



# LAWS OF ALASKA

1970

Source

SB 557

Chapter No.

212

## AN ACT

Relating to local improvements and assessments; and providing for an effective date.

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

\* Section 1. AS 29.10.246 is amended to read:

Sec. 29.10.246. ASSESSMENTS FOR IMPROVEMENTS AGAINST PROPERTY BENEFITED. The council may assess against the real property specially benefited by the improvements the cost, in whole or in part, of laying out, grading, constructing or repairing a street, alley or sidewalk, constructing or repairing a sewer or drain, constructing or repairing water supply and distribution systems, acquiring and constructing parks or playgrounds or making changes in channels of streams or watercourses or constructing, erecting, strengthening or repairing, bulkheads, embankments or dikes for streams or watercourses. The costs shall be assessed against the real property specially benefited in proportion to the benefits received by each tract of land. However, no assessment may be levied for an improvement unless the improvement is requested of the city council in writing by the owners of at least one-half in value of the property to be specially benefited by the improvement. The expense assessed may include the cost to the city of acquiring premises for the improvements.

\* Sec. 2. AS 29.10.252 is amended to read:

Sec. 29.10.252. DECISION TO ASSESS. If the council finds that the improvement is necessary and that the request has been signed by the owners of at least one-half in value of the property to be specially benefited, the council may also decide that the cost, in whole or in part, shall be assessed against the real property benefited in proportion to the amount of the benefits received by each tract of property.

\* Sec. 3. AS 29.10.273 is amended to read:

Sec. 29.10.273. REASSESSMENT WHERE AN ASSESSMENT HAS BEEN INVALIDATED BY THE COURTS. Whenever an assessment provided for in sec. 246 of this chapter, or for any local improvement is set aside, annulled, or declared void, or its enforcement refused by a court of the state or the United States, whether directly or by virtue of a decision of a court, the council may, by ordinance or resolution, make a new assessment or reassessment upon the lots, blocks or parcels of land benefited by the improvement of the cost, in whole or in part, of the improvement. The reassessment shall be based upon the special and peculiar benefit of the improvement to the respective parcels of land assessed at the time it was originally made. However, no reassessment may be made for improvements made before June 22, 1951, and for which a levy of assessment has been attempted to be made, where the reassessment would exceed 75 per cent of the amount of the previous void or invalid assessment.

\* Sec. 4. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.