



## PLANNING COMMISSION REGULAR MEETING

Wednesday, May 10, 2023 at 5:30 PM

### AGENDA

*In compliance with the Americans with Disabilities Act, individuals needing special accommodations / during this meeting should notify the City of Dillingham at 907-842-5212 at least three working days before the meeting.*

#### MEETING INFORMATION

##### **PLANNING COMMISSION REGULAR MEETING CITY HALL COUNCIL CHAMBERS / 5:30 p.m.**

141 Main Street, Dillingham, AK 99576 (907) 842-5212

This meeting will also be available at the following online zoom location: <https://us02web.zoom.us/j/89375097762?pwd=TTBjeEIML0xKWFRWb2NFZTlyYk9KQT09>  
Meeting ID: 893 7509 7762; participant #, passcode: 299175  
Or dial (346) 248-7799, or (669) 900-6833

#### **CALL TO ORDER**

#### **ROLL CALL**

#### **APPROVAL OF MINUTES**

April 19, 2023 Planning Commission Regular Meeting Minutes

- [1.](#) Approval of April 19, 2023 Regular Planning Commission Meeting Minutes

#### **APPROVAL OF AGENDA**

#### **COMMUNICATIONS**

##### **Communications to the planning commission**

- [2.](#) Joy Britt, Program Director for the Alaska Forum on the Environment Presentation on becoming a Green Star Certified Community
- [3.](#) Bristol Engineer Isaac Pearson or Jayme Perkins will be present via zoom to explain the overall Nerka Road Improvement Project for the 2023 Construction Season. This will include overall timeline for the Project, what to expect as the project progress', and who to contact for questions or concerns for this project.

##### **Planner's report**

- [4.](#) April Monthly Planning Department Report

#### **PUBLIC HEARINGS**

**CITIZEN COMMENTS** (Limited to three minutes)

#### **UNFINISHED BUSINESS**

**NEW BUSINESS**

- [5.](#) Participation of the Green Star Program-Proposed Action
- [6.](#) Review Building Codes, as per Dillingham Municipal Code 15.08

**COMMISSIONER COMMENTS**

**ADJOURNMENT**



## PLANNING COMMISSION

Wednesday April 19, 2023, at 7:00 PM

### MINUTES

*In compliance with the Americans with Disabilities Act, individuals needing special accommodations / during this meeting should notify the City of Dillingham at 907-842-5212 at least three working days before the meeting.*

### MEETING INFORMATION

#### PLANNING COMMISSION REGULAR MEETING CITY HALL COUNCIL CHAMBERS / 7:00 p.m.

#### CALL TO ORDER

A regular meeting of the Planning Commission was held on Wednesday April 19, 2023, at the Dillingham City Council Chambers in Dillingham, Alaska

Council members present and establishing a quorum (a quorum being four): Kaleb Westfall, Gregg Marxmiller, Michael Bennett, Elizabeth Clark, Jennifer Evridge, Burt Luckhurst

Council members excused: Susan Isaacs

#### APPROVAL OF MINUTES

1. Approval of February 8 ,2023, Planning Commission Meeting Minutes.

Motion: Michael Bennett moved, and Bert Luckhurst seconded the motion to approve the February 8, 2023, commission meeting minutes.

Voting Yea: Kaleb Westfall, Gregg Marxmiller, Michael Bennett, Elizabeth Clark, Jennifer Evridge, Burt Luckhurst

#### APPROVAL OF AGENDA

MOTION to approve the agenda made by Elizabeth Clark, seconded by Michael Bennett

VOTING Yea: Kaleb Westfall, Gregg Marxmiller, Michael Bennett, Elizabeth Clark, Jennifer Evridge, Burt Luckhurst

#### COMMUNICATIONS

##### Communication to the planning commission

2. Presentations by Bristol Engineers Services Company, Isaac Pearson, Engineer was not present to give the update on the Nerka Road Improvements Project. Patty offered an update on the information that she was aware of for starting the Project. Public Notice for the Nerka Project has been advertised and a quick link banner on the city website that all anyone can press to find all the notices and updates will be stored. Patty did state that all permits are in place and clearing and grubbing of the right-of-way has started and will need to be completed before the Migratory Bird Act deadline of May 1. A brief

overview of the project was given including the new streetlights that will be installed and the city will absorb the cost of the electricity.

**Planner’s report**

- 3. The February and March Monthly Reports were included.

A brief verbal overview of both Monthly Reports was given by Patty Buholm.

Gregg asked if the Stop Sign needed to have a vote to remove, Patty stated that it had already been removed as an in-house action.

Kaleb had asked for clarification on the Green Star program would cost anything or if the Landfill Assessment that was completed cost anything, Patty responded with no, as this is a free service to the City of Dillingham.

Bert stated that during a recent trip to Hawaii he noted a recycling tent where anything reusable could be dropped at the tent then later sold by the landfill to make a couple of dollars.

Jennifer asked for clarification on the Green Star appropriations and why is it the third appropriation. Kaleb clarified the other two appropriation requests were for the Lagoon and harbor needs.

**Citizen’s comments on items not on the agenda**

Dagen Nelson spoke about his time as a City employee and his participation in the Comprehensive Plan update. Dagen offered history on the buildings, lift stations, and other items that need to be addressed.

**PUBLIC HEARINGS**

None scheduled

**UNFINISHED BUSINESS**

The Green Star Landfill Assessment Report was provided.

On February 8, 2023 a Planning Commission meeting Patty informed the Planning Commission that when the report was completed, she would share it with the Commission so it was included in the packet.

Gregg stated he appreciated the Planning Commission and Green Star Program for seeking funding through the State of Alaska appropriations for the Landfill needs.

**NEW BUSINESS**

None scheduled.

**COMMISSIONER COMMENTS**

Gregg Marxmiller thanked Dagen Nelson for his comments and all the work that he has completed for the City over the years. Gregg also thanked staff for their hard work.

Elizabeth Clark wanted to mirror Gregg’s comments for Dagen Nelson and thanked him for his contributions. She also suggested to modernized the system for the Comprehensive Plan and referenced a plan that a previous Superintendent had switched the light bulbs which saved the school a lot of money and maybe that is something that the Planning Commission can recommend during the Comprehensive Plan update.

Michael Bennett no comment

Bert Luckhurst no comment

Kaleb Westfall thanked staff for their hard work and thanked Dagen Nelson for his comments and input.

**ADJOURNMENT**

Commission Chair Kaleb Westfall adjourned the meeting at 8:03pm.

\_\_\_\_\_  
Commissioner Kaleb Westfall

ATTEST:

\_\_\_\_\_  
Patty Buholm, Planning Director

Approval Date: \_\_\_\_\_

# PUBLIC NOTICE

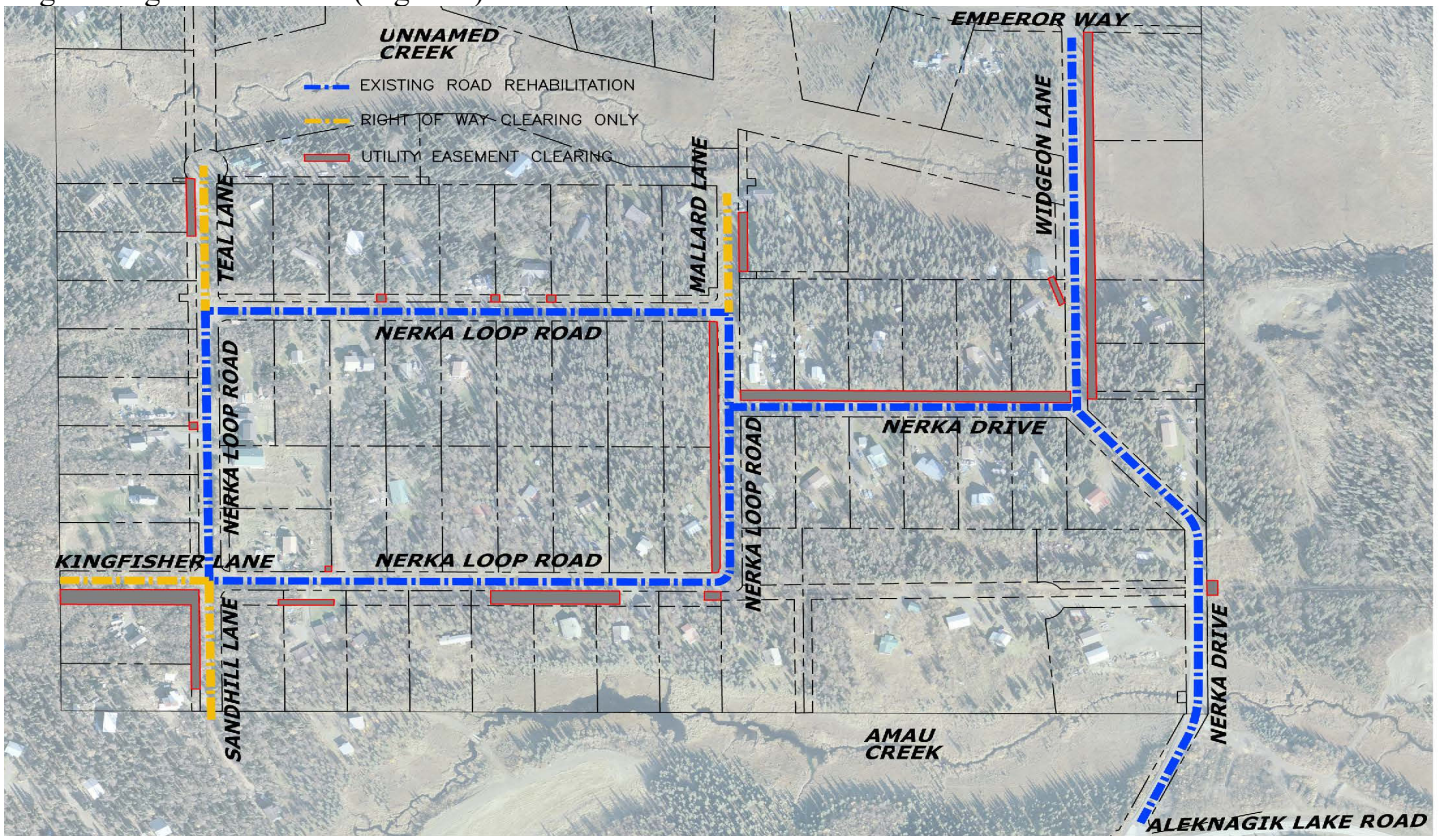
Section . Item #3.

DATE: April 18, 2023  
TO: Residents of Dillingham  
FROM: Bristol Engineering Services Company  
RE: Nerka Subdivision Roadway Improvements – Public Notice of Construction 2023

**Project:** The Nerka Roadway Improvements project will address drainage issues, utility conflicts, pedestrian and vehicular safety, upgrade the road to an asphalt pavement surface, and provide telecommunications upgrades throughout the subdivision. A new pedestrian pathway will be provided along Nerka Drive and Nerka Loop. The project will include clearing of all rights of ways and select utility easements, rehabilitation of Nerka Drive, Nerka Loop and Widgeon Lane, See Figure 1.

**Schedule:** Summer 2023 & 2024. April 2023 – Clearing, June-October 2023 – Utility Relocates and Roadwork

**Stakeholders:** City of Dillingham and Curyung Tribal Council (owners), JJC Enterprises (contractor), Bristol Engineering Services LLC (engineer)



**Contact:** Please direct all questions, comments, or concerns to the Engineer.

**Isaac Pearson, P.E.**  
Engineer  
Bristol Engineering Services Company LLC  
Phone: (907) 743-9313  
Mobile: (907) 351-1545  
[ipearson@bristol-companies.com](mailto:ipearson@bristol-companies.com)

**Jayne Perkins, EIT**  
Resident Project Representative  
Bristol Engineering Services Company LLC  
Project Mobile: (907) 717-4397  
[jperkins@bristol-companies.com](mailto:jperkins@bristol-companies.com)





Office: 907-842-1553 | Fax: 907-206-7020 | PO Box 1234 Dillingham, Alaska 99576

**PUBLIC NOTICE FROM JJC ENTERPRISES:**

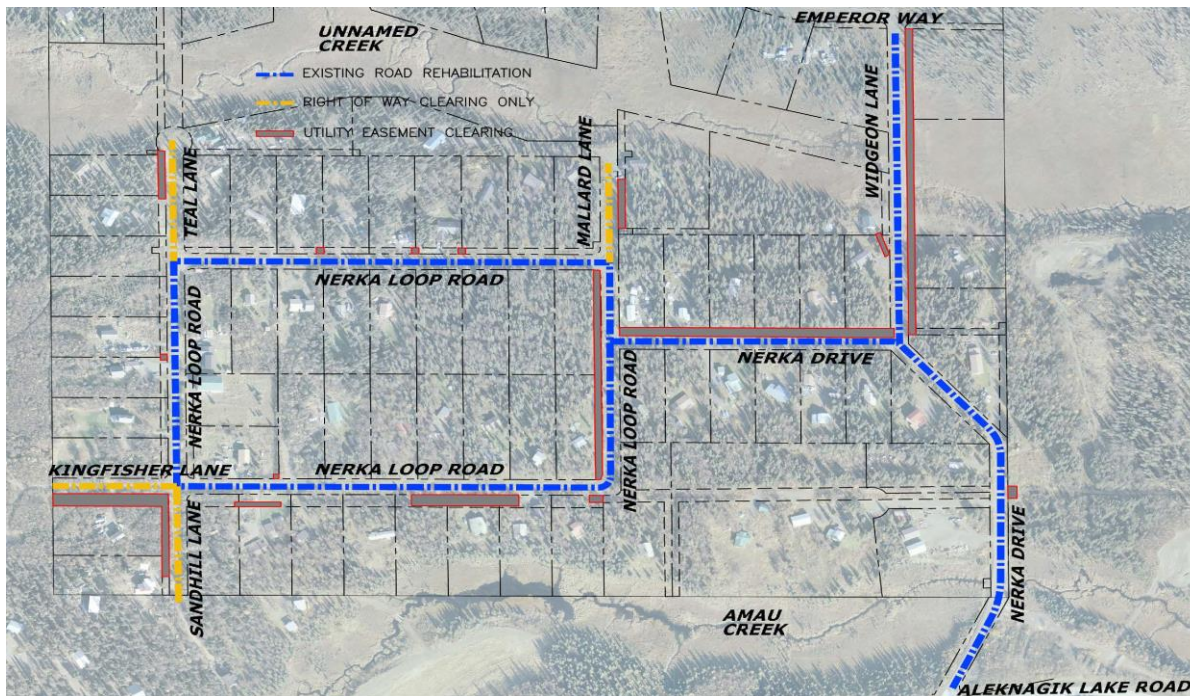
JJC Enterprises will be performing road construction in the Nerka Subdivision this spring, summer and fall. The construction season is quickly approaching and JJC would like to give residents in the area time to prepare for this season. We advise everyone to remove fragile and valuable items from walls and shelves to protect everything to the best of your ability. Heavy equipment use, high traffic at times, excessive noise, shaking and vibration should be anticipated – there has been a special noise permit issued for the duration of the project. We will be as respectful as we can as we complete this improvement. We understand it may be frustrating at times but please keep in mind this is to better the roads in your community. JJC is grateful for the opportunity and hope everyone is happy with the final product. We will start clearing tomorrow and will finish by May 1<sup>st</sup> then the construction season will begin beginning to middle of June weather dependent.

**PUBLIC NOTICE FROM BRISTOL ENGINEERING:**

**Project:** The Nerka Roadway Improvements project will address drainage issues, utility conflicts, pedestrian and vehicular safety, upgrade the road to an asphalt pavement surface, and provide telecommunications upgrades throughout the subdivision. A new pedestrian pathway will be provided along Nerka Drive and Nerka Loop. The project will include clearing of all rights of ways and select utility easements, rehabilitation of Nerka Drive, Nerka Loop and Widgeon Lane, See Figure 1.

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**Stakeholders:** City of Dillingham and Curyung Tribal Council (owners), JJC Enterprises (contractor), Bristol Engineering Services LLC (engineer).



**Contact:** Please direct all questions, comments, or concerns to the Engineer.

**Isaac Pearson, P.E.**  
Engineer  
Bristol Engineering Services Company LLC  
Phone: (907) 743-9313  
Mobile: (907) 351-1545  
[ipearson@bristol-companies.com](mailto:ipearson@bristol-companies.com)

**Jayme Perkins, EIT**  
Resident Project Representative  
Bristol Engineering Services Company, LLC  
Project Mobile: (907) 717-4397  
[jperkins@bristol-companies.com](mailto:jperkins@bristol-companies.com)

**Mayor**  
Alice Ruby

**Manager**  
Robert Mawson



**Dillingham City C**

Section . Item #4.

Kimberly Johnson  
Michael Bennett  
Aksel Buholm  
Curt Armstrong  
Kaleb Westfall  
Perry Abrams

## MEMORANDUM

**Date:** 4/28/2023  
**To:** Lori Goodell, Acting City Manager  
**From:** Patty Buholm, Planning Department  
**Subject:** Monthly Report for April 2023

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### **Acknowledgements and Recognitions:**

Thanks to Cy Two Elk, Project Manager II of Alaska Native Tribal Health Consortium's (ANTHC), for the continued assistance with seeking funds for updating the Water/Wastewater Plan. Also, a special thanks to Joy Britt, of Alaska Forum on the Environment, Green Star Program for her large role in writing the 2023 Congressionally Directed Spending (CDS) Appropriations request for the Landfill, the total request submitted was \$ 4,719,678.00.

### **Department Accomplishment and Opportunities:**

I continue to participate in the Monthly Alaska Municipal League meetings and training with other Planners throughout Alaska. These meetings (Cities of Opportunities) offer collaboration, funding resources, and an opportunity to hear from specialist to assist Planners and like-minded roles with issues that may need to be addressed. All required annual in-house training was completed by the Planning Department.

### **Projects – Progress and Public Impacts:**

- Although the Alaska Community Housing Assessment (ACHA) is not fully completed due to Maicel Fuhriman's internship ending, I do continue to correct issues that were identified during this process. Much of the work that I am continuing is correcting the addresses that needed to be added or corrected and working with the Finance Department to ensure the correct owners are listed. A full report of the ACHA results is available to review at the Planning Department Office. It is large and complex so will not be added to this report. Maicel Fuhriman's last day at ANTHC was on 4/20/23; additional research for this project will have to be completed by myself if time allows.
- A section of the ACHA was determining if private wells have been affected by Aqueous Film Forming Foam (AFFFR) also known as PFAS, contamination to get ahead of the funding that would be released for this growing issue. On February 16, 2023, the Biden-Harris Administration Announced \$18 million in Bipartisan Infrastructure Law Funding to address emerging contaminants in Drinking Water



in Alaska. I am working the Grant Team within the City of Dillingham (that Mawson created) and with ANTHC seeking funding to be able to develop a plan to provide clean water to those affected. I did receive support from both Curyung Tribal Council and the Native Village of Ekuk.

- Work continues with the Wastewater Lagoon Generator in anticipation of arrival on the last barge of 2023. I am currently working with CRW to have a concrete slab engineered for the generator since the generator, the fuel tank, and the housing unit weigh more than 15,000 pounds.
- Raven Electric was successful in completing their portion of replacing the meter bases at the City Dock office and the Sea Inn Bar. Nushagak Electric is working to strip the overhead powerlines so the poles can be removed when access and manpower available. Dean Heyano has expressed he is happy to have the space in the front of the Dock office for better staging, security, and accessibility to staff and clients receiving freight.
- A stop sign was removed at the intersection of West Main Street and Central Ave for noted safety concerns that surround the stop sign. Other stop signs located in Dillingham will be replaced with “Yield to Pedestrian” signs for similar safety issues. I have been working the Public Works Foreman in ordering signage to be placed later.
- Scott Van Hoff, FEMA Regional Flood Insurance Liaison for Region 10 was able to complete 2 workshop sessions in Dillingham on Building Codes and Floodplains on April 19<sup>th</sup> to the Planning Commission and again on the 20<sup>th</sup>. In October 2022 I noted that additional Public Outreach was needed, this is the follow up from that finding. The workshop on April 19<sup>th</sup> was focused on how these codes affect the City of Dillingham and the impact of building anything (roads, gravel pads, buildings, anything that changes the grade of the land) in the City of Dillingham will affect the FEMA documented Floodplain. The workshop on April 20<sup>th</sup> was geared toward local business, contractors, individuals who had expressed interest for building. The Floodplain has changed significantly within Dillingham without any amendments or revisions to the Flood Insurance Rate Map (FIRM) which is used to determine the flood risk and permitting within the Floodplain. It was noted in that our FIRM's are outdated and incorrect so a new study will have to be completed by FEMA. I will report when this is scheduled and that will affect our current practices of building and permitting.
- A new Plotter, Printer, possibly the Trimble, and a Range Pole are in the process of being purchased for the Planning Department.
- The harbor has had several issues identified including parking, access, and signage. A plan to improve these issues was hashed out in July 2022 between the Planning Department and Acting Harbor Master CJ Roque; this plan is being implemented by Lori Goodell, Acting City Manager. New signage is being ordered through Public Works Department. Additional trailer parking has been identified and a plan to create this temporary parking is being worked out between Lori and Public Works. I will assist with the implementation as Lori sees appropriate.
- The Ground Water Wells at the Landfill have previously been tested quarterly but working with Bristol Environmental and the Alaska Department of Environmental Conservation (DEC), the monitoring will now be biannually, once in May 2023 and another in early to mid-November 2023, then a re-evaluation by the DEC will occur

using the new wells data to determine if biannual sampling can continue or will have to revert to quarterly sampling.

- I have been working with the State of Alaska Department of Transportation (DOT) Department to close the Downtown Streets Rehabilitation Project. The project is not fully closed until all As-Builts are received and a letter stating as such is received from DOT.
- The Nerka Road Improvements project is in the beginning stages of construction. Right of Way clearing is underway in the Nerka Subdivision by contract winner JJC Enterprises. The Planning Department has been in contact with Bristol Engineering and Curyung Tribal Council for this project. A special banner has been put on the City of Dillingham webpage that will redirect the user to all the Public Notices that have been issued by JJC or Bristol Engineering Services and will be posted on the city’s social media to help spread the information. Most residents and business within the Nerka Subdivision and anyone wishing to access the Nerka Subdivision will experience some degree of impact due to this project. I encourage residents and all accessing Nerka to plan for delays, increased noise or dust, and some level of discomfort during this project. I also encourage Dillingham citizens and visitors to show patience to the flaggers, construction workers, surveyors and others working in that area as this project will improve this Subdivision.
- A resolution will be presented to the Planning Commission on the May 10, 2023 regular meeting, to become a participating community in the Green Star Program. Joy Britt, Director of Environmental Programs through the Alaska Forum on the Environment will complete a brief presentation on the benefits of participating in this program.

**Upcoming Calendar Items:**

The May Planning Commission meeting is scheduled for May 10, 2023.

An additional Planning Commission Workshop has been scheduled for May 15, 2023, in coordination with Agnew Beck staff to kick-off the Comprehensive Plan Update for Dillingham.

Alaska Water Laboratories will be returning to Dillingham to complete their “Dillingham Area Beach Bacteria Testing Project” which will include a total of 7 sampling events along the beaches and water accesses over the 2023 summer. This project was funded through the Alaska Department of Environmental Conservation (ADEC) Water Department. Permit 2022-08 active.

**Public Feedback:**

**Permits Issued:** One, Special Permit-Noise was issued for the Nerka Road Improvement Project

**Land Use Permit:** One, Short Term Encroachment for the Nerka Road Improvement Project.

**List of Attachments:** FEMA community outreach flyer, Comprehensive Plan Update 2023 Kickoff flyer, Dillingham Area Beach Bacteria Testing flyer (2022 version), Green Star Community Standards flyer, Stop sign removal notice



# Planning Commission Special Workshop

## Dillingham Comprehensive Plan Update Kickoff



**Agenda Highlights**

Learn about the Comp Plan:  
What it is and why it's important to you!

Share your current priorities, issues, and opportunities for Dillingham!

Future public workshops coming this fall!



**Dillingham**  
City of  
COMPREHENSIVE PLAN UPDATE  
& WATERFRONT PLAN

**Monday, May 15, 2023**

**5:30–7:30 p.m.**

**Council Chambers  
at City Hall**



# Dillingham Area Beaches Bacteria Testing

## Project Information

The Alaska Department of Environmental Conservation (DEC) has heard community concerns of potential bacteria water quality pollution from fishing vessel operation in Nushagak Bay, especially during the busy summer season.

### When and where will the monitoring occur?

To address the community water quality concerns, DEC has partnered with Alaska Water Laboratories to collect water samples at three Dillingham area beaches during the summers of 2022 and 2023 before, during, and after the commercial fishing season. Waters samples will be collected by trained individuals and shipped to Alaska Water Laboratories for analysis. Results will be posted on DEC’s web page as soon as they are available.

Monitoring locations include Snag Point, Scandinavian Beach, and Kakanak Beach. These locations are areas of recreational use and where contact with water is more likely. Additionally, these locations were sampled previously approximately 12 years ago allowing for comparison. The study’s data will provide information on the water quality at these locations and assist in identifying potential sources of bacteria, if any. A final project report will be developed and shared with the community.



Proposed beaches for sampling during the summers of 2022 and 2023

### What are Bacteria?

Water sampling is occurring to check for levels of Fecal Coliform and Enterococci bacteria. These bacteria occur naturally in the gut of all warm-blooded animals and are used as indicators of potential sewage pollution. Commonly documented health issues from swimming in or ingesting bacteria contaminated recreational waters include gastrointestinal illness, respiratory illnesses, skin rashes, and ear, eye, and wound infections.

### Are fish safe to eat?

Yes, fish are safe to eat, however we recommend you rinse fish with clean water after they have been harvested from areas with elevated bacteria levels. Please follow safe food handling recommendations and cook seafood to a minimum internal temperature of 145 degrees Fahrenheit to destroy any bacteria. Note that freezing alone does not kill pathogens.

### For Additional Project Information Contact:

Sarah Apsens  
DEC Water  
(907) 262-3411  
[sarah.apsens@alaska.gov](mailto:sarah.apsens@alaska.gov)

Laura Eldred  
DEC Water  
(907) 376-1855  
[laura.eldred@alaska.gov](mailto:laura.eldred@alaska.gov)



DEC Water Program Website:  
<https://dec.alaska.gov/water/water-quality/>



# Become a Green Star<sup>®</sup> Certified Community

Is your community looking to enhance waste reduction, energy conservation, and prevent pollution?

Join the free Green Star<sup>®</sup> Communities Program to gain the guidance you need and be recognized for your hard work and accomplishments!

## What is the Green Star<sup>®</sup> Communities Program?

- Promotes community-based conservation and planning efforts to improve landfill operations, waste reduction, energy conservation, wastewater and clean drinking water.
- Provides FREE education and technical assistance to achieve the Green Star<sup>®</sup> Community Standards.
- Recognition for Green Star<sup>®</sup> Community awardees at the annual Alaska Forum on the Environment.
- There is no regular reporting, just an initial assessment and workplan
- A non-regulatory, voluntary program funded through the USDA
- Can work within the objectives of your U.S. EPA Indian General Assistance Programs (IGAPs) and Tribal Response Programs (TRPs).



[akforum.org](http://akforum.org)





## Green Star<sup>®</sup> Community Standards

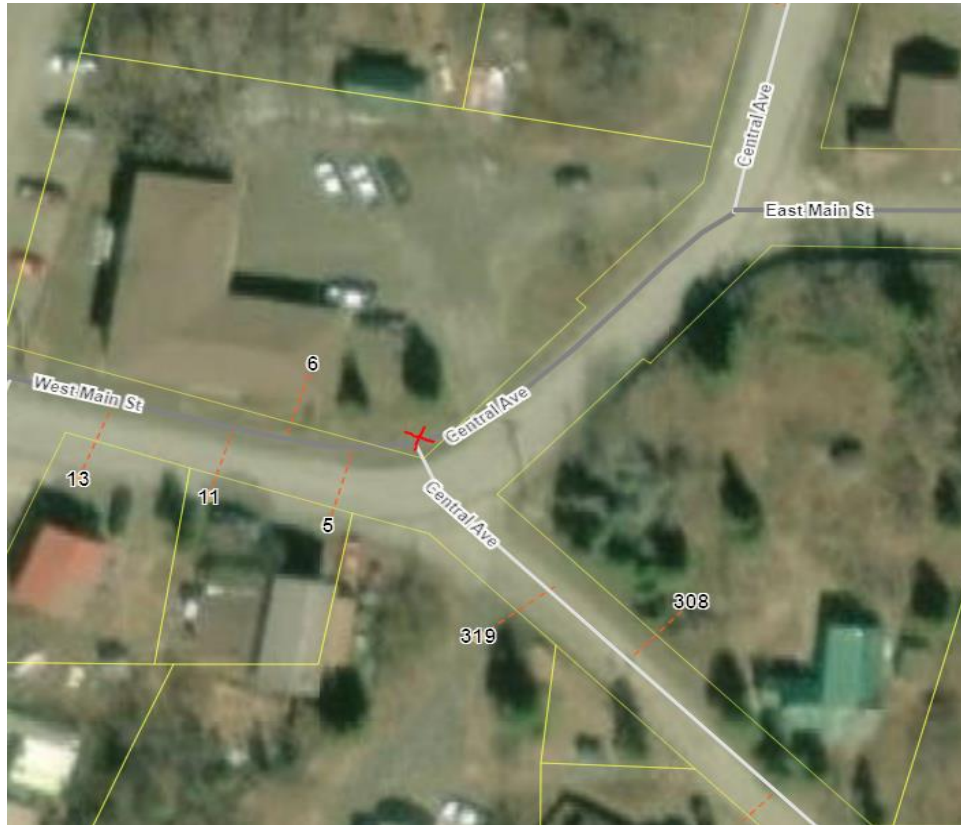
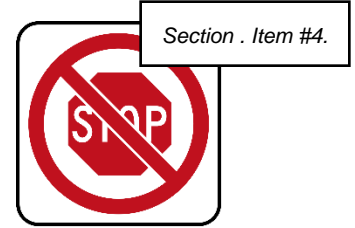
1. Develop a policy expressing the intent to manage air quality, drinking water, wastewater, solid waste, and energy use consistent with the best technology and practices available.
2. Utilize best available practices for managing local air quality.
3. Utilize best available practices for managing energy use with primary emphasis on energy efficiency.
4. Utilize best available practices for managing local drinking water sources and supply systems.
5. Utilize best available practices for managing wastewater collection and disposal systems.
6. Utilize best available practices for minimizing, recycling, collecting, and managing solid waste.
7. Manage household hazardous materials and wastes to reduce impact to human health and the environment.
8. Identify future goals and develop a five-year plan for long-range tasks that address community concerns, reduce environmental impacts, improve community health, reduce energy demand through efficiency and conservation measures, and promote the transition to the use of local, renewable resources.
9. Engage local government, businesses, and community members in their efforts to achieve Green Star<sup>®</sup> Community Standards.



# PUBLIC NOTICE

## STOP SIGN REMOVAL

**EFFECTIVE April 13, 2023**



**The Stop Sign located at West Main Street and Central Ave. has been removed from service by the City of Dillingham.**

***Please note that Street Signs of any type are property of the City of Dillingham and should never be removed by anyone. Street Name, Yield, Stop, MPH, or any directional or informational signs are critical for First Responders in an Emergency. Removing or defacing street signs are a form of theft or vandalism, do not remove them.***

DILLINGHAM FRIENDS OF THE LANDFILL  
RESOLUTION 2022-01

A RESOLUTION OF THE DILLINGHAM FRIENDS OF THE LANDFILL SUPPORTING  
PARTICIPATION IN THE GREENSTAR FOR COMMUNITIES PROGRAM

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WHEREAS, the City established the Friends of the Landfill in 2019; and

WHEREAS, the purposes of the Friends of the Landfill include citizen participation in some of the services and programs provided by the landfill; and

WHEREAS, the Greenstar for Communities program administered by the Alaska Forum assists communities in assessing, planning, and funding solid waste practices; and

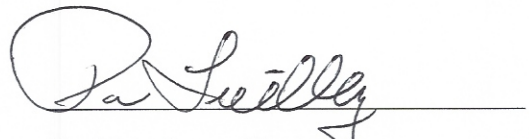
WHEREAS, there would be little or no direct cost to the city to engage in the program and proceed with an assessment of solid waste management practices; and

WHEREAS, a very limited amount of staff time would be required to complete the initial assessment; and

WHEREAS, engagement in the Greenstar for Communities program could be beneficial when applying for grants that support solid waste management.

NOW, THEREFORE, BE IT RESOLVED that the Friends of the Landfill committee encourages the Dillingham City Council to support participation in the Greenstar program.

Passed by the Friends of the Landfill committee on December 8, 2022.



Paul Liedberg, Chair





Planning Commission Meeting  
Meeting Date: May 10, 2023

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**TITLE**

Adopt Resolution 2023-01; A Resolution of the Dillingham Planning Commission to become a participating member of the Green Star Communities Program

**RECOMMENDED ACTION**

I would like to make a motion to accept Resolution 2023-01, become a participating member of the Green Star Communities Program.

**SUMMARY OF ISSUE**

This action will adopt Resolution 2023-01 and will be forwarded to the City Council to consider participation with the Alaska Forums sponsored Green Star Communities Program.

There are no financial obligations or reports that will be asked of staff for participation, this will be a voluntary 5-year action that can assist with actively seeking funding and supporting daily activities that are common goals of the Green Star Program (waste reduction, energy conservation, and pollution prevention). The Green Star Program can assist with infrastructure of the Landfill, Drinking Water, Wastewater, training, and overall improve Energy Conservation.

**A RESOLUTION OF THE DILLINGHAM PLANNING COMMISSION**

**A Resolution of the Dillingham Planning Commission to become a Participate of the Green Star Program.**

WHEREAS, the Green Star Communities Program has come to Dillingham and completed a Landfill Assessment and Action Plan, and

WHEREAS, the Green Star Communities Program has already provided free technical assistance to Dillingham by completing the Landfill assessment, the Landfill action plan, and completed a proposal to secure funding, and

WHEREAS, the Green Star Communities Program requires no financial obligation to become a participating community, receiving free technical assistance for identified environmental goals, and

WHEREAS, additional technical assistance will be provided to the City of Dillingham for creating a 5-year work plan inclusive of short and long terms goals and assistance for the duration of this work plan, and

WHEREAS, the Green Star Communities Program is non-regulatory, thus no reports are mandated by City employees, and

WHEREAS, additional assessments will be conducted on energy, water/waste water systems, and pollution prevention, and

WHEREAS, the Friends of the Landfill has and also recommended the City of Dillingham to become a participant of the Green Star Communities Program as documented by the Friends of the Landfill Resolution 2022-01, dated 12/08/2022.

THEREFORE, BE IT RESOLVED that the Dillingham Planning Commission is recommending to the Dillingham City Council that participation is approved.

APPROVED AND ADOPTED THIS 10<sup>th</sup> DAY OF MAY 2023.

\_\_\_\_\_  
Kaleb Westfall, Commissioner

\_\_\_\_\_  
Patty Buholm, Planning Director

## Chapter 15.08 BUILDING CODES

Sections:

**15.08.010 Adoption of codes.**

**15.08.020 Application of codes.**

**15.08.030 Copies on file.**

**15.08.040 Notice of construction.**

**15.08.050 Responsibility for compliance.**

**15.08.060 Violation—Penalties.**

**15.08.010 Adoption of codes.**

The city adopts by reference the following codes of technical regulation:

- A. 2018 Edition, International Fire Code;
- B. 2018 Edition, International Mechanical Code;
- C. 2018 Edition, International Plumbing Code;
- D. 2018 Edition, International Building Code;
- E. 2018 Edition, Existing Building Code;
- F. 2018 Edition, International Private Sewage Disposal Code. (Ord. 92-21 § 3 (part), 1992; Ord. 18-08 § 2, 2019.)

**15.08.020 Application of codes.**

The provisions of this chapter apply to both public and private property. It applies to all commercial and residential structures and their occupancies. (Ord. 92-21 § 3 (part), 1992; Ord. 13-19 § 22, 2013.)

**15.08.030 Copies on file.**

At least five copies of each code of technical regulation considered for adoption hereunder shall be made available for public inspection at least fifteen days prior to the public hearing and at time and place set out in the notice published for hearing of the ordinance. Copies shall be available for public review at the following locations: one copy at the office of the city clerk; one copy at the city planning department; one copy at the city fire department; and, two copies at the city library. A person may request, and the city clerk shall provide, a copy of the code(s) at no more than cost. (Ord. 92-21 § 3 (part), 1992.)

**15.08.040 Notice of construction.**

Before the commencement of new construction, or the installation of a new electrical or heating system or electrical panel, or installation of any wood-, oil- or propane-burning equipment, the owner or builder shall give notice of construction to the city. In cases where a land use permit is required in Title 18 of this code, a land use permit shall be considered proper notice of construction. In cases not requiring a land use permit, notice of construction shall be provided on a form provided by the city. When notice of construction is given, the applicant shall be informed of all applicable standards and ordinances. (Ord. 92-21 § 3 (part), 1992.)

**15.08.050 Responsibility for compliance.**

It is the responsibility of the owner to ensure the compliance with all codes and inspection requirements adopted in this chapter. The city is responsible for notifying the owner of the applicable codes and supplying required forms and information, provided that the owner has given proper notice of construction as provided in Section 15.08.040. (Ord. 92-21 § 3 (part), 1992.)

**15.08.060 Violation—Penalties.**

A. Violation. A violation of any provision of this chapter shall be an infraction. Each day that an unlawful act or condition continues constitutes a separate violation. Upon conviction, the court shall levy a fine as follows and assess any surcharge required to be imposed under AS 12.55.039:

1. Construction of Residential Structure. Seventy-five dollars for each day the violation exists up to a maximum fine of three hundred dollars.
2. Construction of Commercial Structure. Three hundred dollars for each day the violation exists up to a maximum fine of one thousand dollars.

B. Definitions. For the purposes of this title, the following definitions shall apply:

1. "Residential structure" means any structure that is primarily intended for use as a single-family dwelling house or duplex, or a structure that is appurtenant to such a structure.
2. "Commercial structure" means any structure that is not residential or which is primarily intended for commercial purposes, including the renting of dwelling space to occupants if the structure is comprised of more than two discrete dwelling units or apartments, or a structure that is appurtenant to such a structure. (Ord. 13-19 § 23, 2013.)