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| Proposed by: | Civic Affairs Committee |
| Attorney Review: | 08/25/2014 |
| First Reading: | 09/04/2014 |
| Second Reading: | 09/18/2014 |
| Vote: | 5 Aye 1 Nay 0 Absent |

MUNICIPALITY OF SKAGWAY, ALASKA ORDINANCE NO. 14-22

AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING MUNICIPAL CODE CHAPTER 16.02.010 DEFINITIONS TO INCLUDE CABLE TELEVISION IN THE DEFINITION OF "UTILITY," FOR THE PURPOSE OF DETERMINING ANNUAL LEASE RATES.

NOW THEREFORE 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 Chapter 16.02.010 Definitions for the purpose of including cable television services in the definition of "utility," for the purpose of determining annual lease rates.

Section 3. Amendment. The Skagway Municipal Code is hereby amended; (~~strike through~~) indicates text to be deleted from and (**bold underscore**) indicates text added to the current code. Chapter 16.02.010 Definitions is hereby amended as follows:

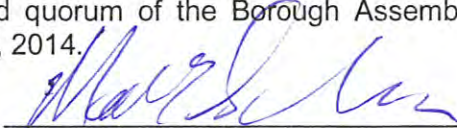
- 16.02.010 Definitions.
- A. "Auxiliary to cultivation" are those structures directly necessary for cultivation, including barns, tool sheds and green houses. Residences, retail outlets and patron parking are not considered auxiliary to cultivation, and will not be subject to the easement. Any structure combining an auxiliary and non-auxiliary use will be considered non-auxiliary.
 - B. "Commercial agriculture" is the cultivation of crops, flowers, plants, shrubs or trees for commercial resale, or for use in commercial ventures, where the cultivation of such is the primary purpose of the development of the property.
 - C. "Land" or "lands" as used in this chapter includes the land and improvements of any nature made to or upon the land or such improvements, unless the context clearly indicates otherwise.
 - D. "Utilities" are those services offered to the general public by private business that provide for **cable television services**, heating fuel and propane.

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.

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PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 18th day of September, 2014.



Mark Schaefer, Mayor

ATTEST:



Emily A. Deach, Borough Clerk

(SEAL)

