

Original sponsor: Fischer

Offered: 3/28/74
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 445

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to platting powers of municipalities."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 29.33 is amended by adding a new section to read:

9 Sec. 29.33.155. DEDICATION OF PARK, OPEN SPACE, RECREATION LANDS.

10 (a) A municipality may, by ordinance, require the dedication of land,
11 the payment of fees instead of dedication, or a combination of both,
12 for parks, open space or recreational purposes as a condition of the
13 approval of a final subdivision plat; however,

14 (1) the ordinance shall include definite standards for
15 determining the proportion of a subdivision to be dedicated and the
16 amount of any fee to be paid instead of dedication;

17 (2) the amount and location of land to be dedicated or the
18 fees to be paid shall bear a reasonable relationship to the use of the
19 land or recreational facilities placed on the land by future inhabitants
20 of the subdivision, and the municipality shall provide for the management
21 and maintenance of the park and recreational land dedicated;

22 (3) if a fee is to be paid to the municipality under this
23 section instead of dedication of land, the fee shall become payable at
24 the rate that the lots or tracts of the subdivision planned for sale are
25 sold.

26 (b) The land dedicated and fees paid under (a) of this section
27 shall be used only for the purpose of providing park, recreation or
28 open space facilities.

29 * Sec. 2. AS 40.15.030 is amended to read:

1 Sec. 40.15.030. DEDICATION OF STREETS, ALLEYS, [AND] THOROUGH-
2 FARES AND OTHER PUBLIC AREAS. When an area is subdivided and a plat
3 of the subdivision is approved and recorded, all streets, alleys,
4 thoroughfares, parks and other public areas marked and shown on the
5 plat are considered [DEEMED] to have been dedicated to public use.
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