

Original sponsor: Freeman

Offered: 3/15/79
Referred: Rules

1 IN THE HOUSE

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 172

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to review and approval of subdivision
7 and development plans by municipalities; and providing
8 for an effective date."

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

10 * Section 1. AS 46.03.090 is amended to read:

11 Sec. 46.03.090. PLANS FOR POLLUTION DISPOSAL. The department may
12 require the submission of plans

13 (1) for sewage and industrial waste disposal or treatment or
14 both for a publicly or privately owned or operated industrial establish-
15 ment[,]; and

16 (2) for a community, public or private property subdivision
17 or development only

18 (A) if that subdivision or development is located out-
19 side a municipality which exercises platting and subdivision
20 approval authority under AS 29.33.150 - 29.33.240; or

21 (B) if, in a municipality which exercises platting and
22 subdivision approval authority, standards applicable to the re-
23 view and approval of subdivision plats have not been adopted and
24 filed with the Department of Community and Regional Affairs in
25 accordance with AS 29.33.155.

26 * Sec. 2. AS 46.03.720(a) is amended to read:

27 (a) Except when a plat receives approval by the platting board of
28 a municipality in conjunction with the review and approval of a subdivi-
29 sion or dedication under AS 29.33.155, no [NO] person may construct,

1 extend, install or operate a sewerage system or treatment works, or any
2 part of a sewerage system or treatment works, until plans for it are
3 submitted to the department for review and the department approves them
4 in writing and issues a written permit. The review and approval of a
5 plat of a subdivision or dedication by a municipality exempts the
6 department from review of individual subdivision lots under this sub-
7 section.

8 * Sec. 3. AS 29.33.150(1) is amended to read:

9 (1) form, size, and other aspects of subdivisions, dedica-
10 tions, and vacations of land, including but not limited to, standards
11 for review and approval of proposed subdivisions having on-lot sewerage
12 and wastewater treatment and disposal systems;

13 * Sec. 4. AS 29.33 is amended by adding a new section to read:

14 Sec. 29.33.155. STANDARDS FOR SUBDIVISIONS. A municipality which
15 requires subdivision approval may adopt standards applicable for the
16 review and approval of subdivisions with respect to type and location of
17 water sources and sewerage treatment and disposal systems. A copy of
18 the municipality's current ordinance defining standards applicable for
19 the review and approval shall be filed with the commissioner of com-
20 munity and regional affairs. The municipality's ordinance shall provide
21 that a proposed subdivision may not be approved if the subdivision does
22 not meet the standards defined by the municipality.

23 * Sec. 5. AS 29.33.160 is amended by adding a new subsection to read:

24 (c) The platting board may request the Department of Environmental
25 Conservation to review and advise on proposed type and location of water
26 sources and sewerage, sewerage treatment and disposal systems for pro-
27 posed subdivisions submitted for platting board review and approval.

28 * Sec. 6. AS 46.03.020 is amended by adding a new paragraph to read:

29 (12) when requested to do so by a municipality exercising

1 platting and subdivision authority under AS 29.33.155, review proposed
2 type and location of water sources and sewerage, sewerage treatment and
3 disposal systems for proposed subdivisions by application of the munici-
4 pality's ordinances for water supply and sewerage treatment and
5 disposal.

6 * Sec. 7. AS 44.47.050(5) is amended to read:

7 (5) maintain a library or reference file of municipal ordi-
8 nances required to be kept by the department by law, serve as a clearing
9 house for information useful in solution of community and regional
10 problems, and channel to the appropriate authority requests for
11 documents, information and services;

12 * Sec. 8. This Act takes effect immediately in accordance with AS 01.10.-
13 070(c).

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