

Introduced by: City Manager Williams  
Introduction Date: April 25, 2017  
Public Hearing: May 9, 2017  
Action: Adopted  
Vote: 6-0

## *CITY OF BETHEL, ALASKA*

### **Ordinance #17-23**

#### **AN ORDINANCE AMENDING BETHEL MUNICIPAL CODE SECTION 13.08.360 EXPERIMENTS AND INNOVATIONS**

**WHEREAS**, the Bethel Municipal Code allows for experimental and/or innovative processes or procedures for waste treatment;

**WHEREAS**, the City of Bethel is committed to reducing energy use;

**WHEREAS**, currently the Code requires an applicant for an experimental and/or innovative waste treatment process to apply to the Public Works Committee;

**WHEREAS**, while the work of the public works committee is invaluable, as with all committees their role is to provide recommendations to the governing body;

**WHEREAS**, because committees and commissions are limited in authority, their ability to take action is questionable and thus their ability to issue permits is likely prohibited;

**WHEREAS**, having the applications go directly to the public works director would assure the experiments and innovations are reviewed and inspected in accordance with applicable laws and ordinances, thus providing a more comprehensive safety check;

**NOW, BE IT ORDAINED**, the City Council amends section 13.08.360 of the Bethel Municipal Code as outlined in this Ordinance;

**SECTION 1. Classification.** This is a Codified Ordinance and shall become part of the Bethel Municipal Code.

**SECTION 2. Amendments.** Bethel Municipal Code Section 13.08.360, Experiments and Innovations, is amended as follows (old language is stricken, new language is underlined):

#### **13.08.360 Experiments and innovations.**

Nothing in this chapter shall be construed to prohibit the use of experimental and/or innovative processes or procedures for waste treatment. The operation of such device, process or procedure shall have the prior written approval of the public works director. After a public hearing of the public works committee, the public works director shall evaluate the advice of the public works committee in ~~approving~~ considering approving of all such devices, processes and procedures to ensure that they are not in conflict with the health and welfare of the city.

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~~Nothing in this chapter shall be construed to prohibit the use of experimental and/or innovative processes or procedures for waste treatment. The operation of such device, process or procedure shall have the prior written approval of the public works director committee of the city council. After a public hearing of the committee public works committee, the public works director shall evaluate with the advice of the public works committee approve all such devices, processes and procedures to ensure that are not in conflict with the health and welfare of the city. Applications for approval of such devices, processes and procedures shall be made to the public works director and any appeal from a decision of the public works committee director shall be to the council as a whole in accordance with the appeal procedures set out in section 2.45 of the BMC.~~

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

**ENACTED THIS 9 DAY OF MAY 2017, BY A VOTE OF 6 IN FAVOR AND 0 OPPOSED.**

ATTEST:

  
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Richard Robb, Mayor

  
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Lori Strickler, City Clerk