010-Adoption, is hereby amended as follows:

4.30.010 Adoption.

There is hereby adopted for the purpose of establishing standards governing the installation of electrical equipment within or on public and private buildings and premises, that certain code known as the

“National Electrical Code,” 20[14]20 Edition of the National Fire Protection Association, and the same is hereby adopted and incorporated as fully as if set out verbatim herein.

Section 11. Amendment of Section 4.31.010 of Kenai Municipal Code: That Kenai Municipal Code, Section 4.31.010-Adoption, is hereby amended as follows:

4.31.010 Adoption.

There is hereby adopted for the purpose of establishing rules and regulations for the approval, design, installation, construction, maintenance, alteration, and repair of specific fuel gas appliances, gaseous hydrogen systems and related accessories that certain code known as the “International Fuel Gas Code,” 20[09]21 Edition, of the International Code Council, except for such portions as are hereafter deleted, modified, or amended; and the same is hereby adopted and incorporated as fully as if set out verbatim herein.

Section 12. Amendment of Section 4.32.010 of Kenai Municipal Code: That Kenai Municipal Code, Section 4.32.010-Adoption, is hereby amended as follows:

4.32.010 Adoption.

There is hereby adopted for the purpose of establishing rules and regulations for the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings, that certain code known as the “International Residential Code,” 20[12]21 Edition, of the International Code Council, including the appendices, except for such portions as are hereafter deleted, modified, or amended; and the same is hereby adopted and incorporated as fully as if set out verbatim herein.

Section 13. Amendment of Section 4.32.015 of Kenai Municipal Code: That Kenai Municipal Code, Section 4.32.015-Local Amendments to the 2012 International Residential Code, is hereby amended as follows:

4.32.015 Local Amendments to the 20[12]21 International Residential Code.

The International Residential Code (20[12]u21 Edition) is adopted by reference with the following revisions:

R105.2 Work Exempt from Permit. Amend #1 to read:

One story accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed [120] 300 square feet. Permits are required for any electrical, mechanical or plumbing provided.

Amend #10 to read:

Freestanding decks not structurally attached to another building and not exceeding 30 inches above grade.

R105.5 Expiration. Amend by adding a new sentence to read:

A building permit shall expire two (2) years after the date of issuance unless an extension has been granted and approved by the building official. [AS PROVIDED IN THIS SUBSECTION.] Extensions to a building permit may not exceed 6 months.

R107.3 Temporary Power. Amend by deleting the reference “NFPA 70” and replacing it with “Electrical Code adopted by KMC.”

[*R108.2 SCHEDULE OF PERMIT FEES.* DELETE AND REPLACE WITH:

THE FEES FOR CONSTRUCTION OF GROUP R-3 AND GROUP U-1 OCCUPANCIES, OR PORTIONS THEREOF, ARE AS SET FORTH IN THE CITY'S SCHEDULE OF RATES, CHARGES AND FEES ADOPTED BY THE CITY COUNCIL.]

R108.3 Building Permit Valuations. Amend by inserting a new sentence after the first sentence to read:

The Building Valuation Data Table shown in the latest edition of the Building Safety Journal published by the International Code Council shall be used to determine value.

R108.4 Related Fees. Amend by inserting a new sentence after the first sentence to read:

Any person who commences any work on a building before obtaining the necessary permits shall be subject to an additional fee, equal to the cost of the building permit.

Section R112 Board of Appeals. Delete the entire section. Refer to KMC Chapter [4.40](#).

Section R-113.4 Violation Penalties. Delete the entire section. Refer to KMC Chapter [4.40](#).

R301.1.3 Engineered Design. Delete the entire section.

[*R301.2.1.1 DESIGN CRITERIA.* DELETE THE ENTIRE SECTION.]

Table R301.2(1) Climatic and Geographic Design Criteria. Add the following information to the table:

Ground Snow Load	70 PSF
Wind Speed	100 mph
Seismic Design Category	D2
Subject to Damage from:	
Weathering	Yes, severe
Frost Line Depth	42"
Termite	No
Decay	No
Winter Design Temperature	-18 deg F
Flood Hazards	No

Ice Shield Underlayment Required	Yes
Air Freezing Index	3000
Mean Annual Temperature	35 degrees

R301.2.2.1.[1]2 Alternate Determination of Seismic Design Category. Amend by deleting paragraphs [R301.2.2.1.1,] R301.2.2.1.2, R301.2.2.2, and Table R301.2.2.1.1 and replacing them with the following:

The seismic design category for the City of Kenai shall be D2.

[R301.2.4 FLOOD PLAIN CONSTRUCTION. DELETE ENTIRE SECTION.]

[R302.1 EXTERIOR WALL LOCATION. AMEND BY DELETING EXCEPTIONS #3 AND #4.]

R302.2.4 Structural Independence. [EXCEPTION.] Amend by deleting the phrase “one-hour fire resistance rated wall” and replacing it with “two-hour fire resistance rated wall unless sprinklered per NFPA 13D.”

R302.2.4 Structural Independence. Delete Exception #5 and replace with:

5. Townhouses separated by a common 2-hour fire resistance rated wall as provided in Section R302.2 or a 1-hour wall as provided in Section R302.2 and sprinklered per NFPA 13D.

R302.5.1 Opening Protection. Amend the second sentence by adding the words “self closing” before the words “solid wood doors.”

Table R302.6 Dwelling/Garage Separation. Amend by replacing all references to 1/2-inch material to 5/8-inch material.

R313 Automatic Fire Sprinkler Systems. Delete the entire section.

R314.3 Location. Amend the first sentence of #3 to read:

3. On each additional story of the dwelling, including basements, habitable attics and crawl spaces but not including uninhabitable attics.

[R315.1, R315.2 AND R315.3. DELETE AND REPLACE AS FOLLOWS:

R315.1

AT LEAST ONE CARBON MONOXIDE DETECTOR OR ALARM SHALL BE INSTALLED ON EACH FLOOR LEVEL. IF A FLOOR LEVEL CONTAINS BEDROOMS OR SLEEPING ROOMS, AT LEAST ONE DETECTOR SHALL BE LOCATED IN THE IMMEDIATE VICINITY OF THE SLEEPING AREA, OUTSIDE OF THE BEDROOMS OR SLEEPING ROOMS. CARBON MONOXIDE DETECTORS AND ALARMS SHALL BE INSTALLED IN ACCORDANCE WITH THEIR LISTING. THE ALARM SHALL BE CLEARLY AUDIBLE IN ALL SLEEPING ROOMS, EVEN IF THE INTERVENING DOORS ARE CLOSED.

EXCEPTIONS:

1. CARBON MONOXIDE DETECTORS AND ALARMS ARE NOT REQUIRED IN DWELLING UNITS THAT HAVE ALL OF THE FOLLOWING:

- A. NO COMBUSTION APPLIANCES;
- B. NO ATTACHED GARAGE;
- C. NO VEHICLE PARKING WITHIN 25 FEET OF ANY DIRECT AIR INTAKE OPENING.

R315.2 INTERCONNECTION

IN NEW CONSTRUCTION, ALL CARBON MONOXIDE DETECTORS AND ALARMS LOCATED WITHIN A SINGLE DWELLING UNIT SHALL BE INTERCONNECTED IN SUCH A MANNER THAT ACTUATION OF ONE ALARM SHALL ACTIVATE ALL OF THE ALARMS WITHIN THE INDIVIDUAL DWELLING UNIT.

R315.3 POWER SOURCE

IN NEW CONSTRUCTION, CARBON MONOXIDE DETECTORS AND ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING IF THE WIRING IS SERVED FROM A COMMERCIAL SOURCE, AND SHALL BE EQUIPPED WITH A BATTERY BACKUP. WIRING SHALL BE PERMANENT AND WITHOUT A DISCONNECTING SWITCH OTHER THAN WHAT IS REQUIRED FOR OVERCURRENT PROTECTION. IN EXISTING CONSTRUCTION, CARBON MONOXIDE DETECTORS AND ALARMS MAY BE POWERED BY BATTERY OR A CORD-AND-PLUG WITH BATTERY BACKUP.

R315.4 ALTERATIONS, REPAIRS, AND ADDITIONS. ADD A NEW SECTION AS FOLLOWS:

R315.4 ALTERATIONS, REPAIRS, AND ADDITIONS

WHEN INTERIOR ALTERATIONS, REPAIRS, OR ADDITIONS REQUIRING A PERMIT OCCUR, OR WHEN ONE OR MORE SLEEPING ROOMS ARE ADDED OR CREATED IN EXISTING DWELLINGS, THE INDIVIDUAL DWELLING UNIT SHALL BE PROVIDED WITH CARBON MONOXIDE DETECTORS AS REQUIRED IN SECTION R315.1. CARBON MONOXIDE DETECTORS SHALL BE PERMITTED TO BE ELECTRICAL OUTLET TYPE WITH BATTERY BACK UP WHEN INSTALLED IN EXISTING BUILDINGS THAT UNDERGO ALTERATIONS, REPAIRS, OR ADDITIONS THAT DO NOT RESULT IN THE REMOVAL OF THE INTERIOR WALL OR CEILING FINISHES EXPOSING THE STRUCTURE.]

R316.5.4 Crawl Spaces. Add the following:

Exception: Foam plastics used in crawl space areas do not require thermal barrier provided the following conditions are met:

1. Entry to crawl space is only to serve utilities.
2. There are no interconnected basement areas.
3. Air to the crawl space is not circulated to other parts of the building.
4. Foam plastic does not exceed a 2-inch thickness and a 2.5 pounds per cubic foot nominal density.
5. Ventilation complying with section R408 is provided.
6. No gas-fired equipment is located in crawl space.

[R322 FLOOD RESISTANT CONSTRUCTION. DELETE ENTIRE SECTION.]

R401.1 Application. Add the following exception 3:

Wood foundations shall have a minimum 16-inch x 10-inch reinforced concrete footing.

R402.1.3 Restraint for Wood Foundations. Add a new subsection, R402.1.3 Restraint for Wood Foundations, to read:

Basement. A 4-inch thick concrete slab poured against the studs. If a wooden screed is used, it shall be pressure treated Douglas fir or hem fir.

Crawlspace.

Option 1: A minimum 5-inch wide by 4-inch deep concrete curb poured against the inside face of the studs. The kicker shall be reinforced with a continuous horizontal No. 3 reinforcing bar. If the kicker is not poured with the continuous concrete footing, it may be poured later provided vertical #3 reinforcing bars x 10 inches long shall be cast into the footing at 2 feet on center. They shall extend 2 inches above the top of the footing. The continuous #3 bar shall be secured to the vertical #3 bars.

Option 2: Installation of preservative treated 4" x 4"s with a minimum 1/2" x 12" galvanized anchor bolts at 24" O.C. installed in footing against the inside face of studs along the entire perimeter.

Exception: The above need not apply if a suitable alternate design is prepared by an engineer registered in the State of Alaska and is approved by the Building Official.

R402.1.4 Dampproofing for Wood Foundation Walls. Add a new subsection, R402.1.4 Dampproofing for Wood Foundation Walls, to read:

Approved dampproofing shall be applied over the below-grade portion of exterior basement and crawlspace walls prior to backfilling. A treated lumber or plywood strip shall be attached to the wall to cover the top edge of the approved dampproofing. The wood strip shall extend at least two (2) inches above and five (5) inches below finish grade level to protect the approved dampproofing from exposure to light and from mechanical damage at or near grade. The joint between the strip and the wall shall be caulked full length prior to fastening the strip to the wall. Alternatively, brick, stucco, or other covering appropriate to the architectural treatment may be used in place of the wood strip. The approved dampproofing shall extend down to the bottom of the concrete footing.

R403.1.1 Minimum Size. Amend the third sentence to read:

All footings shall be at least 10 inches in thickness.

R403.1.3 Seismic Reinforcing. Revise the second paragraph first sentence by changing "4 feet" to "24 inches."

[REVISE THE THIRD PARAGRAPH FIRST SENTENCE BY CHANGING THE NUMBER "4" TO "5" AND THE WORDS "4 FEET" TO "32 INCHES."

REVISE THE EXCEPTION BY DELETING THE WORDS "PLAIN" AND ADD THE FOLLOWING TO THE END OF THE SENTENCE: "PROVIDED WOOD FRAMING IS MECHANICALLY TIED TO ISOLATED FOOTINGS."

R403.1.3.1 FOUNDATIONS WITH STEMWALLS. DELETE AND REPLACE WITH:

FOUNDATIONS WITH STEMWALLS SHALL BE PROVIDED WITH A MINIMUM OF ONE NO. 4 BAR AT THE TOP OF THE WALL FOR CONCRETE MASONRY UNIT STEMWALLS, ONE NO. 4 BAR AT THE TOP OF THE WALL FOR POURED CONCRETE STEMWALLS, AND TWO NO. 5 BARS AT THE BOTTOM OF ALL FOOTINGS.

R403.1.3.2 SLABS-ON-GROUND WITH TURNED-DOWN FOOTINGS. AMEND THE FIRST SENTENCE BY CHANGING THE NUMBER "4" TO "5."

AMEND THE EXCEPTION BY DELETING THE PHRASE "ONE NO. 5 BAR" AND REPLACING IT WITH "TWO NO. 5 BARS." FURTHER AMEND THE EXCEPTION BY DELETING THE PHRASE "OR TWO NO. 4 BARS."

R403.1.6 Foundation Anchorage. Amend by deleting the phrase "6 feet on center" and replacing it with "four feet on center." Further amend by deleting the measure of "1/2 inch" and replacing it with "5/8 inch."

R404.1.4 Seismic Design Category D0, D1 AND D2. Add Subsection 5 to read "minimum reinforcement shall consist of No. 4 horizontal bar placed at 24" on center for poured concrete walls and No. 5 horizontal bar placed at 48" on center for CMU walls."

Revise Subsection 3 by deleting the word "plain."

Revise Subsection 4 by changing the changing the number “3” to “5” and the words “4 feet” to “32 inches” and adding to the end of the paragraph “and minimum vertical reinforcement of one No. 4 bar located a maximum of 24 inches on center in poured concrete walls.”

[R404.2 WOOD FOUNDATION WALLS. DELETE THE FOLLOWING FROM THE FIRST SENTENCE: “AND WITH THE DETAILS SHOWN IN FIGURES R403.1(2) AND R403.1(3).]

R404.3 Wood Sill Plates. Delete the paragraph and substitute with the following:

Wood sill plates shall be minimum 2-inch x 6-inch and shall be bolted to the foundation or foundation wall with not less than ten (10) inch-long by five-eighths (5/8) inch nominal diameter galvanized steel bolts embedded at least seven (7) inches into the concrete or in fully grouted cells of reinforced masonry and spaced not more than four (4) feet zero (0) inches apart. There shall be a minimum of two bolts per piece with one bolt located within 12 inches of each end of each piece. Wood sill plates must be treated material specified in Section R323.1.

[R501.3 FIRE PROTECTION OF FLOORS. DELETE THE ENTIRE SECTION.

R702.3.5 TABLE MINIMUM THICKNESS AND APPLICATION OF GYPSUM BOARD. DELETE THE COLUMN FOR NAILS AS A FASTENER.]

R702.3.[6]5.1 Screw Fastening. Amend by adding the following sentence at the end of the paragraph:

Gypsum board shall be attached with screws. Nails are not allowed.

R806.1 Ventilation Required. Amend by adding the following sentence to the end of the paragraph:

A non-ventilated roof system may be allowed as an alternate method when its design is approved by the Building Official.

Chapters 11 through 42. Amend by deleting Chapters 11 through 42 in their entirety. Instead, refer to other applicable codes as adopted in KMC.

Section 14. Amendment of Section 4.33.010 of Kenai Municipal Code: That Kenai Municipal Code, Section 4.33.010-Adoption, is hereby amended as follows:

4.33.010 Adoption.

There is hereby adopted for the purpose of establishing rules and regulations for the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, that certain code known as the International Existing Building Code, 20[12]21 Edition, of the International Code Council except for such portions as are hereinafter deleted, modified, or amended, and the same is hereby adopted and incorporated as fully as if set out verbatim herein.

Section 15. Amendment of Section 4.32.015 of Kenai Municipal Code: That Kenai Municipal Code, Section 4.32.015-Local Amendments to the 2012 International Existing Building Code, is hereby amended as follows:

4.33.015 Local Amendments to the 20[12]21 International Existing Building Code.

The 20[12]21 International Existing Building Code is adopted by reference with the following revisions:

Amend by deleting the references to “International Plumbing Code” and by replacing them with “Plumbing Code as adopted by KMC” wherever these references occur.

Amend by deleting the references to “NFPA 70” and by replacing them with “Electrical Code as adopted by KMC” wherever these references occur.

Amend by deleting all references to “International Energy Conservation Code.”

[SECTION 103 DEPARTMENT OF BUILDING SAFETY. DELETE THE ENTIRE SECTION.]

Section 108.2 Schedule of Permit Fees. Delete the entire section. Refer to KMC [4.33.030](#).

Section 112 Board of Appeals. Delete the entire section. Refer to KMC [\[14.20.290\]4.40](#).

Section 16. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 17. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 1ST DAY OF FEBRUARY, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced: January 18, 2023
Enacted: February 1, 2023
Effective: March 3, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
THROUGH: Scott Curtin, Director of Public Works
FROM: Don Hendrickson, Building Official
DATE: January 11, 2023
SUBJECT: **Ordinance 3334-2023 Building Code Adoptions**

This memo requests Council’s approval and support in the adoption of new building codes. The State of Alaska this past fall has formally adopted the 2021 editions, and it is our recommendation that it is in the best interest of the City to adopt them as well.

These codes are generally revised every three years, and Kenai is currently working from the 2009 and 2012 editions respectively. Adoption of these codes will improve coordination with Architects and Engineers who generally prefer to work with the newer codes. Generally 90+% of the codes remain very similar from version to version, with typically certain sections seeing appropriate updates based on the latest standards and best practices.

The specific codes being adopted are:

- 2021 IBC (International Building Code)
- 2021 IRC (International Residential Code)
- 2021 IMC (International Mechanical Code)
- 2021 IFGC (International Fuel Gas Code)
- 2021 UPC (Uniform Plumbing Code)
- 2021 IEBC (International Existing Building Code)
- 2021 IPMC (International Property Maintenance Code)
- 2020 NEC (National Electrical Code)

It should be noted the State of Alaska does not adopt or enforce residential code, so the IRC and IPMC are specific to Kenai, comparable with other municipalities. The State is also on the 2018 UPC and we are opting to adopt the full suite of 2021 codes above. The NEC code is updated every three years as well, however their adoptions are off a year. 2020 NEC matches the state adoption.

Adoption of these codes provide staff, design professionals, and contractors the guidance they need to oversee and construct residential and commercial structures to the safest standards

practical today. They are guidelines, not certainties, no one code suits all. Adoption of these codes provides the information, tools and guidance needed to develop a project appropriate for our region. The consistency in the requirements provides a level of comfort and sets reasonable expectations for the occupants who will ultimately be utilizing the structures.

Maintaining and enforcing up to date codes has important impacts throughout the community. Lenders, Insurance Carriers, Realtors, Business Owners & Investors, and the general public all have an interest in the City providing and maintaining, the safe, clear guidance that these codes provide.

Along with the adoption of these codes the local amendments that were previously existing within Kenai Code Title 4 have been largely carried over with minor corrections made to match new code section numbering.

New item of note include the allowable size of storage sheds with an S Occupancy increasing from 120sf to 300sf. Sheds less than 300sf may be constructed on temporary foundations, do not require a building permit, however do require maintaining set back requirements provided by Planning & Zoning. This was included to address the large number of portable structures coming into the community the last few years in excess of 120sf resulting in compliance issues.

The Department is working toward updating our permit packets and applications and with Council's approval the new codes and forms will be ready for the upcoming construction season. Council's support is respectfully requested.





MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Scott Curtin, Public Works Director

DATE: January 25, 2023

SUBJECT: **Resolution 2023-04 WWTP Dumpster Services**

This memo requests Council's approval to award a service contract for dumpster services at the City's Waste Water Treatment Facility. The Public Works Department released a formal Invitation to Bid on December 29th, 2022 with two bids received on January 17th, 2023, Peninsula Refuse was determined the lowest responsive and responsible bidder.

The service contract includes services through the remainder of fiscal year 2023 as well as all of fiscal year 2024 ending June 30th, 2024. As Council may recall the Department had previously hauled municipal sludge and screenings to the Central Peninsula Landfill with a city owned dump truck which was removed from service in July 2021. The Department is awaiting the completion of a new sludge press which is currently at 65% completion and is expected to be operational as we enter the summer months.

Once the press has successfully run for a year, a final determination will be made on whether these dumpster services should continue or a new truck / trailer should be purchased. Currently the services have been working well and staff is pleased with the convenience and time savings the service has afforded.

Two purchase orders are intended with this agreement, one for each fiscal year. Fixed fees associated with the dump fees charged by the Borough are passed through the contractor to the City and are included with the POs.

Award of this agreement is in the best interest of the City and will allow the Department to continue to effectively manage operations. Council's support is respectfully requested.

Sponsored by: Administration



**CITY OF KENAI
RESOLUTION NO. 2023-05**

A RESOLUTION ADOPTING THE CITY’S CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2024-2028.

WHEREAS, City Council held a Work Session on November 16, 2022 where the draft Capital Improvement Plan was reviewed and discussed; and,

WHEREAS, the Capital Improvement Plan included with this Resolution is inclusive of the comments and minor revision requests received to date; and,

WHEREAS, the Airport Commission, Harbor Commission, Planning and Zoning Commission, Parks and Recreation Commission, Beautification Committee and Council on Aging have expressed their support of the plan to Council; and,

WHEREAS, Administration supports and recommends adoption of the plan; and,

WHEREAS, adoption of this plan is in the best interest of the City; and,

WHEREAS, the Capital Improvement is adjusted annually to meet the ongoing needs of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

Section 1. Council adopts the City of Kenai Capital Improvement Plan FY2024-2028.

Section 2. That this Resolution takes effect immediately upon adoption.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 1ST DAY OF FEBRUARY, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Scott Curtin, Public Works Director

DATE: January 25, 2023

SUBJECT: Resolution 2023-05 CIP 2024-2028 Adoption

This memo requests Council's Support of Resolution 2023-05, adopting the FY2024-2028 Capital Improvement Plan. The plan is a collective effort with input received from City Staff, Council, Commissions and the community. Projects were provided by Department Heads starting last fall, brought forth for discussion at the City's various commission meetings in October and November as well as a Council Work Session on November 16, 2022. The document before you today is the result of those efforts.

Modifications of note in this final version of the plan include a General Fund correction on page 13 to the required City Funding in FY2024 to \$0 for the Bluff Stabilization Project as sufficient funding has already been appropriated in earlier fiscal years; a new Fire Department Flooring project within the General Fund as detailed on page 21 which adds \$100,000 to FY2024; within the Water Sewer Fund the Wheel Loader project cost increased from \$200,000 to \$220,000 as identified on page 39, the Disinfectant Generation Equipment Construction numbers were corrected to reflect \$400,000 in grant funding needs and \$100,000 in City Share, notes on the Digester Blower project on page 40 to reflect \$2,900,000 in grant funds were approved through passage of the Federal Omnibus Bill in December 2022; various other minor text corrections and photo updates have also been provided.

I would like to thank everyone that participated in the development of this document as well as Council for the opportunity to present the projects.

Council's support is respectfully requested.



FISCAL YEARS 2024 – 2028

<p><small>CITY OF KENAI CITY HALL 210 FIDALGO AVENUE KENAI, AK 99611</small></p>	<p><small>TERRY EUBANK CITY MANAGER TEUBANK@KENAICITY 907-283-8222</small></p>	<p><small>SCOTT CURTIN PUBLIC WORKS DIRECTOR SCURTIN@KENAICITY 907-283-8236</small></p>
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Capital Improvement Plan

FISCAL YEARS 2024 – 2028

**CITY OF KENAI
CITY HALL**
210 FIDALGO AVENUE
KENAI, AK 99611

**TERRY EUBANK
CITY MANAGER**
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**SCOTT CURTIN
PUBLIC WORKS DIRECTOR**
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INTRODUCTION

The City of Kenai's five-year Capital Improvement Plan (CIP) is developed by the Public Works Department in coordination with City departments, Administration, Boards and Commissions, and the City Council for the purpose of long-range capital improvement planning and budgeting. A capital improvement project is typically a one-time expenditure, usually, in excess of \$35,000, that has a useful life exceeding one year or is a major project such as a comprehensive or master plan. Capital projects on existing assets are included in the CIP, provided they meet the definition of a capital project. Projects can focus on immediate needs or anticipate future needs before critical failures and are developed based on an internal process that determines funding availability and infrastructure needs.

The CIP is divided into six parts based on the City Fund for which the project would be accounted. These include the Airport Fund, General Fund, Water & Sewer Fund, Senior Citizens Fund, Congregate Housing Enterprise Fund, and Personal Use Fishery Fund. Projects are not necessarily listed in priority order for each Fund by fiscal year. Active projects that have been funded in prior years are not included in the Plan.

Projects that are identified in the CIP are included for planning purposes and to recognize a need. Not all projects receive the necessary funding to accomplish them in a projected year, which is why the list is updated annually. Many projects are dependent on non-City funding sources, which the City can expect to seek, but are not guaranteed. The availability of outside funds can vary with local, state, and federal economies, and the City's needs can, and do, change frequently.

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Airport Fund

FY2024

No	Project Name	Total Project Cost	Grant Funding	City Funding
1	Runway 2L/20R Rehabilitation	\$23,785,655	\$23,585,655	\$200,000**
2	Terminal Elevator Major Maintenance	\$50,000		\$50,000
3	ARFT Elevator Major Maintenance	\$50,000		\$50,000
4	Airport Master Plan Update	\$750,000	\$703,125	\$46,875
	Totals	\$24,635,655	\$24,288,780	\$346,875

FY2025

No	Project Name	Total Project Cost	Grant Funding	City Funding
5	Taxiways A, C, K, L Rehabilitation	\$11,188,362	\$10,489,089	\$699,273
6	Aircraft Rescue Firefighting Vehicle (15 yr. MUL)	\$1,000,000	\$937,500	\$62,500
7	TWY J and Willow St. Extension (EA/Survey/Design)	\$1,500,000	\$1,406,250	\$93,750
	Totals	\$13,688,362	\$12,832,839	\$855,523

FY2026

No	Project Name	Total Project Cost	Grant Funding	City Funding
8	TWY J and Willow St. Extension (Construction)	\$10,000,000	\$9,375,000	\$625,000
	Totals	\$10,000,000	\$9,375,000	\$625,000

FY2027

No	Project Name	Total Project Cost	Grant Funding	City Funding
9	Terminal Road and Parking Lot Improvements	\$6,500,000	\$3,250,000	\$3,250,000
10	ARFT Fire Training Apparatus Repairs	\$100,000		\$100,000
	Totals	\$6,600,000	\$3,250,000	\$3,350,000

FY2028

No	Project Name	Total Project Cost	Grant Funding	City Funding
11	Float Plane Basin Phase 1	\$5,000,000	\$4,687,500	\$312,500
	Totals	\$5,000,000	\$4,687,500	\$312,500

		Total Project Cost	Grant Funding	City Funding
	Airport FY2024-2028 Grand Totals	\$59,924,017	\$54,434,119	\$5,489,898

** PROJECTS WITH ASTERISK HAVE HAD ADDITIONAL CITY FUNDING PROVIDED IN PREVIOUS FISCAL YEAR(S). CITY FUNDING INDICATED IS SPECIFIC TO FISCAL YEAR AND MAY NOT INCLUDE ALL CITY FUNDING TO DATE

AIRPORT FUND PROJECTS

RUNWAY 2L/20R REHABILITATION

Department: Airport
 Total Project Cost: \$23,785,655
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): Grant Dependent
 Potential Grant Identified: Federal Aviation Administration
 Operating Budget Impact: Slight Decrease



YEAR:	2024	2025	2026	2027	2028
COST:	\$23,785,655				

Details: This project will rehabilitate Runway 2L/20R to current standards. The project will reduce crack sealing maintenance costs and bring the oldest pavement in the Airport up to the recommended Pavement Condition Index.

TERMINAL ELEVATOR MAJOR MAINTENANCE

Department: Airport
 Total Project Cost: \$50,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): Grant Dependent
 Potential Grant Identified: Federal Aviation Admin
 Operating Budget Impact: Minimal or No Impact



YEAR:	2024	2025	2026	2027	2028
COST:	\$50,000				

Details: Provide major maintenance on the existing Airport Terminal Elevator. This maintenance will replace 30-plus-year-old components for safety reasons while providing minor cosmetic improvements.

AIRPORT FUND PROJECTS

ALASKA REGIONAL FIRE TRAINING (ARFT) ELEVATOR MAJOR MAINTENANCE

Department: Airport
 Total Project Cost: \$50,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): Airport Fund
 Potential Grant Identified: None
 Operating Budget Impact:
 Minimal or No Impact



YEAR:	2024	2025	2026	2027	2028
COST:	\$50,000				

Details: Provide major maintenance on the existing Alaska Regional Fire Training Facility's elevator. The facility is currently primarily occupied by Beacon. The facility was constructed in 1997, and while the elevator sees relatively minimal use, this project will provide for the continued safe operation of the unit.

AIRPORT MASTER PLAN UPDATE

Department: Airport
 Total Project Cost: \$750,000
 Project Phased: No
 Project Type:
 Funding Source(s): Airport Fund
 Potential Grant Identified: None
 Operating Budget Impact:
 Minimal or No Impact



YEAR:	2024	2025	2026	2027	2028
COST:	\$750,000				

Details: Airport Master Plans are typically updated every 5-7 years, with ENA's current Master Plan finalized in 2017. This document is a requirement from the Federal Aviation Administration (FAA) to support the continued growth and operation of the Airport. It is a planning document that assists the City and FAA with project development.

AIRPORT FUND PROJECTS

TAXIWAYS A,C,K, & L REHABILITATE

Department: Airport
 Total Project Cost: \$11,188,362
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): Grant Dependent
 Potential Grant Identified: Federal Aviation Admin
 Operating Budget Impact: Slight Decrease



YEAR:	2024	2025	2026	2027	2028
COST:		\$11,188,362			

Details: This project will rehabilitate Runway taxiways A, C, K, and L to current standards. The project will reduce crack sealing maintenance costs and bring the oldest pavement in the Airport up to the recommended Pavement Condition Index.

AIRCRAFT RESCUE FIREFIGHTING VEHICLE REPLACEMENT

Department: Airport
 Total Project Cost: \$1,000,000
 Project Phased: No
 Project Type: Equipment
 Funding Source(s): Grant Dependent
 Potential Grant Identified: Federal Aviation Admin
 Operating Budget Impact: Minimal or No Impact



YEAR:	2024	2025	2026	2027	2028
COST:		\$1,000,000			

Details: This project will replace an existing 1992 model year Oshkosh TA1500 unit to allow for continued efficient airfield operations and safety standards.

AIRPORT FUND PROJECTS

TAXIWAY J AND WILLOW STREET EXTENSION (EA/Survey/Design)

Department: Airport
 Total Project Cost: \$1,500,000
 Project Phased: No
 Project Type: Land Improvement/ Infrastructure
 Funding Source(s): Grant Dependent
 Potential Grant Identified: Federal Aviation Administration
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:		\$1,500,000			

Details: This project would extend the apron taxiway 600 feet for lease lots and Willow Street Extension (road and utilities) as well as provide for lease lot development (five acres). Lease lot development is assumed to be 100% City-funded. The City General Fund portion of the project is reflected in the General Fund section.

TAXIWAY J AND WILLOW STREET EXTENSION (Construction)

Department: Airport
 Total Project Cost: \$10,000,000
 Project Phased: No
 Project Type: Land Improvement/ Infrastructure
 Funding Source(s): Grant Dependent
 Potential Grant Identified: Federal Aviation Administration
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:			\$10,000,000		

Details: This project would extend the apron taxiway 600 feet for lease lots and Willow Street Extension (road and utilities) as well as provide for lease lot development (five acres). Lease lot development is assumed to be 100% City-funded. The City General Fund portion of the project is reflected in the General Fund section.

AIRPORT FUND PROJECTS

TERMINAL ROAD AND PARKING LOT IMPROVEMENTS

Department: Airport
 Total Project Cost: \$6,500,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): Grant Dependent
 Potential Grant Identified: Federal Aviation Admin
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:				\$6,500,000	

Details: This project rehabilitates the access road, provides for parking lot expansion to the south, and installs new lighting poles at the Kenai Municipal Airport Terminal parking lot.

ALASKA REGIONAL FIRE TRAINING (ARFT) APPARATUS REPAIRS

Department: Airport
 Total Project Cost: \$100,000
 Project Phased: No
 Project Type: Technology
 Funding Source(s): Airport Fund
 Potential Grant Identified: None
 Operating Budget Impact: Minimal



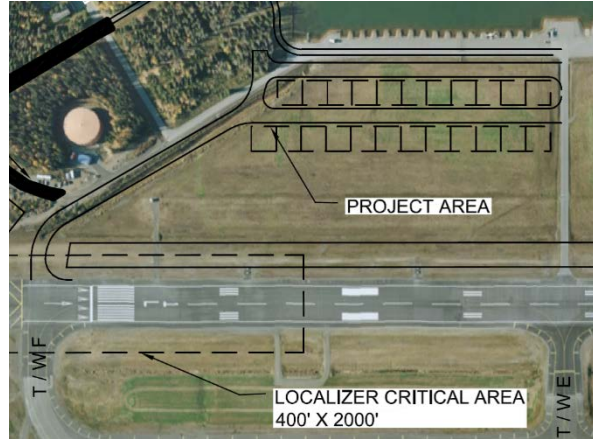
YEAR:	2024	2025	2026	2027	2028
COST:				\$100,000	

Details: Planned maintenance to provide for the continued operation of the trainers. This equipment resides in very volatile conditions, with exposure to extreme cold and heat. As a result, many components require preventive maintenance to provide reliable use.

AIRPORT FUND PROJECTS

FLOAT PLANE BASIN PHASE 1

Department: Airport
 Total Project Cost: \$5,000,000
 Project Phased: No
 Project Type: Technology
 Funding Source(s): Grant Dependent
 Potential Grant Identified: Federal Aviation Administration
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:					\$5,000,000

Details: The development of the Kenai Municipal Airport (ENA) Seaplane Base (SPB) is critical to the growth of the airport. The SPB is fundamental to de-conflicting General Aviation (GA) operations and Commercial Aircraft Operations, it allows for the continued growth of GA to the west and frees up prime commercial aviation property on the east side of the airport and South Airpark. The \$5-million project will establish the foundation for the continued growth of the SPB by appropriately connecting the SPB to the main runway, and making several plots available for hangar, tie-down, and other GA services development.

General Fund

FY2024

No	Project Name	Total Project Cost	Grant Funding	City Funding
1	Bluff Stabilization Construction	\$35,000,000	\$35,000,000	\$0**
2	Clerk's Office Records Vault	\$80,000		\$80,000
3	Lilac Street Rehabilitation - Design	\$100,000		\$100,000
4	City Hall Elevator Major Maintenance	\$50,000		\$50,000
5	Softball Green Strip Playground Equipment Replacement	\$85,000	\$68,000	\$17,000
6	Shelter #3 Replacement at Municipal Park	\$75,000		\$75,000
7	Convert Multi-Purpose Facility & Rec Center to LED Light	\$100,000		\$100,000
8	Hazardous Tree Removal - various park areas	\$250,000	\$200,000	\$50,000
9	Repair & Refinish of Rec Center Gym Floors	\$75,000		\$75,000
10	Aliak Stormwater and paving repair - Design	\$80,000		\$80,000
11	Public Mainwalk Replacements & ADA Warning - Design	\$53,000	\$42,400	\$10,600
12	Roadway Crack Sealing & Traffic Markings	\$463,000	\$370,400	\$92,600
13	Youth Corridor Pedestrian & Roadway Improvements - Design	\$550,000	\$440,000	\$110,000
14	Fire Dept Flooring Replacement Phase 2	\$100,000		\$100,000
	Totals	\$37,061,000	\$36,120,800	\$940,200

FY2025

No	Project Name	Total Project Cost	Grant Funding	City Funding
15	Public Mainwalk Replacements & ADA Warning - Construction	\$610,000	\$488,000	\$122,000
16	Youth Corridor Pedestrian & Roadway Improvements - Construction	\$5,800,000	\$4,930,000	\$870,000
17	Lilac Street Rehabilitation - Construction	\$700,000		\$700,000
18	Aliak Stormwater and paving repair – Const.	\$400,000		\$400,000
19	Stormwater CCTV Inspections	\$80,000		\$80,000
20	Flight Services RTU Replacements	\$350,000		\$350,000
21	Library Siding Improvements	\$90,000		\$90,000
22	Old Town Playground Equipment Replacements	\$125,000	\$100,000	\$25,000
23	Replace Green Strip Pavilion	\$175,000		\$175,000
24	Parking Lot and ADA-accessible sidewalks at green strip	\$150,000		\$150,000

25	Street Lighting Improvements - Design	\$90,000		\$90,000
	Project Name	Total Project Cost	Grant Funding	City Funding
	Totals	\$8,570,000	\$5,518,000	\$3,052,000

FY2026

No	Project Name	Total Project Cost	Grant Funding	City Funding
26	Street Lighting Improvements - Construction	\$400,000		\$400,000
27	Future Stormwater Improvements	\$120,000		\$120,000
28	Scout Park Construct New Pavilion	\$50,000		\$50,000
29	Beaver Creek Replace Pavilion	\$50,000		\$50,000
30	Emergency Services Facility Improvement - Design	\$150,000		\$150,000
	Totals	\$770,000	\$0	\$770,000

FY2027

No	Project Name	Total Project Cost	Grant Funding	City Funding
31	Emergency Services Facility Improvement - Construction	\$1,000,000	\$800,000	\$200,000
32	Facility Improvements to be identified	\$500,000		\$500,000
33	Future Road Repairs	\$500,000		\$500,000
34	Future Stormwater Improvements	\$120,000		\$120,000
	Totals	\$2,120,000	\$800,000	\$1,320,000

FY2028

No	Project Name	Total Project Cost	Grant Funding	City Funding
35	Facility Improvements to be identified	\$500,000		\$500,000
36	Future Road Repairs	\$500,000		\$500,000
37	Relocation of Parks & Rec to Daubenspeck	\$3,000,000	\$2,400,000	\$600,000
	Totals	\$4,000,000	\$2,400,000	\$1,600,000

		Total Project Cost	Grant Funding	City Funding
	General Fund FY2024-2028 Grand Totals	\$52,521,000	\$44,838,800	\$7,682,200

GENERAL FUND PROJECTS

BLUFF STABILIZATION

Department: Administration | Public Works
 Total Project Cost: \$35,000,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): Grant Dependent | Bonding
 Potential Grant Identified: State Capital Project
 Submission and Federal Grants To Be Identified
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:	\$35,000,000				

Details: The City of Kenai in coordination with the Army Corp of Engineers Bluff Erosion Control Project is intended to stabilize an area on the northern bank of the Kenai River from near the river's mouth below Historic Old Town extending upriver approximately one mile toward the first cannery just below Bluff Overlook Park at the end of Spur View Drive.

CLERK'S OFFICE RECORDS VAULT

Department: Clerks Office
 Total Project Cost: \$80,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): General Fund
 Potential Grant Identified: None
 Operating Budget Impact: Minimal



YEAR:	2024	2025	2026	2027	2028
COST:	\$80,000				

Details: This project will provide long term file storage solutions for the Clerk's Office at City Hall by optimizing existing file storage space while providing improved file security.

GENERAL FUND PROJECTS

LILAC STREET REHABILITATION (DESIGN)

Department: Public Works
 Total Project Cost: \$100,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Potential Grant Identified: None
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:	\$100,000				

Details: This project replaces the failed concrete curb in affected areas, re-stabilizes settled subbase areas, and provides a new asphalt surface course along approximately 1600 linear feet of 30-foot wide roadway. Lilac Lane is located off the Spur Highway and Cook Inlet View Drive on the north side of Kenai. The roadway and concrete curb and gutter are suffering from the severe settlement in multiple areas.

CITY HALL ELEVATOR MAJOR MAINTENANCE

Department: Public Works
 Total Project Cost: \$50,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): General Fund
 Operating Budget Impact: Minimal or No Impact



YEAR:	2024	2025	2026	2027	2028
COST:	\$50,000				

Details: This project provides major maintenance on the existing City Hall Elevator. This will replace 30+-year-old components for safety purposes while providing minor cosmetic improvements.

GENERAL FUND PROJECTS

SOFTBALL GREEN STRIP PLAYGROUND EQUIPMENT REPLACEMENT

Department: Parks and Recreation
 Total Project Cost: \$85,000
 Project Phased: No
 Project Type: Equipment
 Funding Source(s): Grant Dependant / General Fund
 Potential Grant Identified: None
 Operating Budget Impact: Minimal or No Impact



YEAR:	2024	2025	2026	2027	2028
COST:	\$85,000				

Details: This project replaces an aging and obsolete children's playground located at one of the most heavily used outdoor locations. This area is near the adult softball fields and adjacent to a large green strip with a shelter and restrooms.

SHELTER #3 REPLACEMENT AT MUNICIPAL PARK

Department: Parks and Recreation
 Total Project Cost: \$75,000
 Project Phased: No
 Project Type: Building
 Funding Source(s): General Fund
 Potential Grant Identified: None
 Operating Budget Impact: Minimal or No Impact



YEAR:	2024	2025	2026	2027	2028
COST:	\$75,000				

Details: This project will replace a deteriorating existing structure with new.

GENERAL FUND PROJECTS

CONVERT MULTI-PURPOSE FACILITY & REC CENTER TO LED LIGHTING

Department: Parks and Recreation
 Total Project Cost: \$100,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): General Fund
 Operating Budget Impact: Decrease



YEAR:	2024	2025	2026	2027	2028
COST:	\$100,000				

Details: This project will improve lighting at both facilities with anticipated reductions in utility and maintenance costs.

HAZARDOUS TREE REMOVAL IN VARIOUS PARK AREAS

Department: Parks and Recreation
 Total Project Cost: \$250,000
 Project Phased: No
 Project Type:
 Funding Source(s): Grant Dependent | Bonding
 Potential Grant Identified: State Capital Project
 Submission and Federal Grants To Be Identified
 Operating Budget Impact: Minimal to No Impact



YEAR:	2024	2025	2026	2027	2028
COST:	\$250,000				

Details: This project will continue with tree hazard mitigation services. Parks & Rec and Public Works staff continue to remove trees in accessible areas, this project will assist the City in higher risk areas.

GENERAL FUND PROJECTS

REPAIR & REFINISH OF REC CENTER GYM FLOORS

Department: Parks and Recreation
 Total Project Cost: \$75,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): General Fund
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:	\$75,000				

Details: This project will repair water damaged wood plank gym floors, new markings and final sealing of the gym floor.

ALIAK STORM WATER & PAVING REPAIR (DESIGN)

Department: Public Works
 Total Project Cost: \$80,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Potential Grant Identified: None
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:	\$80,000				

Details: This project will begin to address a failed stormwater line on Aliak Dr. between Candlelight Dr. and Highbush Ln. The galvanized piping has collapsed in several locations which cause the occasional sinkhole to surface after significant runoff. The photo above is from April 2021 shortly after the breakup. The staff has been filling these in with gravel and then patching the asphalt as a short-term solution. This project will require the removal of sections of the roadway and the replacement of existing stormwater piping with new and then resurfacing of the roadway.

GENERAL FUND PROJECTS

PUBLIC MAIN WALK REPLACEMENTS & ADA WARNING PADS (DESIGN)

Department: Public Works
 Total Project Cost: \$53,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): Grant Dependent | Bonding
 Potential Grant Identified: State Capital Project Submission and Federal Grants To Be Identified
 Operating Budget Impact: None



YEAR:	2024	2025	2026	2027	2028
COST:	\$53,000				

Details: This project will begin to address the numerous cracked public mainwalks in various locations around the City. Intersections will receive ADA stamped indicator pads in yellow.

ROADWAY CRACK SEALING & TRAFFIC MARKINGS

Department: Public Works
 Total Project Cost: \$463,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): Grant Dependent | Bonding
 Potential Grant Identified: State Capital Project Submission and Federal Grants To Be Identified
 Operating Budget Impact: None



YEAR:	2024	2025	2026	2027	2028
COST:	\$463,000				

Details: This project will hire a contractor to place approximately 150,000#s of Deery Super Stretch crack seal material on numerous City streets. This equates to what the Streets Department performs in house over a five to six year period. New crosswalk and stop bar markings will be re-established as well.

GENERAL FUND PROJECTS

YOUTH CORRIDOR PEDESTRIAN & ROADWAY IMPROVEMENTS (DESIGN)

Department: Public Works
 Total Project Cost: \$550,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): Grant Dependent | Bonding
 Potential Grant Identified: State Capital Project
 Submission and Federal Grants To Be Identified
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:	\$550,000				

Details: This project seeks to improve safety, visibility & security to families accessing the Kenai Middle School, High School, Challenger Center and Ice Rink. Project extends from the Spur Highway down Tinker Ln. to Lawton Dr. turning west to Walker Ln. Sidewalks, bike lane, Roadway and Street Lighting Improvments are all proposed with the project.

FIRE DEPARTMENT FLOORING REPLACEMENTS PHASE 2

Department: Public Works
 Total Project Cost: \$100,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Potential Grant Identified: TBD
 Operating Budget Impact: Minimal



YEAR:	2024	2025	2026	2027	2028
COST:	\$100,000				

Details: Continuation of the Phase 1 flooring replacements at the Fire Station. Minor Asbestos Abatement at Records Storage Room, VCT tile flooring replacements in sleeping quarters and adjoining spaces, ceramic tile in bath / shower areas.

GENERAL FUND PROJECTS

PUBLIC MAIN WALK REPLACEMENTS & ADA WARNING PADS (CONSTRUCTION)

Department: Public Works
 Total Project Cost: \$610,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): Grant Dependent | Bonding
 Potential Grant Identified: State Capital Project
 Submission and Federal Grants To Be Identified
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:		\$610,000			

Details: This project will begin to address the numerous cracked public mainwalks in various locations around the City. Intersections will receive ADA stamped indicator pads in yellow.

YOUTH CORRIDOR PEDESTRIAN & ROADWAY IMPROVEMENTS (CONSTRUCTION)

Department: Public Works
 Total Project Cost: \$5,800,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): Grant Dependent | Bonding
 Potential Grant Identified: State Capital Project
 Submission and Federal Grants To Be Identified
 Operating Budget Impact: Moderate Increase



YEAR:	2024	2025	2026	2027	2028
COST:		\$5,800,000			

Details: This project seeks to improve safety, visibility & security to families accessing the Kenai Middle School, High School, Challenger Center and Ice Rink. Project extends from the Spur Highway down Tinker Ln. to Lawton Dr. turning west to Walker Ln. Sidewalks, bike lane, Roadway and Street Lighting Improvments are all proposed with the project.

GENERAL FUND PROJECTS

LILAC STREET REHABILITATION (CONSTRUCTION)

Department: Public Works
 Total Project Cost: \$700,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Potential Grant Identified: State Capital Project Submission and Federal Grants To Be Identified
 Operating Budget Impact: Moderate Increase



YEAR:	2024	2025	2026	2027	2028
COST:		\$700,000			

Details: This project replaces the failed concrete curb in affected areas, re-stabilizes settled subbase areas, and provides a new asphalt surface course along approximately 1600 linear feet of 30-foot wide roadway. Lilac Lane is located off the Spur Highway and Cook Inlet View Drive on the north side of Kenai. The roadway and concrete curb and gutter are suffering from the severe settlement in multiple areas.

ALIAK STORM WATER & PAVING REPAIR (CONSTRUCTION)

Department: Public Works
 Total Project Cost: \$400,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Potential Grant Identified: None
 Operating Budget Impact: Slight Decrease



YEAR:	2024	2025	2026	2027	2028
COST:		\$400,000			

Details: This project will begin to address a failed stormwater line on Aliak Dr. between Candlelight Dr. and Highbush Ln. The galvanized piping has collapsed in several locations which cause the occasional sinkhole to surface after significant runoff. The photo above is from April 2021 shortly after the breakup. The staff has been filling these in with gravel and then patching the asphalt as a short-term solution. This project will require the removal of sections of the roadway and the replacement of existing stormwater piping with new and then resurfacing of the roadway.

GENERAL FUND PROJECTS

STORMWATER CCTV INSPECTIONS

Department: Public Works
 Total Project Cost: \$80,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Operating Budget Impact: None



YEAR:	2024	2025	2026	2027	2028
COST:		\$80,000			

Details: This project is intended to provide insight into the existing condition of forty-fifty-year-old stormwater conveyance piping. The system is currently poorly mapped and multiple areas within the city have experienced issues with rusting and deteriorating piping and pipe connections which result in sinkholes and pipe failures. Information gathered will be used to direct future repair projects.

FLIGHT SERVICES RTU REPLACEMENTS

Department: Public Works
 Total Project Cost: \$350,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): General Fund
 Potential Grant Identified: None
 Operating Budget Impact: Moderate Increase



YEAR:	2024	2025	2026	2027	2028
COST:		\$350,000			

Details: This is a planned replacement project for air handling units reaching the end of their useful life. This work will provide for the efficient and reliable function of HVAC systems at the facility currently being leased by the Federal Aviation Administration (FAA).

GENERAL FUND PROJECTS

LIBRARY SIDING IMPROVEMENTS

Department: Library
 Total Project Cost: \$90,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): General Fund
 Potential Grant Identified: State Capital Project Submission and Federal Grants To Be Identified
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:		\$90,000			

Details: This project is intended to improve the exterior appearance of the older sections of the existing library. Covering up the CMU block to look similar to the newer addition.

OLD TOWN PLAYGROUND EQUIPMENT REPLACEMENTS

Department: Parks and Recreation
 Total Project Cost: \$125,000
 Project Phased: No
 Project Type: Equipment
 Funding Source(s): Grant Dependent | Bonding
 Potential Grant Identified: State Capital Project Submission and Federal Grants To Be Identified
 Operating Budget Impact: Minimal to No Impact



YEAR:	2024	2025	2026	2027	2028
COST:		\$125,000			

Details: This project will replace aging equipment at the Park on Peninsula Ave adjacent to the Fine Arts Center. The area of Old Town attracts numerous visitors every year. The park is located two blocks from the Visitor’s Center and is in close proximity to several large housing complexes providing plenty of children to utilize the park.

GENERAL FUND PROJECTS

REPLACE THE GREEN STRIP PAVILION

Department: Parks and Recreation
 Total Project Cost: \$175,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): General Fund
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:		\$175,000			

Details: This pavilion is generally our largest one, capable of holding the most people. As such it is one of the most rented pavilion’s generating some income for the Parks Department. This project will provide a new structure, and is expected to be well used by the community.

PARKING LOT & ADA ACCESSIBLE SIDEWALKS AT GREEN STRIP

Department: Parks and Recreation
 Total Project Cost: \$150,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Potential Grant Identified: State Capital
 Project Submission and Federal Grants To
 Be Identified
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:		\$150,000			

Details: This project will provide off street parking with ADA Accessible spaces to improve safe access to park facilities.

GENERAL FUND PROJECTS

STREET LIGHTING IMPROVEMENTS (DESIGN)

Department: Public Works
 Total Project Cost: \$90,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Potential Grant Identified: DOT Grant
 Operating Budget Impact: Slight Decrease



YEAR:	2024	2025	2026	2027	2028
COST:		\$90,000			

Details: This project will identify underserved and problem locations for street lighting to improve safety and security for citizens. New lighting will be LED to reduce energy and maintenance costs. This first project will provide for the design and identification of locations to be served.

STREET LIGHTING IMPROVEMENTS (CONSTRUCTION)

Department: Administration | Public Works
 Total Project Cost: \$400,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Potential Grant Identified: DOT Grant
 Operating Budget Impact: Slight Decrease



YEAR:	2024	2025	2026	2027	2028
COST:			\$400,000		

Details: This project will identify underserved and problem locations for street lighting to improve safety and security for citizens. New lighting will be LED to reduce energy and maintenance costs. This first project will provide for the design and identification of locations to be served.

GENERAL FUND PROJECTS

FUTURE STORMWATER IMPROVEMENTS

Department: Public Works
 Total Project Cost: \$120,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:			\$120,000		

Details: This project will allow Public Works to continue to address stormwater runoff, culvert, and catch basin issues as they continue to deteriorate throughout the City.

SCOUT PARK CONSTRUCT A NEW PAVILION

Department: Parks and Recreation
 Total Project Cost: \$50,000
 Project Phased: No
 Project Type: Building
 Funding Source(s): General Fund
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:			\$50,000		

Details: Construct a new pavilion at the Erik Hansen Scout Park overlooking the bluff and the Kenai River. Park is located on Mission Ave near the Upland St. intersection.

GENERAL FUND PROJECTS

BEAVER CREEK PARK REPLACEMENT PAVILION

Department: Parks and Recreation
 Total Project Cost: \$50,000
 Project Phased: No
 Project Type: Building
 Funding Source(s): General Fund
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:			\$50,000		

Details: Construct a new pavilion at the Beaver Creek Park located just off the Spur Highway on Parkside Dr.

EMERGENCY SERVICES FACILITY IMPROVEMENT (DESIGN)

Department: Police Department/Fire Department
 Total Project Cost: \$150,000
 Project Phased: No
 Project Type: Facility Improvement
 Funding Source(s): General Fund
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:			\$150,000		

Details: This project will provide much-needed renovations to the facility. The building is known to have asbestos which has limited opportunities for smaller renovations. This project will identify hazards, provide a code assessment of the facility, and make modifications as appropriate.

GENERAL FUND PROJECTS

EMERGENCY SERVICES FACILITY IMPROVEMENT (CONSTRUCTION)

Department: Police Department/Fire Department
 Total Project Cost: \$1,000,000
 Project Phased: No
 Project Type: Facility Improvement
 Funding Source(s): Grant Dependant / General Fund
 Potential Grant Identified: Department of Homeland Security
 Operating Budget Impact: Minimal



YEAR:	2024	2025	2026	2027	2028
COST:				\$1,000,000	

Details: This project will provide much-needed renovations to the facility. The building is known to have asbestos which has limited opportunities for smaller renovations. This project will identify hazards, provide a code assessment of the facility, and make modifications as appropriate.

FACILITY IMPROVEMENTS TO BE IDENTIFIED

Department: Public Works
 Total Project Cost: \$500,000
 Project Phased: Yes
 Project Type: Facility Improvements
 Funding Source(s): General Fund
 Potential Grant Identified: TBD
 Operating Budget Impact: TBD



YEAR:	2024	2025	2026	2027	2028
COST:				\$500,000	

Details: This project provides facility improvements to be identified and based on a facility assessment for City buildings that looks at each part of a building's infrastructure and reports system conditions, code deficiencies, and functional effectiveness.

GENERAL FUND PROJECTS

FUTURE ROAD REPAIRS

Department: Public Works
 Total Project Cost: \$500,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Potential Grant Identified: TBD
 Operating Budget Impact: TBD



YEAR:	2024	2025	2026	2027	2028
COST:				\$500,000	

Details: The Public Works Department continues to monitor roadways. Staff continues to utilize the 2009 Roadway Improvement Survey that reviewed and graded all City Roads at that time. Roadway conditions and traffic demand determine which roads receive priority. Funding may be used for capping of existing gravel roadways, replacement of existing asphalt through milling and paving, as well as point repairs for specific smaller areas experiencing sub-base failures.

FUTURE STORMWATER IMPROVEMENTS

Department: Public Works
 Total Project Cost: \$120,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:				\$120,000	

Details: This project will allow Public Works to continue to address stormwater runoff, culvert, and catch basin issues as they continue to deteriorate throughout the City.

GENERAL FUND PROJECTS

FACILITY IMPROVEMENTS TO BE IDENTIFIED

Department: Public Works
 Total Project Cost: \$500,000
 Project Phased: Yes
 Project Type: Facility Improvements
 Funding Source(s): General Fund
 Potential Grant Identified: TBD
 Operating Budget Impact: TBD



YEAR:	2024	2025	2026	2027	2028
COST:					\$500,000

Details: This project provides facility improvements to be identified and based on a facility assessment for City buildings that looks at each part of a building's infrastructure and reports system conditions, code deficiencies, and functional effectiveness.

FUTURE ROAD REPAIRS

Department: Public Works
 Total Project Cost: \$500,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Potential Grant Identified: TBD
 Operating Budget Impact: TBD



YEAR:	2024	2025	2026	2027	2028
COST:					\$500,000

Details: The Public Works Department continues to monitor roadways. Staff continues to utilize the 2009 Roadway Improvement Survey that reviewed and graded all City Roads at that time. Roadway conditions and traffic demand determine which roads receive priority. Funding may be used for capping of existing gravel roadways, replacement of existing asphalt through milling and paving, as well as point repairs for specific smaller areas experiencing sub-base failures.

GENERAL FUND PROJECTS

RELOCATION OF PARKS & REC TO DAUBENSPECK

Department: Parks and Recreation
Total Project Cost: \$3,000,00
Project Phased: Yes
Project Type: Department Relocate
Funding Source(s): Grant Dependent | Bonding
Potential Grant Identified: State Capital Project Submission and Federal Grants To Be Identified
Operating Budget Impact: Moderate Increase

YEAR:	2024	2025	2026	2027	2028
COST:					\$3,000,000

Details: This project will relocate Park & Rec facilities from their current location at 332 Airport Way over to 550 Daubenspeck where the Streets, Shop, and Building Maintenance division currently reside. A new building including garage and office space shall be provided.

Blank

Water & Sewer Fund

FY2024

No	Project Name	Total Project Cost	Grant Funding	City Funding
1	WTP Pump house Construct	\$1,200,000	\$960,000	\$240,000
2	Airport Res Pump House Improvements Design	\$300,000		\$300,000
3	Disinfectant Generation Equipment Design	\$100,000		\$100,000
4	Service Body Operators Truck (Split between Water &Sewer)	\$150,000		\$150,000
5	Utility Manager Truck 1/2 Ton (Split between Water &Sewer)	\$70,000		\$70,000
6	Wheel Loader & Attachments (Split between Water &Sewer)	\$220,000		\$220,000
7	Digester Blower Construction	\$2,900,000	\$2,900,000	
8	Broad Street Lift Station Renovation	\$600,000	\$480,000	\$120,000
9	WWTP Operations Bldg Renovations Design	\$300,000		\$300,000
	Totals	\$5,840,000	\$4,340,000	\$1,500,000

FY2025

No	Project Name	Total Project Cost	Grant Funding	City Funding
10	Airport Res Pump House Improvements Construct	\$1,200,000	\$960,000	\$240,000
11	Disinfectant Generation Equipment Construct	\$500,000	\$400,000	\$100,000
12	Operators Truck 1/2 Ton (Split between Water &Sewer)	\$60,000		\$60,000
13	WWTP Operations Bldg Renovations Construct	\$2,280,000	\$1,824,000	\$456,000
14	Major Lift Station Renovations	\$400,000		\$400,000
15	Standby Power Upgrades	\$200,000		\$200,000
16	WWTP Rotary Screen Replacement Design	\$300,000		\$300,000
	Totals	\$4,940,000	\$3,184,000	\$1,756,000

FY2026

No	Project Name	Total Project Cost	Grant Funding	City Funding
17	GIS Mapping Improvements (Split between Water & Sewer)	\$200,000		\$200,000
18	WTP Fencing Improvements	\$100,000		\$100,000
19	Operators Truck 3/4 Ton Plow (Split between W&S)	\$80,000		\$80,000
20	Water Main Valve Replacements I	\$160,000		\$160,000
21	WWTP Rotary Screen Replacement Construct	\$1,450,000	\$1,160,000	\$290,000
22	WWTP Fencing Improvements	\$100,000		\$100,000
23	WWTP SCADA Integration	\$500,000		\$500,000
24	WWTP Effluent Flow Monitoring / Control	\$225,000		\$225,000
	Totals	\$2,815,000	\$1,160,000	\$1,655,000

FY2027

No	Project Name	Total Project Cost	Grant Funding	City Funding
25	Water Main Line Improvements I	\$250,000		\$250,000
26	Water Meter / Software Equipment	\$100,000		\$100,000
27	Airport Reservoir Tank Exterior Assessment	\$30,000		\$30,000
28	Major Wellhead Maintenance I	\$100,000		\$100,000
29	WWTP Influent Pump Station	\$1,000,000	\$800,000	\$200,000
30	CCTV Equipment	\$75,000		\$75,000
	Totals	\$1,555,000	\$800,000	\$755,000

FY2028

No	Project Name	Total Project Cost	Grant Funding	City Funding
31	Airport Reservoir Tank Exterior Repair	\$270,000		\$270,000
32	Water Main Valve Replacements II	\$160,000		\$160,000
33	Vac Truck	\$500,000		\$500,000
	Totals	\$930,000		\$930,000

		Total Project Cost	Grant Funding	City Funding
	W & S Fund FY2024-2028 Grand Total	\$16,080,000	\$9,484,000	\$6,596,000

WATER & SEWER PROJECTS

WTP PUMP HOUSE (CONSTRUCTION)

Department: Public Works – Water & Sewer
 Total Project Cost: \$1,200,000
 Project Phased:
 Project Type: Facility Improvements
 Funding Source(s): General Fund and Grant Funding
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Moderate Impact



YEAR:	2024	2025	2026	2027	2028
COST:	\$1,200,000				

Details: This Project is the next step in the development of the City’s Water System. In 2011 the Water Treatment Facility located at the intersection of Shotgun Drive and the Kenai Spur Highway was developed. In 2015/2016 Well Field Improvements were completed. This project will update the distribution pumps that transport water from the water plant to all end users. Completion of this work will improve system reliability while increasing our ability to meet system demand.

AIRPORT RESERVOIR PUMP HOUSE IMPROVEMENTS (DESIGN)

Department: Public Works – Water & Sewer
 Total Project Cost: \$300,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): Water & Sewer Fund/Grant
 Potential Grant Identified: Federal and State Option
 Operating Budget Impact: Moderate Decrease



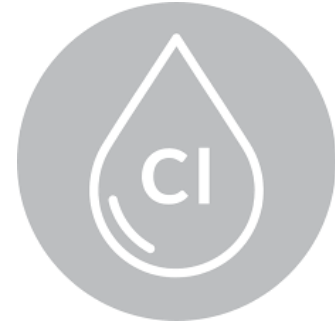
YEAR:	2024	2025	2026	2027	2028
COST:	\$300,000				

Details: This project will provide equipment replacements at the Airport Reservoir Pump House. This site has a three million gallon storage tank which provides the majority of water for the City during daytime hours. This work will utilize the existing building, but modify pumps and controls to provide a more robust and reliable system.

WATER & SEWER PROJECTS

DISINFECTANT GENERATION EQUIPMENT (DESIGN)

Department: Public Works – Water & Sewer
 Total Project Cost: \$100,000
 Project Phased: No
 Project Type: Equipment Upgrade
 Funding Source(s): Water & Sewer Fund / Grant
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Moderate Decrease



YEAR:	2024	2025	2026	2027	2028
COST:	\$100,000				

Details: This Project will allow the Public Works department to generate our own chlorine disinfectant for use at the water and wastewater plants. This will remove the potential for supply chain issues we experienced starting with COVID.

SERVICE BODY OPERATORS TRUCK

Department: Public Works – Water & Sewer
 Total Project Cost: \$150,000
 Project Phased: No
 Project Type: Equipment/Vehicle
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Slight Decrease



YEAR:	2024	2025	2026	2027	2028
COST:	\$150,000				

Details: Provide new replacement crane service body truck for the Water & Sewer Division. This truck allows for the safe removal and deployment of lift station pumps as part of regular maintenance. Existing truck will be surplus auctioned.

WATER & SEWER PROJECTS

UTILITY MANAGER TRUCK

Department: Public Works – Water & Sewer
 Total Project Cost: \$70,000
 Project Phased: No
 Project Type: Equipment/Vehicle
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Slight Decrease



YEAR:	2024	2025	2026	2027	2028
COST:	\$70,000				

Details:

WHEEL LOADER & ATTACHMENTS

Department: Public Works – Water & Sewer
 Total Project Cost: \$220,000
 Project Phased: No
 Project Type: Equipment
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Slight Decrease



YEAR:	2024	2025	2026	2027	2028
COST:	\$220,000				

Details: This purchase will replace the departments existing 30+ year old Bobcat with a new compact loader with several attachments including forks for unloading supplies / chemicals, snow blower and snow pusher attachments for maintaining lift station and other facility access.

WATER & SEWER PROJECTS

DIGESTER BLOWERS (CONSTRUCTION)

Department: Public Works – Water & Sewer
 Total Project Cost: \$2,900,000
 Project Phased: No
 Project Type: New Building & Equipment
 Funding Source(s): Grant Dependent
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Significant Decrease



YEAR:	2024	2025	2026	2027	2028
COST:	\$2,900,000				

Details: This project will replace two 40-year-old blowers with new ones and installation of the new blowers in a new approximately 24 x 24 square foot prefab metal building located adjacent to the existing digester tank. This project is anticipated to provide significant operational and energy savings for the department. Grant funding for this project was included in the passage of the Federal Omnibus bill passed in December 2022.

BROAD STREET LIFT STATION RENOVATION

Department: Public Works – Water & Sewer
 Total Project Cost: \$600,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Significant Decrease



YEAR:	2024	2025	2026	2027	2028
COST:	\$600,000				

Details: This project will provide much-needed major improvements to the Broad Street Lift Station. This is a major collection site with all connections east of Broad St. running through this site before proceeding to the Waste Water Plant. This project will increase the capacity of the existing site, provide emergency backup power generation, and replacement of pumps and controls with new ones.

WATER & SEWER PROJECTS

WWTP OPERATIONS BUILDING RENOVATIONS (DESIGN)

Department: Public Works – WWTP
 Total Project Cost: \$300,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): Water Sewer Fund/Grant
 Potential Grant Identified: Federal & State Options
 Operating Budget Impact: Significant Decrease



YEAR:	2024	2025	2026	2027	2028
COST:	\$300,000				

Details: This Project is the next step in the development of the City’s Water System. In 2011 the Water Treatment Facility located at the intersection of Shotgun Drive and the Kenai Spur Highway was developed. In 2015/2016 Well Field Improvements were completed. This project will update the distribution pumps that transport water from the water plant to all end users. Completion of this work will improve system reliability while increasing our ability to meet system demand.

AIRPORT RESERVOIR PUMP HOUSE IMPROVEMENTS (CONSTRUCTION)

Department: Public Works – Water & Sewer
 Total Project Cost: \$1,200,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): Water & Sewer Fund/Grant
 Potential Grant Identified: Federal and State Option
 Operating Budget Impact: Moderate Decrease



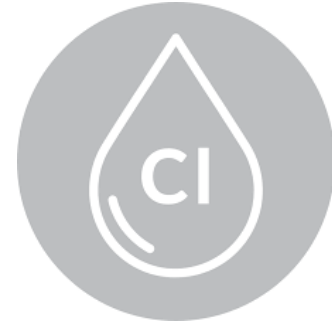
YEAR:	2024	2025	2026	2027	2028
COST:		\$1,200,000			

Details: This project will provide equipment replacements at the Airport Reservoir Pump House. This site has a three million gallon storage tank which provides the majority of water for the City during daytime hours. This work will utilize the existing building, but modify pumps and controls to provide a more robust and reliable system.

WATER & SEWER PROJECTS

DISINFECTANT GENERATION EQUIPMENT (CONSTRUCTION)

Department: Public Works – Water & Sewer
 Total Project Cost: \$500,000
 Project Phased: No
 Project Type: Equipment Upgrade
 Funding Source(s): Water & Sewer
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Moderate Decrease



YEAR:	2024	2025	2026	2027	2028
COST:		\$500,000			

Details: This Project is the next step in the development of the City’s Water System. In 2011 the Water Treatment Facility located at the intersection of Shotgun Drive and the Kenai Spur Highway was developed. In 2015/2016 Well Field Improvements were completed. This project will update the distribution pumps that transport water from the water plant to all end users. Completion of this work will improve system reliability while increasing our ability to meet system demand.

OPERATORS TRUCK

Department: Public Works – Water & Sewer
 Total Project Cost: \$60,000
 Project Phased: No
 Project Type: Equipment/Vehicle Replacement
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Slight Decrease



YEAR:	2024	2025	2026	2027	2028
COST:		\$60,000			

Details: Replacement of an existing operator truck with new to allow for the continued operation of the Department.

WATER & SEWER PROJECTS

WWTP OPERATIONS BUILDING RENOVATIONS (CONSTRUCTION)

Department: Public Works – WWTP
 Total Project Cost: \$2,280,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): Water Sewer Fund/Grant
 Potential Grant Identified: Federal & State Options
 Operating Budget Impact: Significant Decrease



YEAR:	2024	2025	2026	2027	2028
COST:		\$2,280,000			

Details: This project will provide much needed improvements to the main operations building at the Waste Water Plant which was originally constructed in 1974 with improvements completed in 1982. The facility is on the shore of Cook Inlet and subject to the constant presence of salt air. As a result, much of the facility doors, windows, siding, hardware, etc. have rusted beyond repair. This project will provide a much needed facelift with improvements anticipated to help with improved energy savings.

MAJOR LIFT STATION RENOVATIONS

Department: Public Works – Water & Sewer
 Total Project Cost: \$400,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Significant Decrease



YEAR:	2024	2025	2026	2027	2028
COST:		\$400,000			

Details: This project provides for major maintenance on existing lift stations to include access, structural, security, and safety upgrades.

WATER & SEWER PROJECTS

STANDBY POWER UPGRADES

Department: Public Works – Water & Sewer Total
 Project Cost: \$200,000
 Project Phased: No
 Project Type: Technology / Infrastructure
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:		\$200,000			

Details: This project will provide emergency backup power generation for several lift station sites.

WWTP ROTARY SCREEN REPLACEMENT (DESIGN)

Department: Public Works - Water & Sewer
 Total Project Cost: \$300,000
 Project Phased: Yes
 Project Type: Equipment
 Funding Source(s): Grant Dependent
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Moderate Decrease



YEAR:	2024	2025	2026	2027	2028
COST:		\$300,000			

Details: This project will replace 40-year-old equipment with new technology and controls. This is an integral part of the treatment process. Effectively screening the influent safeguards pumps and controls downstream, allowing operators the ability to manage the treatment process.

WATER & SEWER PROJECTS

GIS MAPPING IMPROVEMENTS

Department: Public Works – Water & Sewer
 Total Project Cost: \$200,000
 Project Phased: No
 Project Type: Equipment Upgrade
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: None
 Operating Budget Impact: Moderate Decrease



YEAR:	2024	2025	2026	2027	2028
COST:			\$200,000		

Details:

WATER TREATMENT PLANT FENCING IMPROVEMENTS

Department: Public Works – Water & Sewer
 Total Project Cost: \$100,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: None
 Operating Budget Impact: Minimal



YEAR:	2024	2025	2026	2027	2028
COST:			\$100,000		

Details: This project will replace 40-year-old fencing and improve site security at several locations.

WATER & SEWER PROJECTS

OPERATORS TRUCK

Department: Public Works – Water & Sewer
 Total Project Cost: \$80,000
 Project Phased: No
 Project Type: Equipment/Vehicle Replacement
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Slight Decrease



YEAR:	2024	2025	2026	2027	2028
COST:			\$80,000		

Details: Replacement of an existing operator truck with new to allow for the continued operation of the Department.

WATER MAIN VALVE REPLACEMENTS I

Department: Public Works – Water & Sewer
 Total Project Cost: \$160,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Moderate



YEAR:	2024	2025	2026	2027	2028
COST:			\$160,000		

Details: Planned replacements of inoperable 50 year old water main valves with new in various locations around the City.

WATER & SEWER PROJECTS

WWTP ROTARY SCREEN REPLACEMENT (CONSTRUCTION)

Department: Public Works - Water & Sewer
 Total Project Cost: \$1,450,000
 Project Phased: Yes
 Project Type: Equipment
 Funding Source(s): Grant Dependent
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Moderate Decrease



YEAR:	2024	2025	2026	2027	2028
COST:			\$1,450,000		

Details: This project will replace 40-year-old equipment with new technology and controls. This is an integral part of the treatment process. Effectively screening the influent safeguards pumps and controls downstream, allowing operators the ability to manage the treatment process.

WASTEWATER TREATMENT PLANT FENCING IMPROVEMENTS

Department: Public Works – Water & Sewer
 Total Project Cost: \$100,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: None
 Operating Budget Impact: Minimal



YEAR:	2024	2025	2026	2027	2028
COST:			\$100,000		

Details: This project will replace 40-year-old fencing and improve site security at several locations.

WATER & SEWER PROJECTS

WASTEWATER TREATMENT PLANT SCADA INTEGRATION

Department: Public Works – WWTP
 Total Project Cost: \$500,000
 Project Phased: No
 Project Type: Technology
 Funding Source(s): Water and Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Moderate Decrease



YEAR:	2024	2025	2026	2027	2028
COST:			\$500,000		

Details: This project will provide major components to get all of the new equipment installed over the last several years tied back to one SCADA system to improve operator response time and troubleshooting abilities.

WASTEWATER TREATMENT PLANT EFFLUENT FLOW MONITORING / CONTROL

Department: Public Works – WWTP
 Total Project Cost: \$225,000
 Project Phased: No
 Project Type: Technology
 Funding Source(s): Grant
 Potential Grant Identified: Federal & State Options
 Operating Budget Impact: Moderate Decrease



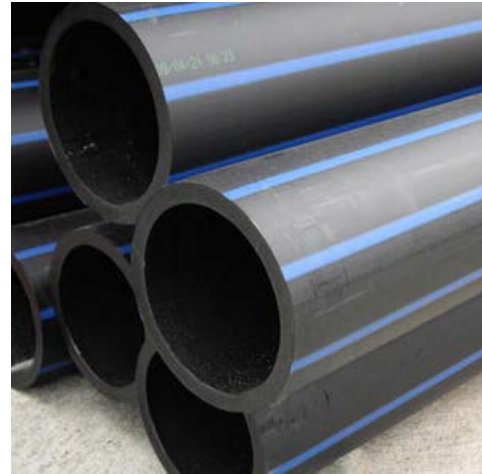
YEAR:	2024	2025	2026	2027	2028
COST:			\$225,000		

Details: This project will provide equipment to provide more accurate dosing of chemicals in the treatment of wastewater effluent which will result in savings on Sodium Hypochlorite and Sodium Bisulfate. Chemical feed will vary based on the flow of effluent leaving the plant.

WATER & SEWER PROJECTS

WATER MAIN LINE IMPROVEMENTS I

Department: Public Works – Water & Sewer
 Total Project Cost: \$250,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Moderate Decrease



YEAR:	2024	2025	2026	2027	2028
COST:				\$250,000	

Details: This project will correct known problem areas within the distribution system.

WATER METER / SOFTWARE EQUIPMENT

Department: Public Works – Water & Sewer
 Total Project Cost: \$100,000
 Project Phased: No
 Project Type: Technology
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: None
 Operating Budget Impact: Slight Decrease



YEAR:	2024	2025	2026	2027	2028
COST:				\$100,000	

Details: This project will standardize for the department a software solution for reading meters starting with commercial facilities. This will significantly reduce staff time in reading meters.

WATER & SEWER PROJECTS

AIRPORT RESERVOIR TANK EXTERIOR ASSESSMENT

Department: Public Works – Water & Sewer
 Total Project Cost: \$30,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Minimal



YEAR:	2024	2025	2026	2027	2028
COST:				\$30,000	

Details: This project will address the exterior appearance of the airport reservoir tank. Five years ago the interior of the tank was coated to extend its life. This project will address the exterior insulation and coating that is deteriorating.

MAJOR WELLHEAD MAINTENANCE I

Department: Public Works – Water & Sewer
 Total Project Cost: \$100,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Moderate



YEAR:	2024	2025	2026	2027	2028
COST:				\$100,000	

Details: This is a preventive maintenance project to provide for the continue operation of the City’s well field. Items may include well pump and VFD replacements.

WATER & SEWER PROJECTS

WASTEWATER TREATMENT PLANT INFLUENT PUMP STATION

Department: Public Works - Water & Sewer
 Total Project Cost: \$1,000,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): Grant Dependent
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Moderate Increase



YEAR:	2024	2025	2026	2027	2028
COST:				\$1,000,000	

Details: This project will replace the existing influent station and install a new pump station to provide surge protection storage and grit capture. This will allow for more balanced incoming flows into the plant and reduce staff time on recovering from surges.

CCTV EQUIPMENT

Department: Public Works – Water & Sewer
 Total Project Cost: \$75,000
 Project Phased: No
 Project Type: Equipment/Technology
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Minimal



YEAR:	2024	2025	2026	2027	2028
COST:				\$75,000	

Details: This project will provide for the replacement of the Departments existing CCTV camera equipment with newer technology. This equipment allows operators to trouble shoot sewer main issues with camera technology.

WATER & SEWER PROJECTS

AIRPORT RESERVOIR TANK EXTERIOR REPAIR

Department: Public Works – Water & Sewer
 Total Project Cost: \$270,000
 Project Phased: Yes
 Project Type: Infrastructure
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Moderate



YEAR:	2024	2025	2026	2027	2028
COST:					\$270,000

Details: This project will address the exterior appearance of the airport reservoir tank. Five years ago the interior of the tank was coated to extend its life. This project will address the exterior insulation and coating that is deteriorating.

WATER MAIN VALVE REPLACEMENTS II

Department: Public Works – Water & Sewer
 Total Project Cost: \$160,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): Water & Sewer Fund
 Potential Grant Identified: State Revolving Fund
 Operating Budget Impact: Slight Decrease



YEAR:	2024	2025	2026	2027	2028
COST:					\$160,000

Details: Planned replacements of inoperable 50 year old water main valves with new in various locations around the City.

WATER & SEWER PROJECTS

VAC TRUCK

Department: Public Works – Water & Sewer
Total Project Cost: \$500,000
Project Phased: No
Project Type: Equipment
Funding Source(s): Water Sewer Fund
Potential Grant Identified: State Revolving Fund
Operating Budget Impact: Decrease



YEAR:	2024	2025	2026	2027	2028
COST:					\$500,000

Details: This project will provide for the replacement of the City’s existing Vac Truck. This is an integral piece of equipment used regularly by the City. We have one, with no backup other than contracting out the services at a significant expense to the utility. The existing unit will be surplus auctioned with this purchase. The truck is used to clean and maintain wastewater lift stations, and the overall sewer collection system. The truck is also capable of jetting clogged lines.

Blank

Senior Citizens Fund

FY2024

No	Project Name	Total Project Cost	Grant Funding	City Funding
	Nothing Currently Planned this fiscal year			
	Totals			

FY2025

No	Project Name	Total Project Cost	Grant Funding	City Funding
1	Senior Center Landscaping Project Phase I	\$40,000	\$40,000	
	Totals	\$40,000	\$40,000	

FY2026

No	Project Name	Total Project Cost	Grant Funding	City Funding
2	Senior Center Landscaping Project Phase II	\$35,000	\$35,000	
	Totals	\$35,000	\$35,000	

FY2027

No	Project Name	Total Project Cost	Grant Funding	City Funding
	Nothing Currently Planned this fiscal year			
	Totals			

FY2028

No	Project Name	Total Project Cost	Grant Funding	City Funding
	Nothing Currently Planned this fiscal year			
	Totals			

No	Project Name	Total Project Cost	Grant Funding	City Funding
	Senior Center Fund Grand Total	\$75,000	\$75,000	

Blank

SENIOR CITIZENS FUND PROJECTS

SENIOR CENTER LANDSCAPING - PHASE I

Department: Senior Center
 Total Project Cost: \$40,000
 Project Phased: Yes
 Project Type: Land Improvement
 Funding Source(s): Grant/ Donation Dependent
 Potential Grant Identified: State
 Operating Budget Impact: Minimal or No Impact



YEAR:	2023	2024	2025	2026	2027
COST:			\$40,000		

Details: This project would landscape the south lawn of the Senior Center to level the area, which now contains sunken areas which prohibit safe access, and replant grass and trees as well as construct walkways for easy and safe maneuvering. This would improve lost access to the perimeter of the building, yard, and bluff areas for private rentals and the public, including wheelchair access. The project would be contingent on the construction of the Bluff Stabilization Project.

SENIOR CENTER LANDSCAPING - PHASE II

Department: Senior Center
 Total Project Cost: \$35,000
 Project Phased: Yes
 Project Type: Land Improvement
 Funding Source(s): Grant/ Donation Dependent
 Potential Grant Identified: State
 Operating Budget Impact: Minimal or No Impact



YEAR:	2023	2024	2025	2026	2027
COST:				\$35,000	

Details: This project would create a community fire pit area with wooden all-weather park benches for easy access for seniors and private rentals. Memorial benches and greenery provide an opportunity to generate revenue and celebrate individuals in the community. The project would be contingent on the construction of the Bluff Stabilization Project.

Blank

Congregate Housing Fund

FY2024

No	Project Name	Total Project Cost	Grant Funding	City Funding
1	Vintage Point Backup Generator	\$100,000		\$100,000
2	Vintage Point Elevator Major Maint.	\$50,000		\$50,000
	Totals	\$150,000		\$150,000

FY2025

No	Project Name	Total Project Cost	Grant Funding	City Funding
3	Apartment Kitchen and Bathroom Remodel	\$100,000		\$100,000
	Totals	\$100,000		\$100,000

FY2026

No	Project Name	Total Project Cost	Grant Funding	City Funding
4	Apartment Kitchen and Bathroom Remodel	\$100,000		\$100,000
	Totals	\$100,000		\$100,000

FY2027

No	Project Name	Total Project Cost	Grant Funding	City Funding
5	Apartment Kitchen and Bathroom Remodel	\$100,000		\$100,000
	Totals	\$100,000		\$100,000

FY2028

No	Project Name	Total Project Cost	Grant Funding	City Funding
	Nothing Currently Planned this fiscal year			
	Totals			

No	Project Name	Total Project Cost	Grant Funding	City Funding
	Congregate Housing Fund Grand Total	\$450,000		\$450,000

Blank

CONGREGATE HOUSING FUND PROJECTS

VINTAGE POINT BACKUP GENERATOR

Department: Senior Center
 Total Project Cost: \$100,000
 Project Phased: No
 Project Type: Building Improvement / Security
 Funding Source(s): Congregate Housing Fund
 Potential Grant Identified: None
 Operating Budget Impact: Slight Increase



YEAR:	2024	2025	2026	2027	2028
COST:	\$100,000				

Details: This project will provide a natural gas powered backup electrical generator for the Vintage Point housing development. A generator is only intended to provide backup power to the building’s heating system as well as a life safety panel that powers the fire alarm and emergency lighting systems.

VINTAGE POINTE ELEVATOR MAJOR MAINTENANCE

Department: Public Works
 Total Project Cost: \$50,000
 Project Phased: Yes
 Project Type: Building Improvement
 Funding Source(s): Congregate Housing Fund
 Potential Grant Identified: None
 Operating Budget Impact:
 Minimal or No Impact



YEAR:	2024	2025	2026	2027	2028
COST:	\$50,000				

Details: This project will provide for major maintenance of the Vintage Pointe elevator to allow for the continued safe operation of the City's most used elevator. The Vintage Pointe Senior Housing was constructed in 1993 and is approximately 40,450 square feet.

CONGREGATE HOUSING FUND PROJECTS

APARTMENT KITCHEN AND BATHROOM REMODEL

Department: Senior Center
 Total Project Cost: \$300,000
 Project Phased: Yes
 Project Type: Building Improvement
 Funding Source(s): Congregate Housing Fund
 Potential Grant Identified: None
 Operating Budget Impact: Minimal or No Impact



YEAR:	2024	2025	2026	2027	2028
COST:		\$100,000	\$100,000	\$100,000	

Details: This project remodels the kitchen and bathrooms in three to six apartments each year at Vintage Pointe. The project would replace original (1993) tile flooring, cabinetry, countertops, and fixtures in kitchens and bathrooms to bring apartments into compliance with the Americans with Disabilities Act. This project is not eligible for low-income housing grants.

Personal Use Fishery Fund

FY2024

No	Project Name	Total Project Cost	Grant Funding	City Funding
1	Boat Ramp Concrete Repairs	\$135,000	\$135,000	
	Totals	\$135,000	\$135,000	

FY2025

No	Project Name	Total Project Cost	Grant Funding	City Funding
	Nothing Currently Planned this fiscal year			
	Totals			

FY2026

No	Project Name	Total Project Cost	Grant Funding	City Funding
	Nothing Currently Planned this fiscal year			
	Totals			

FY2027

No	Project Name	Total Project Cost	Grant Funding	City Funding
	Nothing Currently Planned this fiscal year			
	Totals			

FY2028

No	Project Name	Total Project Cost	Grant Funding	City Funding
	Nothing Currently Planned this fiscal year			
	Totals			

		Total Project Cost	Grant Funding	City Funding
	Personal Use Fishery Fund Grand Total	\$135,000	\$135,000	

Blank

PERSONAL USE FISHERY FUND PROJECTS

CITY DOCK BOAT RAMP CONCRETE REPAIRS

Department: Public Works
 Total Project Cost: \$135,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): State Grant 15-DC-078
 Potential Grant Identified: State
 Operating Budget Impact: Minimal or No Impact



YEAR:	2024	2025	2026	2027	2028
COST:	\$135,000				

Details: This project will replace the severely deteriorating concrete ramps primarily in lane 4 at the City Dock. Funding for this project is 100% grant funded through the Kenai River South and North Beach Dip Net Access grant. Grant number 15-DC-078.

KENAI CITY COUNCIL – REGULAR MEETING
JANUARY 18, 2023 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
VICE MAYOR JAMES BAISDEN, PRESIDING

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on January 18, 2023, in City Hall Council Chambers, Kenai, AK. Vice Mayor Baisden called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Vice Mayor Baisden led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

James Baisden, Vice Mayor	Henry Knackstedt
Teea Winger	Deborah Sounart
Alex Douthit	Victoria Askin

A quorum was present.

Absent:

Brian Gabriel, Mayor

Also in attendance were:

Terry Eubank, City Manager
Scott Bloom, City Attorney
Dave Ross, Police Chief
Linda Mitchell, Planning Director
Eland Conway, Airport Manager
Shellie Saner, City Clerk

3. Agenda Approval

Vice Mayor Baisden noted the following additions to the Packet:

- Add item D.2. **Public Hearing – Resolution 2023-03**
 - Substitute Resolution 2023-03 and Memo

MOTION:

Council Member Knackstedt **MOVED** to approve the agenda with the requested revisions and requested **UNANIMOUS CONSENT**. Council Member Askin **SECONDED** the motion.

VOTE: There being no objection; **SO ORDERED.**

4. Consent Agenda

MOTION:

Council Member Knackstedt **MOVED** to approve the consent agenda. Council Member Sounart **SECONDED** the motion.

The items on the Consent Agenda were read into the record.

Vice Mayor Baisden opened the floor for public comment; there being no one wishing to be heard, the public comment period was closed.

UNANIMOUS CONSENT was requested.

VOTE: There being no objection; **SO ORDERED.**

All items listed with an asterisk () are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the consent agenda and considered in its normal sequence on the agenda as part of the General Orders.

B. SCHEDULED PUBLIC COMMENTS - None.

C. UNSCHEDULED PUBLIC COMMENTS

Marion Nelson provided a Kenai Fine Art Center update regarding the flooring project; Rasmuson Grant Cycle and the upcoming Metal Show.

D. PUBLIC HEARINGS

1. **Ordinance No. 3331-2023** - Increasing Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting Grants from the United States Department of Justice and Alaska Municipal League Joint Insurance Association for the Purchase of Ballistic Vests. (Administration)

MOTION:

Council Member Askin **MOVED** to enact Ordinance No. 3331-2023. Council Member Sounart **SECONDED** the motion.

Vice Mayor Baisden opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

It was reported that the combination of the two grant programs covered the full cost of the Ballistic Vests.

VOTE:

YEA: Knackstedt, Askin, Winger, Baisden, Douthit, Sounart

NAY: None

Absent: Gabriel

MOTION PASSED, WITHOUT OBJECTION.

2. **Resolution No. 2023-03** - Amending the City of Kenai's Schedule of Rates, Charges and Fees to Establish New Fees for Conference and Training Rooms at the Alaska Regional Fire Training Center. (Administration)
 - **Substitute Resolution No. 2023-03** - Amending the City of Kenai's Schedule of Rates, Charges and Fees to Establish New Fees for Conference and Training Rooms at the Alaska Regional Fire Training Center. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-03. Council Member Douthit **SECONDED** the motion.

Vice Mayor Baisden opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

Council Member Knackstedt **MOVED** to amend Resolution No. 2023-03 by Substitute Resolution No. 2023-03. Council Member Askin **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to amend by substitute.

VOTE: There being no objection; **SO ORDERED.**

It was reported that the facility was previously managed by Beacon; Beacon was not interested in continuing the contractual relationship; and Beacon would no longer have exclusive use of the facility.

There was discussion regarding rental to other user groups; if Beacon had rented to other user groups; and how the fee schedule had been developed.

UNANIMOUS CONSENT was requested.

VOTE: There being no objection; **SO ORDERED.**

E. MINUTES

1. *Regular Meeting of January 4, 2023. (City Clerk)

F. UNFINISHED BUSINESS – None.

G. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)

Approved by the consent agenda.

2. ***Ordinance No. 3333-2023** - Amending Kenai Municipal Code 8.05.010 - Adoption of Fire Prevention Standards, and Repealing and Replacing Kenai Municipal Code 8.05.030 - Local Amendments to the 2009 International Fire Code, to Adopt the 2021 International Fire Code with Local Amendments. (Administrations)

Introduced by the consent agenda and Public Hearing set for February 1, 2023.

3. ***Ordinance No. 3334-2023** - Amending Kenai Municipal Code Title 4 - Uniform Codes, to Adopt the 2021 Editions of the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, Uniform Plumbing Code, International Existing Building Code, International Property Maintenance Code and the 2020 National Electrical Code and Incorporate Local Amendments. (Administration)

Introduced by the consent agenda and Public Hearing set for February 1, 2023.

4. **Action/Approval** - Authorizing the Issuance of a Conditional Letter of Non-Objection for a New Standard Marijuana Cultivation Facility License to Nicholas Mann DBA: Shackleford Investments – License 31826. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to authorize the issuance of a Conditional Letter of Non-Objection. Council Member Douthit **SECONDED** the motion.

Vice Mayor Baisden opened the floor for public comment.

Brad Brown addressed the Council with concerns regarding the location of the facility; its nearness to a residential neighborhood; odors; and property values.

Will Tieaski addressed the Council with concerns regarding the proximity of the school; kids in the area; and odor.

There being no one else wishing to be heard, the public comment period was closed.

There was discussion regarding the possibility of in-home daycare facilities in the neighborhood; the cultivation facility responsibility to be current in state taxes; and that properties within 500 feet were mailed notices during the conditional use permit process in December 2021.

VOTE:

YEA: Askin, Winger, Baisden, Douthit, Sounart, Knackstedt
 NAY: None
 Absent: Gabriel

MOTION PASSED, WITHOUT OBJECTION.

5. **Action/Approval** - Consent to Assignment and Assumption of Lease Agreement, of ADL 37765, ATS 770, to Riverfront Investments, LLC. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to approve the consent to assignment and assumption of lease agreement. Council Member Askin **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

VOTE: There being no objection; **SO ORDERED.**

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging

Council Member Sounart reported on the January 12, 2023 meeting; next meeting February 9, 2023.

2. Airport Commission

Council Member Askin reported on the January 12, 2023 meeting; next meeting February 9, 2023.

3. Harbor Commission

No report, next meeting February 6, 2023.

4. Parks and Recreation Commission

Council Member Knackstedt reported on the January 5, 2023 work session; next meeting February 2, 2023.

5. Planning and Zoning Commission

Vice Mayor Baisden reported on the January 11, 2023 work session; next meeting January 25, 2023.

6. Beautification Committee

No report, next meeting February 21, 2023.

I. REPORT OF THE MAYOR - None.

J. ADMINISTRATION REPORTS

1. City Manager – City Manager Eubank reported on the following:

- Meeting with the Army Corpse of Engineers on the Bluff Erosion Project.
- Selling of old computers to the general public through the Library.
- Scheduling second interviews with Finance Director candidates.
- Meeting with the Boys and Girls Club to receive an update on their project.
- Aircraft Rescue and Firefighting (ARFF) training at the Alaska Regional Fire Training Center this summer.

- 2. City Attorney – City Attorney Bloom reported on the following:
 - Provided an update on the Appeal of Daycare Conditional Use Permit.
- 3. City Clerk – City Clerk Saner reported on the following:
 - Absentee voting for the Kenai Peninsula Borough Special Election would open October 30, 2023.
 - Committee, Commission and Council training session would be held on February 23, 2023 at the Kenai Chamber of Commerce and Visitor Center from 11:30 a.m. to 5:00 p.m.

K. ADDITIONAL PUBLIC COMMENTS

- 1. Citizen Comments (*Public comments limited to (5) minutes per speaker*)

Brad Brown continued his comments regarding the proximity of the marijuana cultivation facility to a residential neighborhood.

- 2. Council Comments

Council Member Douthit reported that the Kenai Chamber of Commerce was still recruiting for the Director and Front Desk vacancies.

Council Member Winger provided an update on Kenai Central High School sports noting the great job by all of the athletes; stated she was looking forward to the March for Meal's event; recommended use of the neighborhood watch program for issues like marijuana cultivation facilities opening nearby; and she was looking forward to the Antique Road Show coming to Anchorage.

L. EXECUTIVE SESSION - None.

M. PENDING ITEMS

- 1. **Ordinance No. 3332-2023** - Amending Kenai Municipal Code Section 3.10.070-Livestock within the City Limits, to Allow a Maximum of Twelve (12) Chicken Hens to be Kept on Certain Lots Less than 40,000 Square Feet within the City of Kenai. (Douthit) [*Introduced the January 4, 2023 City Council Meeting; Referred to the January 25, 2023 Planning and Zoning Commission Meeting; and Scheduled for Public Hearing during the Council on February 1, 2023.*]

N. ADJOURNMENT

O. INFORMATIONAL ITEMS - None.

There being no further business before the Council, the meeting was adjourned at 7:19 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of January 18, 2023.

Michelle M. Saner, MMC
City Clerk

*** The student representative may cast advisory votes on all matters except those subject to executive session discussion. Advisory votes shall be cast in the rotation of the official council vote and shall not affect the outcome of the official council vote. Advisory votes shall be recorded in the minutes. A student representative may not move or second items during a council meeting.*

**PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: FEBRUARY 1, 2023**

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
ENSTAR NATURAL GAS	GAS USAGE	VARIOUS	UTILITIES	46,001.41

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
PIPER JAFFRAY	U.S. AGENCY SECURITY	12/13/2024	2,542,786.81	4.25%



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3335-2023**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT FUND FOR UTILITY COSTS IN EXCESS OF BUDGETED AMOUNTS AT THE ALASKA REGIONAL FIRE TRAINING CENTER.

WHEREAS, the City of Kenai, and Beacon Occupational Health & Safety Services entered into a Facility Management Agreement to operate the Alaska Regional Fire Training Center on the 18th day of March 2008; and,

WHEREAS, the initial term of the Agreement continued until December 31, 2012, at which time the Agreement automatically renewed annually until notice of termination was given by either party; and,

WHEREAS, Beacon gave notice of termination of the Agreement effective December 31, 2022; and,

WHEREAS, upon termination of the Agreement all of the Center utilities, previously paid by Beacon, reverted to the Kenai Municipal Airport resulting in costs in excess of budgeted amounts; and,

WHEREAS, effective January 1, 2023, Beacon entered into a Special Use Permit to lease 1,716 square feet of exclusive use space and 2,250 square feet of common use space at the Center; and,

WHEREAS, the monthly revenue received by the Airport from Beacon for the use of the space described in the SUP is \$5,468.16, and will help support the additional utility costs; and,

WHEREAS, \$16,758 of unexpended funds remain in the Center utilities fund; and,

WHEREAS, the estimated cost of utilities at the Center for the second half of Fiscal Year 2023 is \$87,450 resulting in \$70,692 of cost in excess of budgeted amounts.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

Section 1. That the estimated revenues and appropriations be increased as follows:

Airport Special Revenue Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	\$37,883
Alaska Regional Fire Training Center Office Lease	<u>32,809</u>
	<u>\$70,692</u>
Increase Appropriations –	
Training Facility Utilities	<u>\$70,692</u>

Section 2. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares

that it would have enacted the remainder of this ordinance even without such part, provision, or application.


Section 3. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 15TH DAY OF FEBRUARY, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced: February 01, 2023
Enacted: February 15, 2023
Effective: February 15, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Eland Conway, Airport Manager

DATE: January 25, 2023

SUBJECT: **Ordinance 3335-2023 Increasing estimated revenues and appropriations for the AK Regional Fire Training Center utilities**

This memo recommends enacting Ordinance 3335-2023, increasing estimated revenues and appropriations in the Airport Special Revenue Fund for utility costs at the Alaska Regional Fire Training Center in excess of budgeted amounts.

Since March 2008, Beacon Occupational Health & Safety Services has operated the Alaska Regional Fire Training Center through a Facility Management Agreement. In February 2022, Beacon notified the Kenai Municipal Airport they would terminate the agreement effective December 31, 2022. Upon termination of the agreement all utility costs reverted back to the Airport.

At the January 4, 2023 City Council Meeting, Council approved a Special Use Permit allowing Beacon to occupy 1,716 square feet of exclusive use space and 2,250 square feet of common use space on Level 1 of the Alaska Regional Fire Training Center. The monthly fee for use of the is \$5,468.16, plus applicable sales tax.

The estimated cost of the utilities for January – June of FY2023 is \$87,450. Council appropriated \$23,831 to utility cost for the Alaska Regional Fire Training Center in the FY2023 Budget. There is a balance of \$16,757.72 remaining.

Ordinance 3335-2023 appropriates funds to from the Airport Special Revenue Fund to satisfy the unexpected utility obligation for the Alaska Regional Fire Training Center Operational Budget.

Council’s support is respectfully requested.

January - June 2023

Estimated Utilities	\$87,450
Unexpended Utility Balance	(16,758)
Unbudgeted Utility Expense	<u>\$70,692</u>
Unbudgeted SUP Revenue	\$32,809
Appropriation of Fund Balance	<u>37,883</u>
Total Funding for Utilities	<u>\$70,692</u>

**KENAI AIRPORT COMMISSION
REGULAR MEETING
JANUARY 12, 2023 – 6:00 P.M.
KENAI MUNICIPAL AIRPORT CONFERENCE ROOM
CHAIR GLENDA FEEKEN, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

Chair Feeken called the meeting to order at 6:00 p.m.

a. Pledge of Allegiance

Chair Feeken led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Commissioners Present: G. Feeken, P. Minelga, D. Pitts, J. Caldwell, J. Bielefeld, J. Zirul, J. Daily

Commissioners Absent: None.

Staff/Council Liaison Present: Airport Manager E. Conway, Administrative Assistant E. Brincefield, Council Member Knackstedt

A quorum was present.

c. Election of Chair and Vice Chair

MOTION:

Commissioner Bielefeld **MOVED** to appoint Glenda Feeken as Planning & Zoning Commission Chair. Vice Chair Minelga **SECONDED** the motion. There being no objection; **SO ORDERED.**

MOTION:

Commissioner Pitts **MOVED** to appoint Paul Minelga as Planning & Zoning Commission Vice Chair. Commissioner Caldwell **SECONDED** the motion. There being no objection; **SO ORDERED.**

d. Agenda Approval

MOTION:

Commissioner Caldwell **MOVED** to approve the agenda as revised. Commissioner Daily **SECONDED** the motion. There were no objections; **SO ORDERED.**

2. SCHEDULED PUBLIC COMMENT – None.

3. UNSCHEDULED PUBLIC COMMENT – None.

4. APPROVAL OF MEETING SUMMARY

a. December 8, 2022

MOTION:

Vice Chair Minelga **MOVED** to approve the meeting summary of December 8, 2022 as written. Commissioner Caldwell **SECONDED** the motion. There were no objections; **SO ORDERED.**

5. UNFINISHED BUSINESS – None.

6. NEW BUSINESS

- a. **Discussion/Recommendation** – Establishing Rates & Fees at the Alaska Fire Training Center

MOTION:

Commissioner Bielefeld **MOVED** to recommend that the Kenai City Council approve the established rates and fees at the Alaska Fire Training Center. Commissioner Zirul **SECONDED** the motion.

Airport Manager Conway reported that Beacon had terminated their Facility Management Agreement as of December 31, 2022, and provided an explanation of the conference space and the associated rates and fees.

Commission discussion involved marketing and advertising the available space, and a discrepancy was noted which required clarification on the time of use in regards to the established fees.

UNANIMOUS CONSENT was requested.

VOTE: There were no objections; **SO ORDERED.**

7. REPORTS

- a. **Airport Manager** – Airport Manager Conway reported on the 2022 enplanement and parking revenue.
- b. **City Council Liaison** – Council Member Askin reported on the actions of the December 21, 2022 and January 4, 2023 City Council meeting.

8. NEXT MEETING ATTENDANCE NOTIFICATION – February 9, 2023

9. COMMISSIONER COMMENTS AND QUESTIONS

Commissioners had questions on float plane expansion lease lot availability, and vending machine concessions.

10. ADDITIONAL PUBLIC COMMENT – None.

11. INFORMATION ITEMS

- a. November 2022 Enplanements
- b. December 2022 Enplanements

12. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 6:22 p.m.

Meeting summary prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk