

Introduced by: City Manager Griffin
 Date: November 26, 2013
 Public Hearing: December 10, 2013
 Action: Adopted
 Vote: Unanimous

Yes:	No:
Best	
Erbey	
Carrington	
Combs	
DeVries	
Hanson	
Johnson	

CITY OF PALMER, ALASKA

Ordinance No. 13-014

An Ordinance of the Palmer City Council Amending Palmer Municipal Code Sections 3.08.090 Assessment Notice – Contents – Mailing and 3.08.100 Payment Schedule – Delinquency Interest

THE CITY OF PALMER, ALASKA ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

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

Section 3. Palmer Municipal Code Section 3.08.090 hereby amended to read as follows (new language is underlined and deleted language is stricken):

3.08.090 Assessment notice – Contents – Mailing.

- A. Within 30 days after the resolution confirming the assessment roll and fixing the date of delinquency, the director of the department of ~~administration~~ finance shall mail, with postage prepaid, a notice to the owner of each property assessed. The notice shall:
1. Designate the property;
 2. State the amount of the assessment;
 3. Describe the schedule of payments and delinquencies; and
 4. List the amount of the penalty and interest.
- B. Not more than 60 nor less than 30 days before the date the assessment or the first installment of the assessment becomes delinquent, the director of the department of ~~administration~~ finance shall mail a payment notice to each property owner, but the failure to mail the notice shall in no way affect any liability for or enforcement of payment of all or any part of the special assessment.
- C. Within five days after the statements are mailed, the city clerk shall publish notice that the statements have been mailed.

Section 4. Palmer Municipal Code Section 3.08.100 hereby amended to read as follows (new language is underlined and deleted language is stricken):

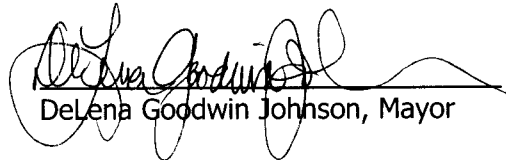
3.08.100 Payment schedule – Delinquency interest.

- A. The council, in the resolution confirming the assessment roll, shall fix a schedule of dates when the special assessment or special assessment installment payments become due and delinquent. Deferred or installment payments shall bear an interest rate ~~based on the Alaska Municipal Bond Bank's general obligation bond effective rate~~ as established in the current, adopted budget at the time the council firms the assessment roll until paid, except that no interest shall be charged if payment in full is made within 60 days of the resolution, or the time set out in the resolution for the first payment. No payment shall be required within 60 days after the resolution.
- B. A penalty established in the current, adopted budget shall be added to any assessment or assessment installment (or interest installment under subsection (E)(4) of this section), whichever is less, not paid before the date of delinquency or unless a monthly payment plan has been approved, and both the assessment and penalty shall draw an interest rate ~~based on the Alaska Municipal Bond Bank's general obligation bond effective rate~~ as established in the current, adopted budget at the time the council confirms the assessment roll per year until paid.
- C. Monthly installment payments may be scheduled upon the written request of the property owners and written approval by the city manager. Monthly installments shall carry the interest rate ~~based on the Alaska Municipal Bond Bank's general obligation bond effective rate~~ as established in the current, adopted budget at the time the council confirms the assessment roll and shall be due and payable on or before the tenth day and will be deemed delinquent with the penalty established in the current, adopted budget on the amount delinquent, which shall bear interest as ~~above~~ established in the current, adopted budget.
- D. When a property owner owns more than one lot in an improvement district, the total assessment of all the lots shall determine the repayment schedule. The repayment schedule is as follows:
1. Assessments totaling \$1,500.99 or less shall pay the same in three equal annual installments;
 2. A property owner with assessments of \$1,501 to \$3,500.99 shall pay the same in five equal annual installments;
 3. A property owner with assessments of \$3,501 to \$6,500.99 shall pay the same in 10 equal annual installments;
 4. A property owner with assessments of \$6,501 or more shall pay the same in 20 equal annual installments.
- E. When a property owner owns property in more than one improvement district, the improvement district whose roll is spread first shall be repaid first. Subject to the following, replacement of the assessment amount for the parcel or parcels in the second district will be deferred:
1. The owner must submit a written request for the deferral;
 2. The request must be approved in writing by the city manager;
 3. The repayment schedule shall not be deferred for more than two parcels in the second assessment district. No deferral will be granted for a parcel in a third or other assessment district. For purposes of this section, assessment districts for different

- purposes, e.g., road, water and sewer, covering substantially the same area are considered a single assessment district;
4. The first \$10,000 of interest arising from the deferred assessment during the deferral period shall not be charged. All interest arising from the deferred assessment during the deferral period in excess of \$10,000 shall be due the city annually, even during the period the payment on the assessment itself is deferred. All interest arising after the deferral period ends shall be charged;
 5. The deferral period shall end upon:
 - a. The actual repayment of all the assessments due on the first assessment district;
 - b. Upon the date when the last payment is due under the repayment schedule for the first assessment district; or
 - c. Upon transfer of ownership of the last parcel owned in the first assessment district, whichever occurs first;
 6. Upon the transfer of ownership of a parcel for which there is a deferred assessment, an assessment payment for that parcel only shall be due immediately in the amount which would be due if no deferment had been granted. Interest not charged shall not be included. Repayment will commence according to the original repayment schedule for that parcel. Repayment for the remaining untransferred parcel, if any, for which repayment was deferred shall continue to be deferred until the deferral period ends. The repayment schedule for the remaining parcel shall be determined by consideration of the amount assessed only against it, and not by adding the amount assessed against the parcel sold;
 7. Transfer of ownership shall include any transfer of title or a lease for 10 years or more, whether by law or otherwise, but shall not include a transfer between spouses;
 8. If the owner transfers ownership of a parcel for which the payment of assessments has been deferred, neither the owner nor the new owner will be entitled to a deferral of assessment payments for the parcel transferred or for any additional parcel in any district.

Section 5. Effective date. Ordinance No. 13-014 shall take effect on January 1, 2014.

Passed and approved this tenth day of December, 2013.



DeLena Goodwin Johnson, Mayor



Janette M. Bower, MMC, City Clerk