



## Public Works Committee Agenda

Regular Meeting Wednesday June 15, 2011 – 6:30PM  
City Shop Conference Room

### MEMBERS

Jeff Sanders  
Chair  
Term Expires 12/2012

Frank Neitz  
Vice-Chair  
Term Expires 12/2013

Stanley Tundy Rodgers  
Council Rep.  
Term Expires 11/2011

Bill Schreiner  
Committee Member  
Term Expires 12/2013

Mike Salzbrun  
Committee Member  
Term Expires 12/2013

VACANT  
Committee Member  
Term Expires

VACANT  
Committee Member  
Term Expires

Chuck Willert  
Ex-Officio Member

Cheryl Roberts  
Secretary/Recorder

### AGENDA

- I. CALL TO ORDER
- II. ROLL CALL
- III. PEOPLE TO BE HEARD – (15 Minute Limit)
- IV. APPROVAL OF MINUTES
  - A. Minutes from the previous regular meeting
- V. APPROVAL OF AGENDA
- VI. DIRECTOR'S REPORT
- VII. UNFINISHED BUSINESS
  - A. Daniel Shea, Planning Dept. - Discussing Non-Sewage.
  - B. Continued Funding of Utilities Office Coordinator Position.
- VIII. NEW BUSINESS
  - A. Steel @ Landfill.
  - B. Dust Control.
- IX. MEMBER COMMENTS
- X. ADJOURNMENT

# City of Bethel, Alaska

## Public Works Committee Minutes

January 19, 2011

Regular Meeting

Bethel, Alaska

### CALL TO ORDER

A regular meeting of the Parks and Recreation Committee was held on January 19, 2011 at 6:00 p.m. at the Public Works conference room.

Chair Jeffery Sanders called the meeting to order at 6:45 p.m.

### ROLL CALL

Comprising a quorum of the Committee, the following were present:

Frank Neitz	Steve Murat
Stanley Rodgers	Mike Salzburn

Excused absence(s): B. Shreiner

Unexcused absence(s): none

Also in attendance were the following:

Chuck Willert, Public Works Director  
 Chelsea Hoffman, Public Works Admin, recorder of minutes  
 Bill Arnold, Utility Maintenance Forman

### PEOPLE TO BE HEARD

None.

### APPROVAL OF MINUTES

<b>MOVED BY:</b>	F. Neitz	To approve the minutes from November 17, 2010.
<b>SECONDED BY:</b>	M. Salzburn	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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### APPROVAL OF AGENDA

<b>MOVED BY:</b>	S. Rodgers	Motioned carried.
<b>SECONDED BY:</b>	M. Salzburn	

Changes: To suspend the rules & move election of officers before Directors Report.

<b>MOVED BY:</b>	S. Rodgers	Made motion to move Election of officers before Directors Report.
<b>SECONDED BY:</b>	S. Murat	

<b>VOTE ON MOTION</b>	Carried as amended.
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### UNFINISHED BUSINESS

#### Item A — Discussion Item: 5 Year Plan Review

For the 5 year plan committee wants a write list of priorities from Chuck Willert & Bill Arnold to present @ next meeting.

## NEW BUSINESS

### Item A — Planning Dept. Discussion non-sewage

<b>MOVED BY:</b>	S.Rodgers	PW Director is to verbally recommend to Planning Dept. to update the mandatory sewer service list & to present it & the 2 ordinance @ the next meeting.
<b>SECONDED BY:</b>	F.Neitz	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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### Item B- Road connection between the State Highway & the YE Center

<b>MOVED BY:</b>	S.Rodgers	Motioned was carried for Dan/Planning Dept. to write a letter to Kirk @ YE center regarding road funding.
<b>SECONDED BY:</b>	M.Salzburg	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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### Item C —Partnerships concerning the BATH Center

<b>MOVED BY:</b>	S.Rodgers	Recommendation to council to allow/direct City Manager & Parks & Rec. to peruse, LKSD & other agencies to form partnerships to move forward w/ BATH Center concept.
<b>SECONDED BY:</b>	S.Murat	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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## MEMBER COMMENTS

Frank thanked Stanley for being @ the meeting.

Stanley thanked everyone for taking the time to address issues people are afraid to.

Jeffery said the LED lights are great & they save money.

## ADJOURNMENT

<b>MOVED BY:</b>	S.Murat	To adjourn the meeting.
<b>SECONDED BY:</b>	M.Salzburg	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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With no further business before the Committee, the meeting adjourned at 8:35 p.m.  
APPROVED THIS 15th DAY OF June 2011.

\_\_\_\_\_  
Jeffery Sanders, Chair

\_\_\_\_\_  
Chelsea I. Hoffman, Recorder of Minutes

To: Love  
From: PW comm

5/3/2011



# City of Bethel

## Committees and Commissions

### Recommendation to City Council

Committees and Commissions that wish to make a recommendation to City Council should turn this form in to the City Clerk or to the City Council representative on the committee or commission.

<b>Committee/Commission:</b>	<b>Chairman:</b>
<b>Date Submitted:</b>	<b>Council Rep:</b>

**Issue:** Continued Funding of Utilities  
office Coordinator position.

**Recommendation:**

Public Works Committee Recommends that The Util. Office Co-ordinator position remain fully funded in 2011-2012 budget

**RATIONAL:**

Delivery of hauled water & sewerage removal is the second most important function performed by the public works dept (operating the 2 water treatment plants is first). The staff person in the Util Office co-ordinator position is an

**Other:** essential part of this process. In addition the person in this position also has the responsibility of coordinating other P.W departments that hauled water and sewer depend upon to function.

Received by: *[Signature]*  
Date: 5-3-2011

**MEMORANDUM**

**DATE:** April 1, 2011

**TO:** Lee Foley, City Manager

**FROM:** Chuck Willert, Public Works Director

**SUBJECT:** Manager's Report –

**Programs/Divisions**

**Public Works Director:**

We are trying to get ready for the spring thaw that is just around the corner. The Streets and Roads crew have been cleaning out the snow that has been piled up on culverts all over town. The snow removal helps keep the culverts open and makes it easier to thaw frozen culverts that need to be open. The weather will determine how fast the snow pack melts and the runoff will impact the roads.

Streets and Roads have been assisting the Port with the excavation of the entrance channel to the small boat harbor this month. The weather has been cooperating with this project and it is nearing completion. The material is being hauled to the landfill for cover and lifting the berms that surrounds the landfill.

The V&E department and Hauled Utilities are working on the new garbage truck specifications; we are looking at a Mack chassis and a Heil box. We will try to keep the truck simple without all the bells and whistles that have to be worked on all the time.

I have been working with the Hauled Utility department and certain residents concerning some issues that we think are happening around septic tanks but we can't confirm our suspicions until the ground thaws out this spring or summer.

67% of fiscal year has elapsed with 66.4% expended

**Utility Maintenance:** This month we responded to 8 after hour callouts. We continue to flush lines in ASHA to prevent them from freezing up. We are also preparing to turn well on at FAA [police station]. We also continue to monitor our water and sewer systems daily. We also rebuild sewer pumps as needed.

**Piped Water:** 67% of the fiscal year has elapsed with 91.5% expended (error)

**Piped Sewer:** 67% of the fiscal year has elapsed with 71.4% expended

**BHWT:** 67% of the fiscal year has elapsed with 56.6% expended

**CSWT:** 67% of the fiscal year has elapsed with 55.8% expended

Sewer Lagoon: 67% of the fiscal year has elapsed with 64% expended

**Recycling Center: 10%**

Received a bunch of cans from Aniak and spent one afternoon sorting the bags of cans so that I could empty the recycle bin that is at the city pump house.

67% of the fiscal year has elapsed with 64% expended

**Land Fill: 75%**

I have spent fourteen days at the landfill this month since Sonny was gone.

This time has taken away from the other three jobs dramatically.

**Safety: 5%**

67% of the fiscal year with 6.4% expended

**Janitorial: 10%**

I spent only one day doing Janitorial work this month at the City Office.

**Hauled Utilities:**

After many years of hard work trying to eliminate sewage being poured onto the ground and the use of honey buckets, both practices are becoming increasingly prevalent without consequences. Repeated attempts have been made to identify and enforce waste water ordinance violations without success.

Areas of concern are not limited to older neighborhoods or low income occupants. These areas are easily identified by the increasing public complaints, drivers identifying occupied houses not on service routes, as well as the dumpster truck drivers. Honey buckets that are getting poured into dumpsters end up draining onto the cab of the garbage truck and smell is often quite noticeable if not nauseating.

The Hauled Utilities department is asking for cooperation with enforcement of ordinances that have been in place for a long time. This is a serious health and safety issue and needs to be dealt with and enforced immediately.

City of Bethel Ordinance 13.08.241 allows the City Manager to issue a citation for a violation and impose a fine of up to \$100.00 per day for each day of violation.

For the month of March, the Hauled Water department made 4,519 deliveries in 741 loads totaling 2,264,150 gallons.

The Hauled Waste Water department made 4,243 evacuations in 760 loads totaling 2,280,000 gallons

Hauled Water: 67% of the fiscal year has elapsed with 66.6% expended

Hauled Sewer: 67% of the fiscal year has elapsed with 59.7% expended

Hauled Refuse: 67% of the fiscal year has elapsed with 60.4% expended

Landfill: 67% of the fiscal year has elapsed with 62.1% expended

## **Property Maintenance:**

**Winter Maintenance Schedule:** Daily duties start with monitoring buildings for heat, clearing snow, sand/salt walkways and entrance ways. Plumbing is also looked at for problems, frozen lines, drains or backed up fixtures. Visual checks are done on lights, bulbs changed, ballasts replaced, and emergency and exit lights included. I'm looking at areas for more L.E.D. lighting, and ordering when I get a chance.

The recent wind storm blew off a few rain caps, loosened tin and a couple of items that were repaired or replaced. There still continues to be electric motors going out on unit heaters and fans and we are replacing them as they quit. We still have used oil and the waste oil burners are running daily. The operator on the Fire Door in the center of the shop went down. We ordered one in and Pioneer Door put it up for us. We ordered a new pressure washer and installed it for spraying down trucks and equipment. There have been lots of small assignments from adjusting doors, putting up shelves, repairs on desks/drawers, and nailing up loose trim and cove base.

Other projects were to provide the clerk with a list of buildings and facilities with addresses, square footage and year built info for an assignment she had. I had a representative from Marsh Creek, an Engineering firm; look at our City Complex Generator. It needs some important repairs to the service lines and upgrades to the Court House for a smooth transition on power outages. These were never done and require doing it manually. I have also contacted Systems House to help with looking at improvements to the ventilation at the Court House for this summer.

67% of the fiscal year has elapsed with 58.3% expended

## **Road Maintenance:**

Streets and Roads hauled some gavel to help smooth the roads in East Ave., Akiak Dr., Ptarmingan St., Akakeek St., Ridgecrest Dr., and Hanger Lake Rd. This will help to keep it smoother on those roads until we can grade them, when it starts to thaw out. Rocky and Tracy have been digging out the snow in front of the culverts with the backhoe, so the culverts that are open will stay open, and the ones that are not, we will be able to get to them with the steamer. This will get us ahead, when it starts to thaw. Streets and Roads hauled the pile of wood and trash to the land fill, from the ball field parking lot, in Pinky's Park. This was the old playground equipment that they took out from Pinky's Park. Streets and Roads have been helping the port on digging out the entrance channel to the small boat harbor. Gary has been running the backhoe digging out the entrance channel and John, along with the port guys, has been hauling the material to the

landfill with the dump trucks.

67% of the fiscal year has elapsed with 59.6% expended

**Transit System:**

From March 1 through March 31, 2011 BPTS transported total of 2675 passengers, 119 of these passengers had a disability and approximately 600 were elders. The cash fares totaled \$3,624.70 and total passes used equaled \$816.00 The Transit System used 735.1 gallons of low sulfur diesel fuel and 60.552 gallons of unleaded gasoline were used.

**Preventative Maintenance Plan**

David Levy, Executive Director- Alaska Mobility Coalition and Lou Friend, III CCTM, CTSR will be arriving in Bethel on the evening of April 13. They will be assisting with the setup of a Preventive maintenance plan that meets State and Federal requirements. We will be meeting on the 14 and the morning of the 16. This is a Grant funded project and ONC paid the one thousand dollar matching funds.

**CAMA**

The Bethel Transit System operated a bus route during CAMA. The bus ran until 10:30PM on Friday and Saturday and until 8:30PM on Sunday.

**Travel**

I will be out of town from April 21 through April 29. I will be attending the elementary school State Wrestling Tournament. Following the Tournament, I will be attending a State Public Transit Operators' Meeting.

67% of the fiscal year has elapsed with 61.1% expended

**Vehicles and Equipment:**

March 2011: Business as usual, doing routine maintenance on vehicles and getting them out the door as soon as possible. Joshua is working on an old water truck for the Port to assist in dust control for the summer. We are doing maintenance on Parks & Recreations ATV's before spring sets in. Not as many wrecker calls as the month before.

67% of the fiscal year has elapsed with 54.1% expended

**Staffing Issues/Concerns/Training:**

None at this time.

**Budget/Financial:**

See each department

## **MEMORANDUM**

**DATE: May 1, 2011**

**TO: Lee Foley, City Manager**

**FROM: Chuck Willert, Public Works Director**

**SUBJECT: Manager's Report**

### **Programs/Divisions**

#### **Public Works Director:**

We have been experiencing low discharge pressures from the new lift station out near the north side of the Airport. We had the engineers out last week, April 29<sup>th</sup>, to assess the problem. The problem seems to be pointing towards the pumps being too small to meet the volume requirements the lift station was designed for. We are waiting for the engineers to remodel the system with bigger pumps and are hoping for a more positive outcome so we can close out this project and move on to other projects.

The Streets and Roads Department with the assistance of the Utility Maintenance have kept up with the culvert thawing process this spring quite well. We should have about all the culverts thawed out by the end of this week with any luck. The roads are being graded on a regular basis and are getting better with the frost coming out of them as the weather becomes better. Kudos to both departments for a job well done!!

We will be gearing up for Bethels Green up Clean up this month. Public Works will be picking up items that are too large and heavy for the average person to deal with.

#### **Recycling Center:**

I am gearing up for the job of sorting plastic bottles, paper, cardboard and trash from the Alum cans so that they can be baled and shipped out on the first barge. Northland Series will be delivering a couple of FREE CONTAINERS for that event.

**Land Fill:**

I spent a great deal of time at the landfill in April covering for Sonny Venes as he was away.

**Safety:**

Safety has really been on my mind as of late. The City of Bethel is on OHSA'S Hit list because of the many injuries employees have suffered. None of these have been lasting or very serious, but we have had 14 incidents this past year which has alerted OHSA.

In order to protect the City from another Enforcement Inspection, I have asked OHSA to send a trainer/non-enforcement inspector to the City. John Wright will be here the last week in May to inspect three of the Cities buildings. The way this works is that he will inspect and we will have to fix any problems he finds, but by him coming at our request, his findings do not and cannot go to the enforcement people unless we refuse to correct the problems he finds.

**Janitorial:**

I only cleaned at the city office one week of April because of the high number of days I have been at the landfill and also I was gone a week to Anchorage.

**Utility Maintenance:**

This month we responded to seven on call calls. We also assisted Bills crew in flushing lines out on State Highway. We also assisted in hauling at City Boat Harbor. We also replaced loading dock at BHWTP water fill with steel grating. We continue to flush lines in housing where needed. Our crew also helped Road Maintenance in steaming culverts after hours when needed. We continue to rebuild sewer pumps when needed and our daily duties.

**Hauled Utilities:**

The Hauled Water and Sewer drivers are having a busy spring

dealing with bad driveways and winter's thawing out and the mess left behind.

DMV is requiring all CDL drivers to upgrade their licenses and eliminate the off systems restrictions. All of our drivers who have CDL's with the off roads restrictions will have to pass the required road test to upgrade their licenses. Hiring new employees will become increasingly more difficult with this road test being a requirement in order to obtain a CDL.

The water drivers made 4,529 deliveries in 713 loads totaling 2,166,900 gallons. The waste water drivers made 4,320 evacuations in 781 loads totaling 2,343,000 gallons.

### **Property Maintenance:**

We continue to monitor and adjust heat in all the buildings with the fluctuating weather temperatures. We replaced some equipment associated with the heating systems as it became necessary. Waste oil burners are still running till we run dry of used oil. The steamers for thawing culverts were serviced and cleaned before being needed. They have been running well with some minor corrections being made as they occur. We are working on a plan for replacing one of our boilers in a building as soon as weather allows us to. Other daily maintenance is changing out lights and ballast and checking the plumbing fixtures, it's always a surprise what you find some days. Put up some shelves at the Police Station for our Computer Department. We assisted the Utility Maintenance Department with the replacement of the back deck at the water treatment plant.

I have been making some calls to Marsh Creek L.L.C. for engineering at the City Complex generator. We will be making some needed corrections and upgrades there this summer. Our fueling station will be going through an evaluation this month for any recommendations they have. We would like to get a better system for record keeping and make sure we are in compliance. State Wide Petroleum is doing the inspection. Frontier Fire will be here this month to service our Fire Safety equipment, extinguishers and alarm panel.

I have ordered some fabrication material to assemble the frame to

put up the "Welcome to Bethel" sign. When it gets a little warmer I hope to get them put up as soon as possible. At that time I would also like to get started in the new cemetery setting up the next section or two. This will be marking each individual plot by number and putting up a perimeter to protect it some. Thank you.

## **Road Maintenance:**

Streets and Roads is now done with helping Peter on the small boat harbor, Gary dug with the backhoe, from the river through the entrance to the south boat ramp. He also dug out the front, of the north boat ramp, so it will be lot easily to launch a boat from. There is a small pile of mud on south parking that will need to be hauled, to the land fill when the road in the land fill dries out.

Streets and Roads been steaming culverts for the past 2 weeks, and should have most of the culverts done by the end of the week. So far we stayed ahead on the steaming of the culverts as we had no wash outs this spring on the roads so far. With a colder spring, and help from Gary Watson, and Shawn Ahlo, we were able to stay ahead of it.

Streets and Roads has been grading roads, and adding gavel some of the holes shows up on the roads as it thaws out. On some the roads as it thaws, it has been turning to mud, and some of those roads have been really muddy. On those roads, we did what we could do, until they dry out.

## **Vehicles and Equipment:**

### **Transit System**

From April 1 through April 30, 2011 BPTS transported total of 2804 passengers, 94 of these passengers had a disability and approximately 622 were elders. The cash fares totaled \$3,840.00 and total passes used equaled \$967.00 The Transit System used 490.7 gallons of low sulfur diesel fuel and 166.102 gallons of unleaded gasoline were used.

We are in the process of hiring two new on call drivers to cover the

summer shifts.

**Staffing Issues/Concerns/Training:**

None at this time.

**Budget/Financial:**

We haven't received an updated expenditure sheet so will have to reflect on last months numbers.

## **MEMORANDUM**

**DATE:** June 1, 2011

**TO:** Lee Foley, City Manager

**FROM:** Chuck Willert, Public Works Director

**SUBJECT:** Manager's Report – For May 2011

### **Programs/Divisions**

#### **Public Works Director:**

We have great news for the metal at the Landfill; it will be going away this summer. A company named WOTC and the City of Bethel has in place a scrap metal pickup agreement. WOTC Scrap Metal Recycling Inc. plans to clean all scrap metal out of the City Landfill this summer.

We have been assisting the Finance Department with the inventory of assets over \$5000. Each Department has been doing their part in assisting with the inventory for their respective departments.

We are waiting for Statewide Petroleum to come out and certify our fuel pumps. We will check out the possibility of having the swipe card for each truck and keeping each Department separate for tracking and budget purposes.

Bill Arnold and his crew will be taking out "Wayne's arch" Wednesday, June 8<sup>th</sup>, and this will hopefully alleviate the pumping problems that the Correctional Facilities are having presently. We have ordered the larger pumps this week for the new lift station out at the south end of the Airport and they should be here the first part of September.

83% of the fiscal year has elapsed with 65.9% expended

## **Utility Maintenance:**

This month we responded to seven residential and one commercial callouts after hours. We are also servicing our Lagoon Pump to begin our spring discharge. We're also removing part of the old utility system, the buried pump stations, in ASHA that was left there years ago. We also put our Water Treatment Plants on summer mode. We also continue to do our daily duties of monitoring our utility lines, flushing, and leveling where needed.

Piped Water: 83% of the year has elapsed with 96.8% expended  
Piped Sewer: 83% of the year has elapsed with 79.1% expended  
CSWTP: 83% of the year has elapsed with 68.3% expended  
BHWTP: 83% of the year has elapsed with 72.2% expended  
Sewer Lagoon: 83% of the year has elapsed with 75.8% expended

## **Recycling Center: 10%**

I have to say it makes no sense to close down the recycle center completely when I could keep it going until the city became solvent and decided to do recycling full time again.

83% of the year has elapsed with 80% expended

## **Land Fill: 25%**

I have been spending four days a month in the landfill and the days Sonny has been sick or on vacation.

83% of the year has elapsed with 75.3% expended

## **Safety: 55%**

We had an OSHA inspection on the 31<sup>st</sup> of May at the Public Works building, Police Station and City Sub Water Plant.

There were a total of 17 minor infractions that need to be repaired and documented that we will have to take care of. I am working on that this day and it will be taken care of within the next couple of weeks.

83% of the year has elapsed with 2.7% expended

## **Janitorial: 10%**

Besides doing the cleaning at the City Office, I had Tundra Center workers out picking up trash on the tundra, around the recycle center and up around the dump shack on three different days.

## **Hauled Utilities:**

All water and waste water services are on schedule.

Our tanker trucks are being repaired and serviceable in a timely manner.

The roads are graded and not tearing up our trucks.

Efforts are being made in dust control.

All CDL drivers are being required to eliminate their "Off-road" restriction by taking walk around and driving tests at DMV.

We have concerns on the life of the existing landfill. Plans need to be initiated on the location and financial costs of developing a new approved lined landfill that meets future requirements.

Our water drivers made 4,623 deliveries in 764 loads, totaling 2,286,850 gallons.

The evacuation drivers made 4,432 pickups in 825 loads, totaling 2,475,000 gallons

Hauled Refuse: 83% of the year has elapsed with 68.7% expended

Hauled Sewer: 83% of the year has elapsed with 73.2% expended

Hauled Water: 83% of the year has elapsed with 78.8% expended

## **Property Maintenance:**

We still continue to monitor the heat at all our buildings and adjust as necessary and shut down where we can. We have changed some defective pumps, valves and vents that are malfunctioning with the change of the seasons and ordered replacements. Heat loops are being shut off as the weather warms up. We were able to shut the water off and change a few plumbing fixtures as well.

I have been picking up community service workers to help clean up

around some of our facilities and assist on projects where they can. Boardwalks and the ball field have been repaired as the snow has melted. I have been helping the clerk with the new cemetery, showing the areas for burial and preparing to establish the next section. It should help with being able to keep it in an orderly and uniform fashion for proper record keeping.

We had an Electrical Engineer out here to draw up a plan to correct the deficiencies from the original installation at the court house; we should be able to get the work done this construction season. Frontier Fire Protection was out here for our sprinkler and extinguisher inspections. Reports were provided and sent out.

There will be one employee leaving in a couple of weeks. That will leave two of us and I hope to find someone with experience and knowledge in boilers and other areas of maintenance that can hit the ground running without having to train too much. Thank you.

83% of the year has elapsed with 76.6% expended

### **Road Maintenance:**

Streets and Roads have started to lay down calcium chloride to some of the main roads where dust has been an issue. We have been grading it into the road so that it will keep the roads smoother without having to grade all the time and this will keep the dust down with the road water truck watering the roads once in a while. Being that the roads has been so dry we had to water the roads before grading them so that the roads will hold up.

Streets and Roads have been helping Dan, in planning, haul old vehicle to the land fill and to the impounded yard for Green up Clean up. We have been hauling old vehicles, tanks, and other big items that are to big to handle by hand to the land fill for Clean up Green up.

Last week John has been helping the port, running the 966F loader, to put the docks in at the small boats harbor for the boats.

I ran D8N out to the pit and started pushing up road sand and landfill dirt at the city sand pit. Now we have started hauling cover to the

landfill for Sonny at the land landfill.

Tracy and Rocky has been digging out some of the culverts in Larson Sub. with the 420 backhoe so that they will drain. The culverts in Larson have been sinking in the tundra and filling up with sand. 83% of the year has elapsed with 77.7% expended

### **Vehicles and Equipment:**

May 2011: Continue to Service Vehicles as they come in, Working on #738 Water truck to put back on the road. We are converting the #744 water truck for the Port to water areas down at dock. We have been doing minor repairs on vehicles.

83% of the year has elapsed with 66.2% expended

### **Transit System:**

From May 1 through May 19, 2011 BTS transported total of 1,650 passengers, 59 of these passengers had a disability and approximately 366 were elders. The cash fares totaled \$2,333.45 and total passes used equaled \$470 The Transit System used 197.714 gallons of low sulfur diesel fuel and 250.467 gallons of unleaded gasoline

I will put the final May numbers in the July 1, report.

I have hired one new on call driver and Howard Wassilie has returned work on call for the summer.

I will be out of town from May 21<sup>st</sup> through June 14. I am having dental work done in Wasilla. I will have my cell phone with me and will stay in contact with the Transit System.

Christina David will be in charge while I am out of town.

83% of the year has elapsed with 74.2% expended

### **Staffing Issues/Concerns/Training:**

I have hired Cheryl Roberts for my Administrative assistant here at Public Works, she moved from finance.

### **Budget/Financial:**

See each department

Introduced by: Vice Mayor, Middlebrook  
Date: August 25, 2009  
Public Hearing: September 8, 2009  
Action: Passes  
Vote: 6-0

**CITY OF BETHEL, ALASKA**  
**Ordinance #09-29**

**ADDING SECTIONS 13.16.035 TO THE BETHEL MUNICIPAL CODE  
PREPAID WATER AND SEWER DELIVERIES**

**WHEREAS:** Water and sewer services are essential to the well being of all member of the community;

**WHEREAS:** The City of Bethel has an intrinsic interest in ensuring all community members have access to water and sewer services;

**THEREFORE BE IT ORDAINED** by the City Council of Bethel, Alaska, that:

**SECTION 1. Classification.** This ordinance is of a permanent nature and shall become a part of the Bethel Municipal Code.

**SECTION 2. Adding Section 13.08.035** of the Bethel Municipal Code, new language is underlined and old language is stricken out.

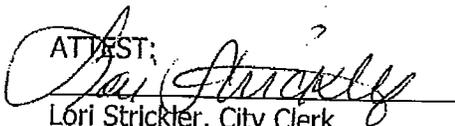
**13.08.035 Prepaid services**

- A. Any person or entity may at anytime without regard to subscription to services, status of an account or indebtedness to the city, may receive water or sewer service by prepaying.
- B. The charge for prepaid services will be the applicable extra call fee plus a \$20.00 Twenty dollar administrative fee.
- C. Payment can be made in cash. Other forms of payment will be at the city's discretion
- D. The city can refuse service under this section if the customer does not have an suitable tank or reasonable access.

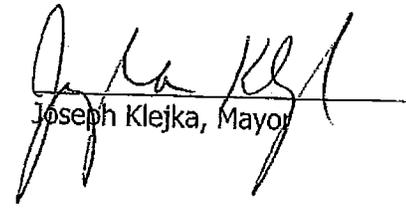
**SECTION 3. Effective Date.** This chapter shall become effective within 60 days after passage by the Bethel City Council.

**ENACTED THIS 8th DAY OF SEPTEMBER 2009, BY A VOTE OF 6 IN FAVOR AND 0 OPPOSED.**

ATTEST:

  
Lori Strickler, City Clerk

City of Bethel, Alaska

  
Joseph Klejka, Mayor

Ordinance #09-29

1 of 2

Introduced by: City Manager Baird  
Introduction Date: January 23, 2007  
Public Hearing: February 13, 2007  
Action: Passed  
Vote: 5-1

## *CITY OF BETHEL, ALASKA*

### **Ordinance #07-03**

#### **AN ORDINANCE REGARDING REFERENCES TO SANITARY CANS THAT WILL AMEND SECTIONS 13.08.010, 13.08.025, 13.08.080, 13.08.125, AND 13.05.240 OF THE BETHEL MUNICIPAL CODE**

- Whereas**, the goal of "putting the honey bucket in the museum" is a top priority of the State of Alaska Department of Environmental Conservation (State of Alaska FY2002 and FY 2003 Governor's Operating Budget, Department of Environmental Conservation Facility Construction and Operations BRU/Component);
- Whereas**, sanitary cans represent a health hazard to households that utilize them and City Workers that facilitate disposal;
- Whereas**, it has been recognized as a City policy to eliminate use of and service for sanitary cans;
- Whereas**, the current reference sanitary cans in the Bethel Municipal Code represents an archaic service that is no longer supported by the Public Works Department;
- Whereas**, the Bethel City Council wishes to help ensure health and welfare of the citizens of Bethel by reducing the health risks associated to those that may be exposed to sanitary cans;
- Whereas**, adopting an ordinance amending references to sanitary cans in the Bethel Municipal Code will help to ensure that the Code represents current recognized practice of City policy.

**THEREFORE BE IT ORDAINED** by the City Council of Bethel, Alaska, that:

**SECTION 1. Classification.** This ordinance is of a general and permanent nature and shall become a part of the Bethel Municipal Code.

**SECTION 2. Amendment.** Sections 13.08.010, 13.08.025, 13.08.080, 13.08.125, and 13.08.240 of the Bethel Municipal Code are to be amended as follows (new language is underlined and old language is stricken out):

Introduced by: City Manager Baird  
Introduction Date: January 23, 2007  
Public Hearing: February 13, 2007  
Action: Passed  
Vote: 5-1

### **13.08.010 Definitions.**

As used in this chapter:

A. "Applicant" means the person or persons, firm or corporation or other entity making application for sewer service from the department under the terms of this chapter.

B. "City approved sewage system" means a holding tank or service line that meets requirements set forth in this chapter.

~~B~~C. "Customer" means an applicant whose application has been accepted by the department.

~~C~~D. "Customer service lines" means that part of the sewer system which is situated on the customer's property or other private property over which the customer has control.

~~D~~E. "Department" means the city public works department.

~~E~~F. "Designee" means a person or business that has been approved by the city to collect, transport and dispose of sewage.

~~F~~G. "Financial need" means a person meets the standards developed by the finance department in accordance with government standards, which are reviewed and approved annually by the city council.

~~G~~H. "Interceptors" means all trunk, main and lateral sewer lines of every kind which are connected to and used for the collection of sewage from the customer service lines and its delivery to the sewage treatment plant, except customer service lines.

~~H~~I. "Person" means the head of the household occupying or maintaining a premises and the owner or manager of a premises.

~~I~~J. "Premises" means any dwelling, office or building located within the boundaries of the city that are connected to the dedicated road system whose occupants or invitees create or accumulate sewage at least weekly. Each unit in a multi-occupied structure is considered to be a separate premises.

~~J~~K. "Sanitary can" means ~~a five-gallon standard metal or plastic container~~ any device used for the collection of human waste, excluding a city approved sewage system.  
(Ord. 94-125 § 4: prior code § 11.12.010)

Introduced by: City Manager Baird  
Introduction Date: January 23, 2007  
Public Hearing: February 13, 2007  
Action: Passed  
Vote: 5-1

### **13.08.025 Mandatory subscription.**

~~A. Each person shall be jointly and severally responsible to subscribe for sewer service from the city and shall so subscribe for city-approved sewer service no later than October 1, 1994. The city or its designee shall regularly collect sewage from each premises by either an interceptor or by a holding tank or sanitary can collection service.~~

~~B. Each person shall be jointly and severally responsible to provide and maintain at least one sanitary can upon any premises; except that owners and occupants of premises served by a sewer interceptor or holding tank shall not be required to provide and maintain any sanitary can upon the premises. (Ord. 94-12S § 5)~~

### **13.08.080 Credit--Deposits--Assistance.**

Each person required to subscribe to sewer collection service shall establish credit with the finance department.

A. Establishment of Credit. A utility deposit will be required. A deposit equal to the estimated bill for two months' service, but not less than one hundred dollars shall be required.

B. Deposits. The deposit is not a payment on account. In the event the person making the deposit is no longer required to subscribe to sewer collection service, the deposit will be applied to the closing bill, and any amount in excess of the closing bill will be refunded to such person. The city shall pay interest of three percent on any deposit.

C. Forfeiture of Deposit. If a customer's account becomes delinquent, the deposit shall be applied to the unpaid balance and an additional deposit equal to the estimated bill for two months' service shall be paid within thirty days of the date the original deposit was applied to the delinquent balance.

D. Assistance. The city shall provide assistance for sanitary can service to any subscriber proving financial need. (Ord. 94-12S § 7: Amds. 10 (part) and 12, § 2 to Ord. 85: prior code § 11.12.040(2))

### **13.08.160 Holding tanks and sanitary cans.**

A. All persons required to subscribe to sewer collection services but to whom a sewer is not available shall have sewage collected from their property or residence provided that the location, type of holding tank or sanitary can, and access thereto is approved by the department. Quantity and frequency of sewer services shall be determined by

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Introduction Date: January 23, 2007  
Public Hearing: February 13, 2007  
Action: Passed  
Vote: 5-1

regulations or orders of the department and approved by the council by resolution, and the rate charged for such sewage collection services shall be determined by the council by ordinance.

**13.08.240 Sanitary facilities nuisance declared.**

Any building inhabited or owned by any person required to subscribe to sewage collection services for which no subscription for sewage service has been made, or for which delinquent charges for sewage services exist, or whose facilities for the disposal of sewage are not in serviceable working order, or have not been approved by either the city or the state, or whose sewage facilities consist solely of a sanitary can ~~without adequate antiseptic treatment of human excrement~~, or whose sewage facilities are unsanitary or dangerous to health or safety shall be and is deemed and declared a common or public nuisance. (Ord. 94-12S § 11 (part))

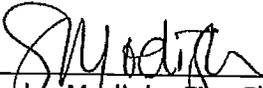
**SECTION 3. Effective Date.** This ordinance shall become effective immediately upon passage by the City Council.

**ENACTED THIS 13th DAY OF FEBRUARY, 2007, BY A VOTE OF 5 IN FAVOR AND 1 OPPOSED.**



\_\_\_\_\_  
Daniel C. Leinberger, Mayor

ATTEST:



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Sandra Modigh, City Clerk



# CITY OF BETHEL

P O Box 388 • Bethel, Alaska 99559

907-543-2087

FAX # 543-4171

Presented by: City Manager Hunter

Date: May 10, 1994

Public Hearing Ordinance #94-12: May 24, 1994

Public Hearing Substitute Ordinance #94-12S: June 28, 1994

Action: Passed

Vote: 7-Yes, 0-No

## SUBSTITUTE ORDINANCE #94-12S

### AN ORDINANCE AMENDING CHAPTER 13.08 OF THE BETHEL MUNICIPAL CODE TO REQUIRE SUBSCRIPTION TO MUNICIPAL SEWER SERVICES

**WHEREAS**, there exists in the City of Bethel a serious public health problem related to the illegal dumping of untreated human waste by persons who decline to become users of the City's sewage service; and

**WHEREAS**, enforcement of the current prohibition on the illegal dumping of human waste is both difficult and impracticable; and

**WHEREAS**, requiring all persons who reside in or own buildings in the City of Bethel and are connected to the dedicated road system to subscribe to City of Bethel sewer service will further the public health and better enable the City to exercise its police power to enforce the prohibition on improper disposal of human waste;

**NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF BETHEL, ALASKA:**

Section 1. This is a code ordinance.

Section 2. If any part of provision of this ordinance or application thereof to any person or circumstance is adjudged invalid by any court of competent jurisdiction, such judgement shall be confined in its operation to the part, provision or application directly involved in the controversy in which this judgement shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision or application.

Section 3. This ordinance shall not be construed as abating any action now pending under, or by virtue of, prior existing laws or as discontinuing abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving right of the city under any section or provision existing at the time this ordinance is adopted, or as vacating or annulling any right obtained by any person, firm, or

City of Bethel  
Ordinance #94-12S  
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*"Deep Sea Port and Transportation Center of the Kuskokwim"*

corporation, by lawful action of the city except as shall be expressly provided for in this title.

Section 4. Section 13.08.010 of the Bethel Municipal Code is hereby amended to read as follows:

13.08.010 Definitions. As used in this chapter:

- A. "Applicant" means the person or persons, firm or corporation or other entity making application for sewer service from the department under the terms of this chapter.
- B. "Customer" means an applicant whose application has been accepted by the department.
- C. "Customer service lines" means that part of the sewer system which is situated on the customer's property or other private property over which the customer has control.
- D. "Department" means the city public works department.
- E. "Designee" means a person or business that has been approved by the City of Bethel to collect, transport and dispose of sewage.
- F. "Financial Need" means a person meets the standards developed by the Finance Department in accordance with government standards, which are reviewed and approved annually by the City Council.
- G. "Interceptors" means all trunk, main and lateral sewer lines of every kind which are connected to and used for the collection of sewage from the customer service lines and its delivery to the sewage treatment plant, except customer service lines.
- H. "Person" means the head of the household occupying or maintaining a premises and the owner or manager of a premises.
- I. "Premises" means any dwelling, office or building located within the boundaries of the city that are connected to the dedicated road system whose occupants or invitees create or accumulate sewage at least weekly. Each unit in a multi-occupied structure is considered to be a separate premises.
- J. "Sanitary Can" means a five gallon standard metal or plastic container used for the collection of human waste.

Section 5. Chapter 13.08 of the Bethel Municipal Code is amended by adding a new section 13.08.025 to read as follows:

13.08.025 Mandatory Subscription. A. Each person shall be jointly and severally responsible to subscribe for sewer service from the city and shall so subscribe for City approved sewer service no later than October 1, 1994. The city or its designee shall regularly collect sewage from each premises by either an interceptor or by a holding tank or sanitary can collection service.

B. Each person shall be jointly and severally responsible to provide and maintain at least one sanitary can upon any premises; except that owners and occupants of premises served by a sewer interceptor or holding tank shall not be required to provide and maintain any sanitary can upon the premises.

Section 6. Section 13.08.070 of the Bethel Municipal Code is hereby amended to read as follows:

13.08.070 Obedience to Rules and Regulations. Each person required to subscribe to sewer collection service shall sign a service form provided by the department, giving the date, location of the premises to be served, class of service, the address for mailing bills and such other information as the department may reasonably require. All persons required to subscribe to sewer collection services shall abide by the rules and regulations established by the city and by the requirements set forth in this chapter, including alterations and amendments which may be made from time to time.

Section 7. Section 13.08.080 of the Bethel Municipal Code is hereby amended to read as follows:

Section 13.08.080 Credit--Deposits--Assistance. Each person required to subscribe to sewer collection service shall establish credit with the Finance Department.

A. Establishment of Credit. A utility deposit will be required. A deposit equal to the estimated bill for two months' service, but not less than one hundred dollars shall be required.

B. Deposits. The deposit is not a payment on account. In the event the person making the deposit is no longer required to subscribe to sewer collection service, the deposit will be applied to the closing bill, and any amount in excess of the closing bill will be refunded to such person. The city shall pay interest of three percent (3%) on any deposit.

C. Forfeiture of Deposit. If a customer's account becomes delinquent, the

deposit shall be applied to the unpaid balance and an additional deposit equal to the estimated bill for two months' service shall be paid within thirty (30) days of the date the original deposit was applied to the delinquent balance.

D. Assistance. The City shall provide assistance for sanitary can service to any subscriber proving financial need.

Section 8. Section 13.08.160 of the Bethel Municipal Code is hereby amended to read as follows:

13.08.160 Holding Tanks and Sanitary Cans. All persons required to subscribe to sewer collection services but to whom a sewer is not available shall have sewage collected from their property or residence provided that the location, type of holding tank or sanitary can, and access thereto is approved by the department. Quantity and frequency of sewer services shall be determined by regulations or orders of the department and approved by the council by resolution, and the rate charged for such sewage collection services shall be determined by the council by ordinance.

Section 9. Section 13.08.220 of the Bethel Municipal Code is hereby amended to read as follows:

13.08.220 Delinquency. A. The city shall send a notice of account delinquency to each customer on or after ten days after the account becomes delinquent.

B. On or before fifteen days after an account becomes delinquent, a notice of delinquency and public nuisance shall be sent to the customer and to the owner of the premises. The notice shall state a date on or after which the premises will be declared a public nuisance if the delinquent account is not paid in full prior thereto. Such date shall not be less than five not more than fifteen days from the date of the notice. The delivery to the premises served or mailing to the address on record of the customer and of the owner shall be considered a delivery to the customer and to the owner.

C. If the delinquency has not been cured by the date stated in the notice, the city may declare the premises a public nuisance and proceed to abate said nuisance in accordance with Section 13.08.241.

D. Interest on delinquent accounts shall be paid at the rate of ten and one-half percent (10.5%) per annum.

Section 10. Section 13.08.230 of the Bethel Municipal Code is hereby amended to read as follows:

13.08.230 Discontinuance--Customer Request. Each person who is moving from a premise for which they were required to subscribe for sewer service shall give the department written notice of their intention to move from the premises at least two days prior to the date of their move. Said notice shall specify whether the premises will continue to be inhabited following their departure and the name of the owner of the premises. Failure to give the required notice means the person shall remain jointly and severally liable for all sewage removed from the premises until the department receives the notice required by this section. Upon receipt of the notice required by this section, a bill shall be rendered and such bill shall be payable immediately. In no case will the bill be less than the monthly minimum specified in the current sewer rate schedule for the class or classes of sewer service theretofore furnished.

Section 11. Sections 13.08.240 and 13.08.250 of the Bethel Municipal Code are hereby repealed in their entirety and replaced by the following sections:

13.08.240 Sanitary Facilities Nuisance Declared. Any building inhabited or owned by any person required to subscribe to sewage collection services for which no subscription for sewage service has been made, or for which delinquent charges for sewage services exist, or whose facilities for the disposal of sewage are not in serviceable working order, or have not been approved by either the City of Bethel or the State of Alaska, or whose sewage facilities consist of a sanitary can without adequate antiseptic treatment of human excrement, or whose sewage facilities are unsanitary or dangerous to health or safety shall be and is deemed and declared a common or public nuisance.

13.08.241 Abatement of Nuisance. Any common or public nuisance as defined by section 13.08.240 shall be abated as follows:

A. The owner of the property and an inhabitant of the building shall be given a notice to abate by the city manager, by the police chief or by any of their designees.

B. The notice shall include:

- (1) The address of the property and the name of the record owner;
- (2) A short description of the nuisance;
- (3) An order to abate the nuisance in a manner acceptable to the city;
- (4) A statement that if such abatement is not completed within forty-eight (48) hours of service of the notice, the city is authorized to issue a citation for a violation and impose a fine of up to one hundred dollars per day for each day abatement of the nuisance is not completed.
- (5) A statement that the City shall provide assistance to any subscriber proving financial need.

C. Forty-eight (48) hours after service of the notice to abate, the city shall inspect the premises and determine whether the nuisance is still present. If, in the best judgement of the city, the owner or any inhabitant of the premises has not acted to abate the nuisance or their actions to abate have failed, the City shall issue a citation to the owner and any inhabitant of the premises.

13.08.243 Violation. It is unlawful for any person to continue any violation of which they have received notice beyond the period specified in such notice. Each day for which any violation continues shall be considered a separate violation.

13.08.245 Injunctive Relief. The City may seek injunctive relief to halt a continuing violation of this chapter or to mandate compliance with this chapter or both.

13.08.247 Penalty. Any person who violates any provision of this chapter shall be subject to a fine of not more than one hundred dollars.

Section 12. Section 13.08.290 of the Bethel Municipal Code is hereby amended to read as follows:

Section 13.08.290 Unlawful Sewage Disposal. It is unlawful for a person to dispose of sewage, liquid waste or human excreta from any premises by any method other than through utilization of the city sewer service or its appointed designee.

Section 13. Section 13.08.300 of the Bethel Municipal Code is hereby amended to read as follows:

Section 13.08.300 Individual Sewer System. It is unlawful for any person to operate or maintain an individual sewage disposal system without a State of Alaska wastewater discharge permit 18 AAC 72.010.

Section 14. Effective Date. This ordinance shall be effective August 1, 1994.

PASSED AND APPROVED THIS 28TH DAY OF JUNE, 1994.

  
\_\_\_\_\_  
Donna J. Chris, Mayor

ATTEST:

  
\_\_\_\_\_  
Connie Tucker, City Clerk

Introduced by: City Manager Hunter  
Date: May 10, 1994  
Public Hearing: May 24, 1994  
Action: Amended by Substitute Ordinance #94-12S  
Vote: None

## ORDINANCE #94-12

### AN ORDINANCE AMENDING CHAPTER 13.08 OF THE BETHEL MUNICIPAL CODE TO REQUIRE SUBSCRIPTION TO MUNICIPAL SEWER SERVICES

**WHEREAS**, there exists in the City of Bethel a public health problem related to the illegal dumping of untreated human waste by persons who decline to become customers of the City's trucked sewage service or to properly dispose of their human waste through other means; and

**WHEREAS**, enforcement of the current prohibition on the illegal dumping of human waste is both difficult and impracticable; and

**WHEREAS**, requiring all persons who reside on or own buildings in the City of Bethel to subscribe to City of Bethel sewer service will further the public health and better enable the City to exercise its police power to enforce the prohibition on improper disposal of human waste;

**NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF BETHEL, ALASKA:**

Section 1. This is a code ordinance.

Section 2. If any part of provision of this ordinance or application thereof to any person or circumstance is adjudged invalid by any court of competent jurisdiction, such judgement shall be confined in its operation to the part, provision or application directly involved in the controversy in which this judgement shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision or application.

Section 3. This ordinance shall not be construed as abating any action now pending under, or by virtue of, prior existing laws or as discontinuing abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving right of the city under any section or provision existing at the time this ordinance is adopted, or as vacating or annulling any right obtained by any person, firm, or corporation, by lawful action of the city except as shall be expressly provided for in this title.

Section 4. Section 13.08.010 of the Bethel Municipal Code is hereby amended to read as follows:

13.08.010 Definitions. As used in this chapter:

- A. "Applicant" means the person or persons, firm or corporation or other entity making application for sewer service from the department under the terms of this chapter.
- B. "Customer" means an applicant whose application has been accepted by the department.
- C. "Customer service lines" means that part of the sewer system which is situated on the customer's property or other private property over which the customer has control.
- D. "Department" means the city public works department.
- E. "Interceptors" means all trunk, main and lateral sewer lines of every kind which are connected to and used for the collection of sewage from the customer service lines and its delivery to the sewage treatment plant, except customer service lines.
- F. "Person" means the head of the household occupying or maintaining a premises and the owner or manager of a premises.
- G. "Premises" means any dwelling, office or building located within the boundaries of the city whose occupants or invitees create or accumulate sewage at least weekly. Each unit in a multi-occupied structure is considered to be a separate premises.
- H. "Sanitary Can" means an eight gallon standard metal or plastic container used for the collection of human waste.

Section 5. Chapter 13.08 of the Bethel Municipal Code is amended by adding a new section 13.08.025 to read as follows:

13.08.025 Mandatory Subscription. A. Each person shall be jointly and severally responsible to subscribe for sewer service from the city and shall so subscribe for sewer service. The city or its designee shall regularly collect sewage from each premises by either an interceptor or by a holding tank or sanitary can collection service.

B. Each person shall be jointly and severally responsible to provide and maintain at least one sanitary can upon any premises; except that owners and occupants of premises served by a sewer interceptor or holding tank shall not be required to provide and maintain any sanitary can upon the premises.

Section 6. Section 13.08.070 of the Bethel Municipal Code is hereby amended to read as follows:

13.08.070 Obedience to Rules and Regulations. Each person required to subscribe to sewer collection service shall sign a service form provided by the department, giving the date, location of the premises to be served, class of service, the address for mailing bills and such other information as the department may reasonably require. All persons required to subscribe to sewer collection services shall abide by the rules and regulations established by the city and by the requirements set forth in this chapter, including alterations and amendments which may be made from time to time.

Section 7. Section 13.08.080 of the Bethel Municipal Code is hereby amended to read as follows:

Section 13.08.080 Credit--Deposits. Each person required to subscribe to sewer collection service shall establish credit with the city clerk.

A. Establishment of Credit. Credit will be established based on a person's past utility records. A utility deposit will not be required if it is determined that a person has a good credit rating. A deposit equal to the estimated bill for one month's service, but not less than twenty dollars shall be required if a person has been delinquent in the payment of utility bills issued by the city or if such person is considered to be a poor credit risk.

B. Deposits. The deposit is not a payment on account. In the event the person making the deposit is no longer required to subscribe to sewer collection service, the deposit will be applied to the closing bill, and any amount in excess of the closing bill will be refunded to such person. The city shall pay interest of five percent (5%) on any deposit.

C. Forfeiture of Deposit. If a customer's account becomes delinquent, the deposit shall be applied to the unpaid balance and an additional deposit equal to the estimated bill for two months' service shall be paid within thirty (30) days of the date the original deposit was applied to the delinquent balance.

Section 8. Section 13.08.160 of the Bethel Municipal Code is hereby amended to read as follows:

13.08.160 Holding Tanks and Sanitary Cans. All persons required to subscribe to sewer collection services but to whom a sewer is not available shall have sewage collected from their property or residence provided that the location, type of holding tank or sanitary can, and access thereto is approved by the department. Quantity and frequency of sewer services shall be determined by regulations or orders of the department and approved by the council by resolution, and the rate charged for such sewage collection services shall be determined by the council by ordinance.

Section 9. Section 13.08.220 of the Bethel Municipal Code is hereby amended to read as follows:

13.08.220 Delinquency. A. The city shall send a notice of account delinquency to each customer on or after ten days after the account becomes delinquent.

B. On or before fifteen days after an account becomes delinquent, a notice of delinquency and public nuisance shall be sent to the customer and to the owner of the premises. The notice shall state a date on or after which the premises will be declared a public nuisance if the delinquent account is not paid in full prior thereto. Such date shall not be less than five not more than fifteen days from the date of the notice. The delivery to the premises served or mailing to the address on record of the customer and of the owner shall be considered a delivery to the customer and to the owner.

C. If the delinquency has not been cured by the date stated in the notice, the city may declare the premises a public nuisance and proceed to abate said nuisance in accordance with Section 13.08.241.

D. Interest on delinquent accounts shall be paid at the rate of ten and one-half percent (10.5%) per annum.

Section 10. Section 13.08.230 of the Bethel Municipal Code is hereby amended to read as follows:

13.08.230 Discontinuance--Customer Request. Each person who is moving from a premise for which they were required to subscribe for sewer service shall give the department written notice of their intention to move from the premises at least two days prior to the date of their move. Said notice shall specify whether the premises will continue to be inhabited following their departure and the name of the owner of the premises. Failure to give the required notice means the person shall remain jointly and severally liable for all sewage removed from the premises until the department receives the notice required by this section. Upon receipt of the notice required by this section, a bill shall be rendered and such bill shall be payable

immediately. In no case will the bill be less than the monthly minimum specified in the current sewer rate schedule for the class or classes of sewer service theretofore furnished.

Section 11. Sections 13.08.240 and 13.08.250 of the Bethel Municipal Code are hereby repealed in their entirety and replaced by the following sections:

13.08.240 Sanitary Facilities Nuisance Declared. Any building inhabited or owned by any person required to subscribe to sewage collection services for which no subscription for sewage service has been made, or for which delinquent charges for sewage services exist, or whose facilities for the disposal of sewage are not in serviceable working order, or have not been approved by either the City of Bethel or the State of Alaska, or whose sewage facilities consist of a sanitary can without adequate antiseptic treatment of human excrement, or whose sewage facilities are unsanitary or dangerous to health or safety shall be and is deemed and declared a common or public nuisance.

13.08.241 Abatement of Nuisance. Any common or public nuisance as defined by section 13.08.240 shall be abated as follows:

A. The owner of the property and an inhabitant of the building shall be given a notice to abate by the city manager, by the police chief or by any of their designees.

B. The notice shall include:

- (1) The address of the property and the name of the record owner;
- (2) A short description of the nuisance;
- (3) An order to abate the nuisance in a manner acceptable to the city;
- (4) A statement that if such abatement is not completed within forty-eight (48) hours of service of the notice, the city is authorized to enter the premises and summarily evacuate all inhabitants and close the premises to the public.

C. Forty-eight (48) hours after service of the notice to abate, the city shall inspect the premises and determine whether the nuisance is still present. If, in the best judgement of the city, the owner or any inhabitant of the premises has not acted to abate the nuisance or their actions to abate have failed, the premises may be ordered closed to occupancy by the chief of police or his designee until the sewage system is in serviceable working order and has been inspected and approved by the City of Bethel Department of Public Works or until the delinquent charges for sewer service have been paid.

13.08.242 Failure to Vacate Premises Unlawful. It is unlawful for any person who owns or occupies any building which is a common or public nuisance as defined in Section 13.08.240 to fail or refuse to vacate the building and close the building to the public when ordered to do so by any police officer of the city.

13.08.243 Violation. It is unlawful for any person to continue any violation of which they have received notice beyond the period specified in such notice.

13.08.245 Injunctive Relief. The city may seek injunctive relief to halt a continuing violation of this chapter or to mandate compliance with this chapter or both.

Section 12. Section 13.08.290 of the Bethel Municipal Code is hereby amended to read as follows:

Section 13.08.290 Unlawful Sewage Disposal. It is unlawful for a person to dispose of sewage, liquid waste or human excreta from any premises by any method other than through utilization of the city sewer service.

Section 13. Section 13.08.300 of the Bethel Municipal Code is hereby amended to read as follows:

Section 13.08.300 Individual Sewer System. It is unlawful for any person to operate or maintain an individual sewage disposal system.

Section 14. Effective Date. This ordinance shall be effective July 1, 1994.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1994.

\_\_\_\_\_  
Donna J. Chris, Mayor

ATTEST:

\_\_\_\_\_  
Connie Tucker, City Clerk