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| Proposed by: | Administration |
| First Reading: | 03/20/2008 |
| Second Reading: | 04/03/2008 |
| Vote: 5 Aye | 0 Nay 1 Absent |

MUNICIPALITY OF SKAGWAY, ALASKA

ORDINANCE NO. 08-10

AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING SECTION 16.04.080, DISPOSAL PROCEDURES FOR THE SALE OF MUNICIPAL LANDS.

WHEREAS, the Assembly wishes to encourage population growth to the Municipality; and

WHEREAS, the Assembly found that it was in the best interest of the Municipality not to limit the sale of municipal lands only to persons with an Alaska domicile;

BE IT ORDAINED AND ENACTED BY THE MUNICIPALITY OF SKAGWAY, ALASKA AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Skagway Municipal Code.

Section 2. Purpose. To amend Section 16.04.080, Disposal procedures for municipal lands by eliminating the requirement of having an Alaska domicile in qualification to purchase municipal lands. The Skagway Municipal Code is hereby amended (~~strike through~~) indicates text to be deleted from, and **bold** indicates text added to the current code as follows:

Section 3. Amendment. Section 16.04.080(C), Disposal procedures is hereby amended as follows:

- 16.04.080 Disposal procedures.**
- A. Conduct of sale. The **borough** manager or his designee shall conduct sales in accordance with the ordinance approved by the ~~council~~ **Assembly** for a specific sale. The ~~city~~ **borough** manager or his designee shall prescribe the conditions for the conduct of the sale to the extent not provided by this chapter or otherwise prescribed by the ~~council~~ **Assembly** for a specific sale.
 - B. Advertisement. When required by the ordinance authorizing a sale, the ~~city~~ **municipality** shall place a display advertisement in a newspaper of general circulation and post the advertisement in at least three (3) public places within the ~~city~~ **municipality** at least thirty (30) days prior to the sale date. The advertisement shall contain a general description of the types and locations of the parcels available, the terms and conditions of purchase, the last day upon which a person may register for the sale, the date, time and place of any sale activities, and the name, address and telephone number of the person or office to contact for sale or registration forms and further information.
 - C. Qualifications. To qualify to purchase ~~city~~ **municipal** lands, an individual must be eighteen (18) years of age or older and ~~have an Alaska domicile~~; a corporation must be registered to do business in the state. No person, corporation or other association may register or bid if they have defaulted on a prior sale or lease of ~~city~~ **municipal** real property, or if they have failed to pay in full any judgment for money damages obtained against them by the ~~city~~ **municipality** from a court of law. **In order to qualify to purchase municipal lands, the person, corporation or other association must be current on all payments or debts owed the Municipality; including, but not limited to, property tax and public utility bills.**

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- D. Minimum offer. Except as described in section .070 of this chapter, no ~~City~~ **municipal** land or interest in land shall be sold or otherwise disposed of for less than fair market value, or one hundred percent (100%) of the appraised value as determined by the ~~city~~ **municipal** assessor not more than ninety (90) days prior to the sale date. The ~~city~~ **municipality** reserves the right to refuse any or all bids or offers for purchase of lands.
- E. Conditions of Sale. The buyer shall pay all closing costs, including fees for preparation of documents, escrow fees and recording fees. The ~~city~~ **municipality** reserves the right to require, in the event the buyer desires to remove or cause to be removed, merchantable timber, sand or gravel, or other materials, that prior to commencement of such activity, the entire remaining principal and accumulated interest, or any unpaid portion of the purchase price, be paid in full to the ~~city~~ **municipality**. Any subsequent transfer or sale of the property by the buyer prior to full payment ~~thereof~~ shall require the written approval of the ~~city~~ **municipality**.

Section 4. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 5. Effective Date. This ordinance shall become effective immediately upon adoption.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 3rd day of April, 2008.

Thomas D. Cochran, Mayor

ATTEST:

Marjorie D. Harris, Borough Clerk

(SEAL)