

An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Land Use/Development to provide clarification for 'substantially complete construction'.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Section 18.20.020. Section 18.20.020 of the Haines Borough Code is hereby amended, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

18.20.020 Definitions - Regulatory.

"Substantially complete construction" is achieved when the roof and the "gross building area" of a permitted structure is complete.

Section 5. Amendment of Section 18.30.010. Section 18.30.010 of the Haines Borough Code is hereby amended, as follows:

18.30.010 Permits or forms required.

A. Location.

1. Townsite Service Area. The developer of any use within the townsite service area shall obtain the appropriate approval or permit prior to the establishment of the use or any site work except surveying, and the borough assessor shall receive a copy per HBC 3.72.070.

2. Area-Wide.

a. Conditional Uses. Developers must obtain a conditional use permit per Chapter 18.50 HBC.


b. Subdivisions. Developers must obtain a platting action permit per Chapter 18.100 HBC.

c. Construction Declaration. New construction outside of the townsite service area that exceeds \$5,000 in assessed value or 500 square feet must be declared on a construction declaration form and filed with the borough assessor per HBC 3.72.070. Failure to file a construction declaration prior to commencement of construction shall result in penalties equal to the townsite service area after-the-fact penalties. **A completed construction declaration expires automatically two years after filing.**

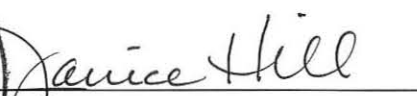
B. Duration. Permit approvals are valid only during developer's compliance with this title and the terms and conditions of approval. The manager or commission, as appropriate, may place limits on the duration of a permit or establish a longer or shorter duration. Unless otherwise stated in the permit, it expires automatically 24 months after issuance if the developer has not substantially completed construction of the **roof and gross building area of the** permitted activity or improvement.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 26th DAY OF MARCH, 2019.

ATTEST:


Alekka Fullerton, Borough Clerk




Jan Hill, Mayor

Date Introduced:	02/26/19
Date of First Public Hearing:	03/12/19
Date of Second Public Hearing:	03/26/19 - Adopted