

CITY OF PALMER, ALASKA

ORDINANCE NO. 367

AN ORDINANCE AMENDING SECTION 3.08.100 PAYMENTS SCHEDULE--DELINQUENCY INTEREST OF CHAPTER 3.08 OF SPECIAL ASSESSMENTS OF THE PALMER MUNICIPAL CODE.

Section 1. Classification. This ordinance shall be of a permanent nature and shall become a part of the City of Palmer Code of Ordinances.

Section 2. Severability. If any provisions 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 3. Section 3.08.100 is hereby amended as follows:

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 interest at the rate of eight percent simple interest from the date of the confirmation of the assessment roll until paid, except that no interest shall be charged if payment in full is made within sixty days of the resolution, or the time set out in the resolution for the first payment. No payment shall be required within sixty days after the resolution. A penalty of eight percent shall be added to any assessment or assessment installment, 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 interest at the rate of eight percent per year until paid. Monthly installment payments may be scheduled upon the written request of the property owners. Monthly installments shall carry an eight percent interest rate and shall be due and payable on or before the tenth day of each month. Payments not received or postmarked on or before the tenth day will be deemed delinquent with an eight percent penalty on the amount delinquent, which shall bear interest as above.

B. When a property owner owns more than one lot in an improvement district, the total cost of the lots combined shall be the determining factor for the repayment schedule. When a property owner owns property in more than one improvement district, the improvement district whose roll is spread first, shall be repaid first. The remaining improvement repayment will be deferred interest free until the first improvement has been paid in its entirety. If multiple lots are owned in the deferred improvement district, the total cost of the improvement will be combined to determine the repayment schedule. A deferred repayment schedule must be requested by the property owner in writing and approved by the city manager. A deferred repayment shall become due and payable upon the transfer of ownership.

C. The payment schedule is as follows: Assessments totaling \$1500.99 or less shall pay the same in three (3) equal installments; a property owner with assessments of \$1501.00 to \$3500.99 shall pay the same in five (5) equal installments; a property owner with assessments of \$3501.00 to \$6500.99 shall pay the same in ten (10) equal installments; a property owner with assessments of \$6501.00 or more shall pay the same in twenty (20) equal installments.

Section 4. Publication and Effective Date. This ordinance shall become effective immediately upon its adoption and publication shall be by posting a copy hereof on the city hall bulletin board for a period of ten (10) days following its adoption, and it shall be published at its next regular supplementation and printing. A notice of public hearing shall be given by such posting at least five (5) days before final passage.

First Reading:

CITY OF PALMER, ALASKA

ORDINANCE NO. 367

AN ORDINANCE AMENDING SECTION 3.08.100, TITLED PAYMENTS SCHEDULE--DELINQUENCY INTEREST, OF CHAPTER 3.08, TITLED SPECIAL ASSESSMENTS, OF THE PALMER MUNICIPAL CODE.

Section 1. Classification. This ordinance shall be of a permanent nature and shall become a part of the City of Palmer Code of Ordinances.

Section 2. Severability. If any provisions 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 3. Section 3.08.100 is hereby amended to read as follows:

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 interest at the rate of eight percent simple interest from the date of the confirmation of the assessment roll until paid, except that no interest shall be charged if payment in full is made within sixty days of the resolution, or the time set out in the resolution for the first payment. No payment shall be required within sixty days after the resolution.

B. A penalty of eight percent shall be added to any assessment or assessment installment (or interest installment under subsection E 4 hereof), 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 interest at the rate of eight percent 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 an eight percent interest rate and shall be due and payable on or before the tenth day of each month. Payments not received or postmarked on or before the tenth day will be deemed delinquent with an eight percent penalty on the amount delinquent, which shall bear interest as above.

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: Assessments totaling \$1500.99 or less shall pay the same in three (3) equal annual installments; a property owner with assessments of \$1501.00 to \$3500.99 shall pay the same in five (5) equal annual installments; a property owner with assessments of \$3501.00 to \$6500.99 shall pay the same in ten (10) equal annual installments; a property owner with assessments of \$6501.00 or more shall pay the same in twenty (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, repayment 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 \$10,000.00 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 \$10,000.00 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

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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 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 said 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 4. Publication and Effective Date. This ordinance shall become effective immediately upon its adoption and publication shall be by posting a copy hereof on the city hall bulletin board for a period of ten (10) days following its adoption, and it shall be published at its next regular supplementation and printing. A notice of public hearing shall be given by such posting at least five (5) days before final passage.

First Reading:	May 26, 1987
Public Hearing & Second Reading:	June 9, 1987
Public Hearing & Second Second Reading:	June 23, 1987

Adopted by the City Council of the City of Palmer, Alaska, this 23rd day of June, 1987.



 GEORGE W. CARTE, MAYOR

 DAVID L. SOULAK, CITY CLERK