

**An ordinance of the Haines Borough Amending Haines Borough Code Section
14.20.100 Sales and Exchanges by Negotiation or Competitive Proposal.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. Section 5 of 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. No obligation to collect tax resulting from adoption of this ordinance shall be applied retroactively.

Section 5. Amendment of Section 3.80.020. Haines Borough Code 3.80.020 is amended, as follows:

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

14.20.100 Sales and exchanges by negotiation or competitive proposal.

~~A. Upon direction of the assembly by motion, the land manager may commence negotiations for the sale, or exchange or other disposal of borough land.~~

B. ~~A.~~ **A.** Upon application, and approval by the land manager, a **A** person may submit a written proposal to purchase, or otherwise acquire borough land for a specified purpose. The proposal shall be reviewed by the planning commission and thereafter forwarded to the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. **When a land exchange is proposed, the planning commission shall evaluate alternative sites, and shall make specific recommendations regarding exchanges prior to execution of the exchange.**

B. Upon direction of the assembly by motion, the manager shall commence negotiations for the sale, or exchange or other disposal of borough land. The final terms of the disposal pursuant to this section are subject to approval by the assembly unless the minimum essential terms and the authority of the manager to execute the disposal are set forth in an ordinance enacted pursuant to this subsection.

C. **If the final terms of the sale, exchange or other disposal of borough land are not set forth in an Ordinance adopted by the Assembly,** Upon satisfactory progress in the negotiation or competition undertaken pursuant to subsection ~~(A)~~ or ~~(B)~~ of this section, and after review by the planning commission and authorization by the assembly by ordinance, the land manager may conclude arrangements for the sale, or exchange or other disposal of borough land **and submit the final contract to the Assembly for approval by ordinance.**

Haines Borough
Ordinance No. 21-07-586
Page 2 of 2

~~When a land exchange is proposed, the planning commission shall evaluate alternative sites, and shall make specific recommendations regarding exchanges prior to execution of the exchange. The final terms of the disposal pursuant to this section are subject to approval by the assembly unless the minimum essential terms and the authority of the land manager to execute the disposal are set forth in the ordinance enacted pursuant to this subsection.~~

D. All costs such as but not limited to surveying, platting, appraisal, escrow, and recording fees associated with the transfer of borough land by negotiated sale, or land exchange shall be paid by the proposer.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 24th DAY OF AUGUST 2021.


Douglas Olerud, Mayor

ATTEST:

Alekka Fullerton, Borough Clerk



Date Introduced: 7/27/21
Date of First Public Hearing: 8/10/21
Date of Second Public Hearing: 8/24/21 - Adopted