



**City of Saxman
Building and Ordinance Committee
Meeting
September 29, 2025
5:15 PM**

AGENDA

Call to Order

Roll Call

Public Comment

Consent Agenda

1. September 03,2025 Meeting Minutes

Background: Council to review and approve Building and Ordinance September 03,2025 meeting minutes.

Consideration of the Agenda

Old Business

2.

Single-Use Plastic Ban

Background: Council to review and approve the Single-Use Plastic Bag Ban

3. Commercial Dish Washer

Background: Council to review and approve a commercial dish washer.

4. Tidelands

Background: Council to review and approve Tideland Regulations

Old Business

5. Garbage Enclosures

Background: Council to review and approve the 20,855.00 garbage enclosures for the new housing units

Council Comments

Adjournment



**City of Saxman
Building and Ordinance Committee
Meeting
September 03, 2025
5:15 PM**

Item 1.

MINUTES

Call to Order

Mayor calls the meeting to order at 5:20PM

Roll Call

Public Comment

President Joe Williams comments on how happy he is that the schoolhouse related to the tribe is taken seriously.

Amy Detienne comments on the new housing units and asked when the Grand Opening would be willing to help provide financial management classes through the organized village of saxman tribe.

Consideration of the Agenda

Motion to use the agenda as a guide

M/S/C Woodrow Watson, Rick Makua

All in Favor

None Opposed

Motion Passes

Motion to suspend the rules and add talking item one to five

M/S/C Woodrow Watson, Rick Makua

All in Favor

None Opposed

Motion Passes

Consent Agenda

Motion to accept the consent agenda

M/S/C Woodrow Watson, Rick Makua

All in Favor

None Opposed

Motion Passes

1. May 07,2025 Building and Ordinance Meeting Minutes

Background: Council to review and approve the meeting minutes.

Old Business

2. Tidelands

Background: Council to review and approve Tideland regulations

Motion to table the Tidelands to the October Building and Ordinance Meeting

M/S/C Woodrow Watson, Rick Makua

All in Favor

None Opposed

Motion Passes

3. Saxman Community Center

Background: Council to review and approve the Saxman Community Center Renal Packet

Motion to accept the Saxman Community Center Rental Packet with amendments

M/S/C Woodrow Watson, Rick Makua

All in Favor

None Opposed

Motion Passes

4. Plastic Bag Ban

Background: Council to review and approve plastic bag regulations.

Motion to table the Plastic Bag Ban until the October Building and Ordinance Committee Meeting

M/S/C Woodrow Watson, Rick Makua

All in Favor

None Opposed

Motion Passes

5. ANTHC Sewer Study

Background: Council to review and approve the ANTHC Sewer Study

Motion to accept the ANTHC Sewer Study rate draft as presented

M/S/C Denny Blair, Rick Makua

All in Favor

None Opposed

Motion Passes

6. School House

Background: Council to review and release the schoolhouse building to the Organized Village of Saxman.

Motion to refer Resolution 2025-09-03 to the Regular Council Meeting September 17, 2025

M/S/C Rick Makua, Norman Natkong Sr.

All in Favor

None Opposed

Motion Passes

7. Wolf Street Property

Background: Council to review and approve the purchase of 301 Wolf Street

Motion to accept the Wolf Street Verbal Report

M/S/C Woodrow Watson, Rick Makua

All in Favor

None Opposed

Motion Passes

Old Business

8. Commercial Dish Washer

Background: Council to review and approve a commercial dish washer.

Motion to table the Commercial Dish Washer to the October Building and Ordinance meeting

M/S/C Rick Makua, Denny Blair

All in Favor

None Opposed

Motion Passes

9. Wastewater discharge permit AKR100000 - Construction General Permit (CGP)

Background: Council to review and approve Wastewater discharge permit AKR100000 - Construction General Permit (CGP)

Council Comments

Adjournment

Motion to adjourn

M/S/C Rick Makua, Norman Natkong Sr

All in Favor

None Opposed

Motion Passes

Mayor adjourns at 6:57PM

X

Frank H. Seludo
Mayor-City Administrator

X

Ginger R. McCormick
City Clerk

Sponsors: Citizen Initiative

**CITY AND BOROUGH OF SITKA
ORDINANCE NO. 2019-11**

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA ADDING A BALLOT QUESTION ON THE NEXT REGULAR MUNICIPAL ELECTION TO BE HELD ON OCTOBER 1, 2019 ON WHETHER TO ENACT A PROHIBITION ON RETAIL SELLERS FROM PROVIDING OR DISTRIBUTING DISPOSABLE PLASTIC BAGS, ENACTING A FEE, AND FINE SCHEDULE, AND IF APPROVED, SITKA GENERAL CODE WOULD BE AMENDED BY ADDING CHAPTER 9.28 "DISPOSABLE PLASTIC SHOPPING BAG PROHIBITION"

FAILED at the MUNICIPAL ELECTION on October 1, 2019

915 - YES

1322 - NO

1. CLASSIFICATION. This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code.

2. SEVERABILITY. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person or circumstances shall not be affected thereby.

3. PURPOSE. The purpose of this ordinance is to reduce the generation of waste from disposable plastic shopping bags and address the environmental problems associated with disposable bags.

This ordinance establishes a prohibition on providing or distributing disposable plastic shopping bags, enacts a fine schedule, and requires a fee on each alternative bag provided by a retail seller to a customer at a check-out stand or counter beginning on April 22, 2020.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that Sitka General Code Title 9 "Health and Sanitation" is amended by adding a new Chapter 9.28 entitled "Disposable Plastic Shopping Bag Prohibition" to read as follows: (new language underlined):

**TITLE 9
HEALTH AND SANITATION**

**Chapter 9.28
DISPOSABLE PLASTIC SHOPPING BAG PROHIBITION**

Sections:

<u>9.28.010</u>	<u>Definitions.</u>
<u>9.28.020</u>	<u>Prohibition on providing or distributing disposable plastic shopping bags; fees for alternative bags.</u>
<u>9.28.030</u>	<u>Exceptions.</u>

Ordinance No. 2019-11
Page 2

9.28.040 Required signage for retail sellers.
9.28.050 Fine schedule.

9.28.010 Definitions.

- A. "Alternative bag" means any bag that is designed to carry customer purchases from the retail seller premises that is neither a disposable plastic shopping bag nor a reusable bag, generally means a paper bag.
- B. "Disposable plastic shopping bag" means a bag made exclusively or primarily of soft plastic or plastic-like material (including plastics marked or labeled as "biodegradable" or "compostable") that is designed to carry customer purchases from the retail seller's premises. Plastic film bags of any thickness are included in this definition of a disposable plastic shopping bag.
 - 1. "Disposable plastic shopping bag" does not include:
 - a. Bags used by customers inside stores to:
 - i. Package bulk items, such as fruit, vegetables, nuts, grains, candy or small hardware items;
 - ii. Contain or wrap ice, frozen foods, meat, or fish;
 - iii. Contain or wrap flowers, potted plants, or other items where dampness may be a problem;
 - iv. Contain unwrapped prepared foods or bakery goods; or
 - v. Protect a purchased item from damaging or contaminating other purchased items when placed in another bag.
 - b. Bags provided by pharmacists to contain prescription drugs.
 - c. Newspaper bags, door-hanger bags, laundry-dry cleaning bags, or bags sold in packages containing multiple bags for uses such as food storage, garbage, pet waste, or yard waste bags.
 - d. Bags provided by a retail marijuana store in accordance with the requirements of any future statutes, ordinances, or regulations.
- C. "Retail seller" means commercial business located within the municipality, including but not limited to markets, grocery stores, convenience stores, pharmacies, drug stores, retail stores, restaurants or similar establishments that:

Ordinance No. 2019-11
Page 3

1. Sells goods or prepared food directly to final consumers such as household supplies, perishable items, or food merchandise, including meat, produce, dairy produce, or snack foods.

D. "Reusable Bag" means a bag that is:

1. Designed and manufactured to withstand repeated uses over a period of time;
2. Is made from a material that can be cleaned and disinfected regularly, preferably in a washing machine;
3. Has a minimum lifetime of 125 uses; and
4. Has the capability of carrying a minimum of 22 pounds.

9.28.020 Prohibition on providing or distributing disposable plastic shopping bags; fees for alternative bags.

A. On or after April 22, 2020, except as provided in sections 9.28.010 and 9.28.030 a retail seller shall not provide or distribute a disposable plastic shopping bag to a customer to carry away or protect goods purchased from, or serviced by, the retail seller.

B. On or after April 22, 2020, except as provided in sections 9.28.010 and 9.28.030, a retail seller may only provide or distribute an alternative bag to a customer to carry away [or protect] goods purchased from, or serviced by, the retail seller for a minimum fee of \$0.10 per bag.

1. A retail seller shall not absorb or discount the required fees established by this subsection.
2. A retail seller shall state the fees as a separate item on the receipt provided to the customer, and
3. A retail seller may retain the full amount of the fee or give any portion of it to a Sitka nonprofit.
4. The fees in this section shall be waived for a transaction in which purchases are made with state or federal supplemental nutrition assistance programs, commonly known as food stamps, food coupons, or other type of allotment, issued under 7 U.S.C.2011-2036, or with food instruments, food vouchers, or other type of certificate issued under 42 U.S.C.1786 (special supplemental food program for women, infants and children), or other similar programs.

C. A retail seller may provide a reusable bag without limitation or fees.

9.28.030 Exceptions.

Inventories of disposable plastic shopping bags purchased before the date of enactment of this ordinance may continue to be used by retail sellers and provided to customers after April 22, 2020 until all such inventories of disposable plastic shopping bags are completely used in the

Ordinance No. 2019-11
Page 4

course of regular business operations. Retail sellers providing disposable plastic shopping bags under this exception after April 22, 2020, shall, if requested, provide documentation or other satisfactory evidence to the Municipal Administrator, or his or her designee, that such bags were purchased on or before the date of enactment of this ordinance.

Commented [P1]: We changed this (including changing the date to match Homer's ordinance)– if you must have a “who to provide to?”...our first choice would be “provide documentation to customers upon request that such...”, our second choice would be “provide documentation to City staff upon request that such...”

9.28.040 Required signage for retail sellers.

Every retail sellers subject to the prohibition on providing or distributing disposable plastic shopping bags shall display a sign in a location outside or inside of the business, viewable by customers, alerting customers to the municipality's prohibition on distributing disposable plastic shopping bags and the requirement of a fee on alternative bags. The notice shall state “Retail sellers in Sitka are prohibited from providing or distributing disposable plastic shopping bags. Retailers may have paper bags available for purchase,” legibly printed in letters at least one-half inch high.

9.28.050 Fine Schedule.

A. Any licensed retail seller found to have violated the provisions of this chapter shall be charged with a minor offense. The maximum penalty for violation of the provisions of this chapter is five hundred dollars.

In accordance with AS 29.25.070(a), citations for offenses in this chapter may be disposed of as provided in AS 12.25.175 through 12.25.230, without a court appearance, upon payment of the fine amounts stated herein plus the state surcharge required by AS 12.55.039 and 29.25.074. Fines must be paid to the city and borough. The Alaska Rules of Minor Offense Procedure in the Alaska Rules of Court apply to all offenses referenced herein. Citations charging these offenses must meet the requirements of Rule 3 of the Alaska Rules of Minor Offense Procedure. For the first offense, the fine shall be one hundred dollars. For the second offense, the fine shall be two hundred dollars. For the third offense and any subsequent offenses, the fine shall be five hundred dollars. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense stated herein. These fines may not be judicially reduced. For purposes of this section, prior offenses must be within the previous five years.

B. Each and every day during any portion of which a violation or failure to comply is committed, permitted, or continued, shall be treated as a separate offense, and subject the offender to separate charges and a fine as provided in subsection A of this section.

5. BALLOT PROPOSITION. The ballot proposition shall be stated as follows:

Proposition No. _____

Shall the Sitka General Code be amended to add Chapter 9.28, entitled “DISPOSABLE PLASTIC SHOPPING BAG PROHIBITION”, which prohibits a retail seller from providing or distributing disposable plastic shopping bags, enacts a fee for alternative bags and establishes a fine schedule for violations?

☐ YES

☐ NO

Commented [P2]: Should this say, “...a fine schedule for violations.”? Or “...a fine schedule for retail sellers who violate the code.”?

Ordinance No. 2019-11
Page 5

Informational: The purpose of this ordinance is to reduce the generation of waste from disposable plastic shopping bags and address the environmental problems associated with disposable bags. An affirmative vote of this ballot proposition would prohibit retail sellers in the municipality from providing or distributing disposable plastic shopping bags to customers for carrying purchases from the retail seller's premises. The prohibition would begin starting April 22, 2020. If a retail seller provides or distributes an alternative bag (generally a paper bag) to a customer, the retail seller shall be required to charge a minimum fee of \$0.10 per bag – which they may keep or donate to a Sitka nonprofit entity. Existing inventories of disposable plastic shopping bags may continue to be provided to customers after April 22, 2020 until that supply is exhausted, so long as retail sellers provide documentation that such bags were purchased on or before the date of enactment of this ordinance. A fine schedule for retail sellers who violate the code is also established.

Commented [P3]: See comment above in ballot measure...perhaps stating this here is good enough?

Retail sellers may still provide or distribute, at no charge, the plastic bags listed below because they are not defined as disposable plastic shopping bags. Disposable plastic shopping bags do not include: bags used by customers inside stores to package bulk items such as fruit, vegetables, nuts, grains, candy or small hardware items; bags used to contain or wrap ice, frozen foods, meat, or fish; bags used to contain or wrap flowers, potted plants, or other items where dampness may be a problem; bags used to contain unwrapped prepared foods or bakery goods; bags used to protect a purchased item from damaging or contaminating other purchased items when placed in another bag; bags provided by pharmacists to contain prescription drugs; bags used for newspapers, door-hanger bags, laundry-dry cleaning bags, or bags sold in packages containing multiple bags for uses such as food storage, garbage, pet waste, or yard waste bags; and bags provided by a retail marijuana store in accordance with the requirements of any future statutes, ordinances, or regulations.

6. EFFECTIVE DATE. This ordinance shall become effective upon certification of the election results that show a majority of qualified voters approved the enactment. The prohibition and the imposition of fines becomes effective April 22, 2020.

ATTEST:

Gary L. Paxton, Mayor

Sara Peterson, MMC
Municipal Clerk

Introduced By:
 Date:
 Public Hearing:
 Action:
 Vote:

Chilson and Parker
 April 10, 2024
 April 24, 2024
 Enacted
 6 Yes, 0 No

CITY OF SOLDOTNA
 ORDINANCE 2024-016

AN ORDINANCE AMENDING SOLDOTNA MUNICIPAL CODE TITLE 8: CHAPTER 8.06 –
 DISPOSABLE PLASTIC SHOPPING BAGS

WHEREAS, the use of disposable plastic shopping bags in the City of Soldotna burdens the environment, endangers wildlife, and has been shown to be harmful to bodies of water and problematic for solid waste management; and

WHEREAS, disposable plastic shopping bags create problematic environmental issues and frequently escape from trash containers and landfills, creating a burden on residents and the city staff for clean-up; and

WHEREAS, environmental health and clean water is essential for quality of life and economic prosperity in the City of Soldotna; and

WHEREAS, to decrease the number of littered disposable plastic shopping bags in the City of Soldotna and surrounding area, it is necessary to restrict general use; and

WHEREAS, a recent study on microplastic content in water sources across Southcentral Alaska, conducted by the Alaska Environment Research and Policy Center and released January 2024, found microplastics in every body of water sampled; and

WHEREAS, it is in the best interest of health, safety, and welfare of all residents to restrict the use of disposable plastic shopping bags in the city; and

WHEREAS, the City of Soldotna adopted Ordinance 2018-013 establishing SMC Chapter 8.06 in 2018 to restrict the use of disposable plastic shopping bags; and

WHEREAS, SMC established in Chapter 8.06 has had a positive impact on the use of disposable plastic shopping bags within the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOLDOTNA, ALASKA:

Section 1. Soldotna Municipal Code Chapter 8.06 is hereby amended to read as follows ([DELETED TEXT IS CAPITALIZED AND IN BRACKETS]. Added text is underlined):

SMC 8.06.010 [-] Purpose.

The purpose of this chapter is to reduce the generation of waste from [SINGLE-USE PLASTIC DISPOSABLE SHOPPING BAGS] disposable plastic shopping bags[.] and promote a healthier local environment.

SMC 8.06.020 [-] Definitions.

Any word, term, or phrase not defined in this section shall have its ordinary and common meaning. The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section:

"Affected establishment" means any retail or commercial business facility located inside the City of Soldotna that sells goods or prepared food directly to consumers including but not limited to grocery stores, pharmacies, retail stores, and restaurants.

["SINGLE-USE PLASTIC DISPOSABLE SHOPPING BAG" MEANS A BAG MADE FROM ANY PLASTIC (INCLUDING PLASTICS MARKED OR LABELED AS "BIODEGRADABLE" OR "COMPOSTABLE") OR ANY MATERIAL NOT MARKED OR LABELED AS "BIODEGRADABLE" OR "COMPOSTABLE" THAT IS NEITHER INTENDED NOR SUITABLE FOR CONTINUOUS REUSE AND THAT IS LESS THAN 2.25 MILS THICK, DESIGNED TO CARRY CUSTOMER PURCHASES FROM THE SELLER'S PREMISES, EXCEPT FOR: BAGS USED BY CUSTOMERS INSIDE STORES TO PACKAGE BULK ITEMS SUCH AS FRUIT, VEGETABLES, NUTS, GRAINS, CANDY, OR SMALL HARDWARE ITEMS, SUCH AS NAILS AND BOLTS; BAGS USED TO CONTAIN DAMPNES OR LEAKS FROM ITEMS SUCH AS FROZEN FOODS, MEAT, OR FISH, FLOWERS OR POTTED PLANTS; BAGS USED TO PROTECT PREPARED FOODS OR BAKERY GOODS; BAGS PROVIDED BY PHARMACISTS TO CONTAIN PRESCRIPTION DRUGS; NEWSPAPER BAGS, LAUNDRY, OR DRY CLEANING BAGS; OR BAGS SOLD FOR CONSUMER USE OFF THE SELLER'S PREMISES FOR SUCH PURPOSES AS THE COLLECTION AND DISPOSAL OF GARBAGE, PET WASTE, OR YARD WASTE.]

"Disposable plastic shopping bag" means a bag designed to carry goods from the vendor's premises made from any plastic (including plastics marked or labelled as "biodegradable" or "compostable"), or any material not marked or labeled as "biodegradable" or "compostable" that is not a recyclable paper bag or a reusable bag.

"Reusable bag" means a bag that is designed and produced to withstand repeated use over time and is made from material that is machine washable or that can be cleaned and disinfected regularly.

SMC 8.06.030 [- SINGLE-USE PLASTIC DISPOSABLE SHOPPING BAG] Disposable plastic shopping bag prohibited.

- A. No affected establishment may provide or make available to any customer a [SINGLE-USE PLASTIC DISPOSABLE] disposable plastic shopping bag for the purpose of carrying away goods [FROM THE POINT OF SALE].
- B. No person may provide or make available [DISTRIBUTE SINGLE-USE PLASTIC DISPOSABLE] disposable plastic shopping bags at any city facility or any event held on city property.
- C. Affected establishments and other vendors or persons may provide recyclable paper bags or reusable bags without limitation.
- D. Additional exceptions - the prohibition established in this section does not apply to a plastic bag that is:
 1. Used by customers inside stores to contain a product that does not have other packaging such as fruit, nuts, vegetables, meat, candy, bakery goods, prepared foods, other food products or small hardware items such as nails and bolts;
 2. Used only to contain dampness or leaks from items such as frozen foods, meat, fish, ice, flowers or potted plants;
 3. Provided by a pharmacy to contain prescription drugs;
 4. Used only to contain a newspaper, laundry, or dry cleaning;
 5. Sold for consumer use off the vendor's premises for such purposes as the collection and disposal of garbage, pet waste, or yard waste.
- E. [C] Any violation of this chapter shall be considered a minor offense punishable as provided in SMC 1.08.080.

Section 2. This ordinance shall become effective January 1, 2025.

ENACTED BY THE CITY COUNCIL THIS 24TH DAY OF APRIL, 2024.

Paul J. Whitney, Mayor

ATTEST:

Johni Blankenship, MMC, City Clerk

Yes: Carey, Chilson, Hutchings, Nelson, Parker, Wackler
No: None

Introduced By:
Date:
Public Hearing:
Action:
Vote:

Parker, Murphy
March 28, 2018
April 11, 2018
Enacted
4 Yes, 1 No

**CITY OF SOLDOTNA
ORDINANCE 2018-013**

**AN ORDINANCE AMENDING SOLDOTNA MUNICIPAL CODE TITLE 8 – HEALTH AND SAFETY TO
ESTABLISH A NEW CHAPTER 8.06 – DISPOSABLE PLASTIC SHOPPING BAGS**

WHEREAS, the use of single-use-carry-out disposable plastic shopping bags in the City of Soldotna (City) burdens the environment, endangers wildlife, and has been shown to be harmful to bodies of water and problematic for solid waste management; and

WHEREAS, to decrease the number of littered disposable plastic shopping bags in the City, it is necessary to restrict general use; and

WHEREAS, it is in the best interest of the health, safety and welfare of all residents to restrict the use of single-use disposable plastic shopping bags; and

WHEREAS, plastic carry out bags do not biodegrade, create problematic environmental issues and frequently escape from trash containers and landfills creating a burden on residents and the City for clean-up;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOLDOTNA, ALASKA:

Section 1. Soldotna Municipal Code Title 8 is hereby amended by the addition of a new Chapter 8.06, Disposable Plastic Shopping Bags, to read as follows:

Chapter 8.06 – DISPOSABLE PLASTIC SHOPPING BAGS

Sections:

- 8.06.010 Purpose
- 8.06.020 Definitions
- 8.06.030 Single-Use Plastic Disposable Shopping Bag Prohibited

8.06.010 Purpose

The purpose of this chapter is to reduce the generation of waste from single-use plastic disposable shopping bags.

8.06.020 Definitions

Any word, term, or phrase not defined in this section shall have its ordinary and common meaning. The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section:

"Affected Establishment" means any retail or commercial business facility located inside the City of Soldotna that sells goods or prepared food directly to consumers including but not limited to grocery stores, pharmacies, retail stores, and restaurants.

"Single-Use Plastic Disposable Shopping Bag" means a bag made from any plastic (including plastics marked or labeled as "biodegradable" or "compostable") or any material not marked or labeled as "biodegradable" or "compostable" that is neither intended nor suitable for continuous reuse and that is less than 2.25 mils thick, designed to carry customer purchases from the seller's premises, except for: bags used by

customers inside stores to package bulk items such as fruit, vegetables, nuts, grains, candy, or small hardware items, such as nails and bolts; bags used to contain dampness or leaks from items such as frozen foods, meat, or fish, flowers or potted plants; bags used to protect prepared foods or bakery goods; bags provided by pharmacists to contain prescription drugs; newspaper bags, laundry, or dry cleaning bags; or bags sold for consumer use off the seller's premises for such purposes as the collection and disposal of garbage, pet waste, or yard waste.

8.06.030 Single-Use Plastic Disposable Shopping Bag Prohibited

- A. No affected establishment may provide to any customer a single-use plastic disposable shopping bag for the purpose of carrying away goods from the point of sale.
- B. No person may distribute single-use plastic disposable shopping bags at any city facility or any event held on city property.
- C. Any violation of this chapter shall be considered a minor offense punishable as provided in SMC 1.08.080.

Section 2. That SMC 1.05.080 Minor Offence Fine schedule is hereby amended to include the following offenses and fines:

Soldotna Municipal Code Reference	Offense	Fine
08.06.030	Distribution of single use, plastic disposable shopping bags.	\$300

Section 3. This ordinance shall become effective November 1, 2018.

ENACTED BY THE CITY COUNCIL THIS 11TH DAY OF APRIL, 2018.

Nels Anderson, Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Yes: Cashman, Murphy, Parker, Cox
No: Whitney

**MEMORANDUM**

TO: Mayor Anderson and Members of the City Council
FROM: Lisa Parker, Council Member and Linda Murphy, Vice Mayor
DATE: March 28, 2018
SUBJECT: Ordinance 2018-013 - Amending Soldotna Municipal Code Title 8 – Health and Safety to Establish a New Chapter 8.06 – Disposable Plastic Shopping Bags

Over the past few years Soldotna has significantly improved the aesthetics of our community, including improvements to signs, upgrades to city parks and the addition of more festivities for the enjoyment of residents and visitors alike.

Recently, the Gganitchit Dena'ina Youth Council sent an invitation to come to the viewing of the documentary "Bag It", discussing the effect plastic has on our waterways, oceans, and bodies. Based on the request from the Youth Council and Soldotna residents, Vice Mayor Murphy and I request you support the introduction of Ordinance 2018-013 – Disposable Plastic Shopping Bags.

The proposed ordinance was adapted from the ordinance enacted by the City of Wasilla. Unlike many ordinances that are effective immediately, the proposed ordinance has an effective date of November 1, 2018 giving businesses the opportunity to make the transition.

While there are countless reasons for cutting down on the number of plastic bags, some primary reasons for elimination include:

1. They are unsightly – how often do we see the bags blowing across the road, in a parking lot or floating down the Kenai River.
2. They are bad for wildlife – plastic bags can choke or poison birds, fish and animals. Particularly vulnerable are marine life, like our Cook Inlet Beluga Whales.
3. They take years to decompose.

The City Manager and I have had the opportunity to visit with some of the local businesses to discuss the ordinance. While there has been no outright opposition, businesses have requested the ordinance not take effect immediately, giving them and their staff time to inform shoppers of the upcoming change. Additionally, we've discussed working with the Soldotna Chamber of Commerce to deliver the message.

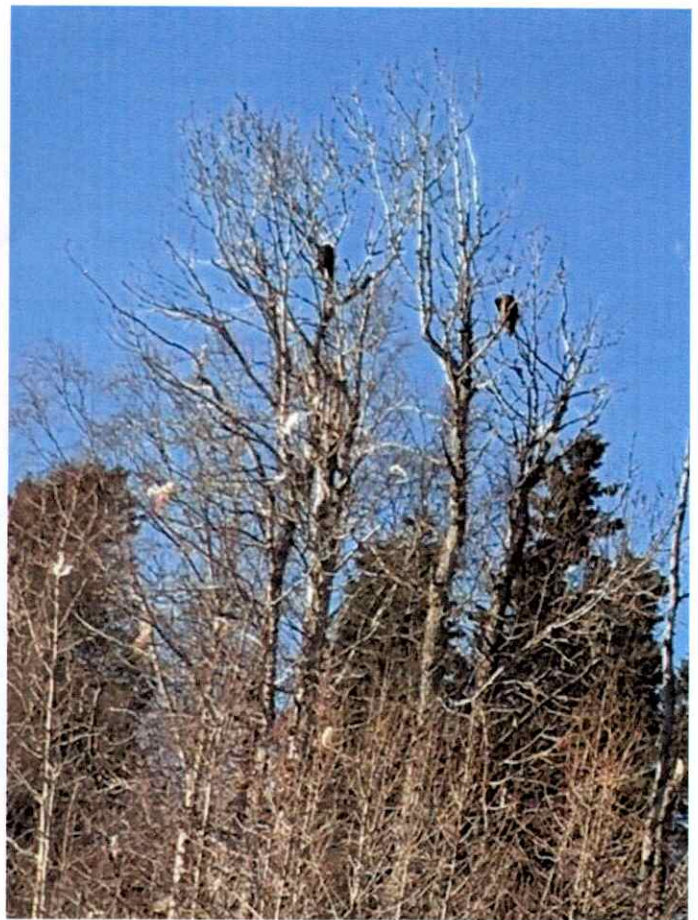
Informational:

City of Hopper Bay currently has a plastic bag ban in effect.

City of Bethel in 2012 enacted a law that requires all plastic bags be biodegradable. The biodegradable capabilities vary from each biodegradable bag type and some do not biodegrade in the Alaska climate.

City of Homer enacted a law banning plastic bags in August of 2012, with an effective date of January 1, 2013. In February of 2013 a citizen's referendum was filed and in October of 2013 the voters of the City of Homer repealed the plastic bag ban.

City of Wasilla enacted a law banning plastic bags in January of 2018, with an effective date of July 1, 2018.



MAY 2024

PLASTIC POLLUTION

- Over **460 million metric tons of plastic** are produced every year for use in a wide variety of applications.
- An estimated **20 million metric tons of plastic litter** end up in the environment every year. That amount is expected to increase significantly by 2040.
- Plastic pollution **affects all land, freshwater, and marine ecosystems**. It is a major driver of biodiversity loss and ecosystem degradation and contributes to climate change.
- As plastic pollution is a transboundary issue, a **global plastics treaty is needed** to ambitiously reduce plastic production, phase out harmful subsidies, eliminate products and chemicals of concern, and adopt strong national plans and rigorous reporting and compliance mechanisms.

What is the issue?

Plastic is a synthetic, organic polymer made from fossil fuels, such as gas and petroleum. Over **460 million metric tons of plastic are produced every year**, [according to the United Nations Environment Programme](#). Plastic is used in almost all consumer and industrial activities, from construction and vehicles to electronics and agriculture.

Discarded improperly, plastic waste pollutes and harms the environment, becoming a widespread driver of biodiversity loss and ecosystem degradation. It threatens human health, affects food and water safety, burdens economic activities, and contributes to climate change.

Macro-plastics (pieces larger than 0.5 mm) made up 88% of global plastic leakage to the environment in 2019, around 20 million metric tons, polluting all ecosystems. Much of the world's **plastic pollution is generated by single-use products** such as bottles, caps, cigarettes, shopping bags, cups, and straws.

Pollution sources are mainly land-based, coming from urban and stormwater runoff, littering, industrial activities, tyre abrasion, construction, and agriculture. In the marine environment, plastic pollution originates primarily from land runoff, but includes paint shed from shipping, discarded fishing gear, and more.

Due to solar radiation, wind, currents and other natural factors, **plastic breaks down into microplastic (smaller than 5 mm) and nanoplastic (smaller than 100 nm) particles**. **'Primary' microplastic particles** are also shed by products such as synthetic textiles and tyres, through abrasion. Nanoplastics are able to cross cell membrane walls and enter living organisms.

Many nations lack the capacities and facilities to properly manage plastic products and waste, and



Millions of tons of plastic pollute land and water every year, causing impacts to the environment, ecosystems, and human health. [\(mbeo/Flickr\)](#)

the burden often falls on the local level. That impact is disproportionately felt by islands, developing countries, Indigenous peoples, local communities, women, and children. This problem is deepened by the global trade of plastic products and waste to locations where infrastructure is not sufficient for safe and environmentally sound management.

Why is this important?

Impacts on human health

Microplastics have been found in human blood and placentas and in food and drinks, including tap water, beer, and salt. Several chemicals [used in the production of plastic materials](#) are known to be carcinogenic and can cause developmental, reproductive, neurological, and immune disorders.

Impacts on economies

The build-up of plastic litter can have a negative impact on aspects of a country's economy and trade systems, with income declines in sectors such as small- and medium-enterprises, the informal sector, tourism,

fisheries, agriculture, and water safety. [IUCN's research on these economic impacts demonstrates examples and possible solutions.](#)

Impacts on species and ecosystems

All land, freshwater, and marine ecosystems are affected by plastic pollution. Natural ecosystems provide a broad range of services that are not only fundamental for conservation, but also key for economies and human well-being. For example, healthy mangroves provide coastal protection services, whereas wetlands are important for freshwater provision.

The most visible impacts of plastic debris are the ingestion, suffocation, and entanglement of species. Wildlife such as birds, whales, fish, and turtles mistake indigestible plastic waste for food and die of starvation as their stomachs become filled with it. It also causes internal and external injuries that reduce the ability to swim and fly. Domesticated farm animals are also affected by plastic pollution. Floating plastics transport [invasive alien species](#), one of the leading causes of biodiversity loss and species extinction.

Plastic pollution can also seep carcinogenic chemicals (such as those contained in certain plastic products or fireproofing coatings) into the soil. These can run into groundwater or rivers, affecting exposed people and ecosystems.

Impacts on climate

Climate impacts begin with oil and gas extraction, the refining of these products into plastics, and then plastic pollution itself. Incinerated plastic waste releases greenhouse gases and other pollutants into the atmosphere, including carbon dioxide, dioxins, and methane.

What can be done?

The removal of legacy plastics and prevention of pollution **requires that fewer plastic products be made, that the circularity of supply and value chains be increased, and that consumer behaviour be changed.** It also involves public and private investment and the development of infrastructure along the full lifecycle of plastics, including circular economy solutions like reuse, refill, etc.

Despite positive efforts from countries to tackle plastic pollution, such as bans on certain forms of single-use plastics, **a global plastics treaty is essential because plastic pollution is transboundary and a main driver of biodiversity loss.**

To best address the triple planetary crisis and ensure the proper implementation of the Global Biodiversity Framework (GBF); the Paris Agreement; the Sustainable Development Goals (SDGs); and initiatives under the broader chemicals, waste, and pollution agenda; a future plastics treaty needs a common

approach and requires collective action on a global scale.

Biodiversity has come to play a prominent role in international law, including in multilateral environmental agreements. **A focus on the connections between plastic pollution, biodiversity loss, and the degradation of ecosystems at the global, regional, and national levels is important for effective action.** The protection and restoration of biodiversity, and nature *per se*, [must be incorporated](#) in the legally binding control measures and enforcement terms of a future treaty.

To address plastic pollution globally, IUCN supports:

- Ambitious reductions in plastic production, phasing out harmful subsidies, eliminating products and chemicals of concern, and agreeing on the adoption of strong national plans, reporting requirements, and compliance mechanisms.
- Measurable and ecologically sustainable objectives, targets, and actions.
- An inclusive, just, and gender-responsive process and effective and science-based nature-positive frameworks, including a global treaty.
- Convergence between commitments made by States at various international and regional treaties, including the [Kunming-Montreal Global Biodiversity Framework \(GBF\)](#), the agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction ([BBNJ](#)), the [Ramsar Convention on Wetlands](#), and others.
- Improved product design created with full lifecycle approaches for a more circular economy, and support for nature-positive [Extended Producer Responsibility Systems](#) that go beyond waste management.
- Enhanced national legislation and capabilities to address plastic pollution, reporting, and compliance.
- Funding a strong financing mechanism, for capacity building, technological assistance and transfer, education, and to build on and share Indigenous and traditional knowledge.

Where can I get more information?

[IUCN publications on plastic pollution](#)

[IUCN Brief and proposed text](#) for inclusion of biodiversity protection in the Plastics Treaty

IUCN Resolution [019](#) *Stopping the global plastic pollution crisis in marine environments by 2030*

IUCN Resolution [069](#) *Eliminate plastic pollution in protected areas, with priority action on single-use plastic products*

Twitter: [@IUCN_Plastics](#)



SUMMARY OF THE REPORT: THE ECONOMIC IMPACT OF PLASTIC POLLUTION IN ANTIGUA AND BARBUDA

Impacts on the fisheries and tourism sectors, and the benefits of reducing mismanaged waste



[Full publication](#)

July 2023

INTRODUCTION

In 2019, IUCN launched the Plastic Waste-Free Islands (PWFI) project, aiming to reduce plastic waste generation and leakage into the ocean in island nations in the Pacific and Caribbean regions. An economic assessment was conducted as part of the project in Antigua and Barbuda. The study examined the impacts of marine plastics on the fisheries and tourism sectors and the costs and benefits of implementing a national recycling system from a national and from a regional cooperation perspective.

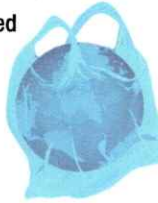
Plastic waste is a global problem!

9% of plastics are recycled

22% is mismanaged

80% of marine plastics can be attributed to land-based sources

20% of marine plastic pollution originates from the fishery sector



Plastic pollution leads to contamination of the marine environment

Harms biodiversity and ecosystems

Reduces the provision of ecosystem services

Has negative impacts on the economy, such as for:

- fisheries
- tourism sectors

To address the issue, efficient policy responses and legal instruments are required at various levels. These can include waste reduction at the source, extended producer responsibility, consumer behaviour changes through bans and taxes, educational campaigns, and improvements in waste management infrastructure.

The Caribbean Region heavily relies on a healthy marine ecosystem for its economy, specifically tourism and fisheries, which faces significant challenges due to plastic pollution, driven by poor waste management systems and limited recycling. Governments in the region have started implementing measures such as bans on single-use plastics, but more analysis of policy responses is needed.

IMPACT OF MARINE PLASTICS IN ANTIGUA & BARBUDA (2019)

The impact of marine plastics in Antigua and Barbuda in 2019 was assessed through data collection and analysis. Two different plastic accumulation scenarios were considered to estimate the stock and flow of marine plastics in the region, specifically on the shoreline and the Exclusive Economic Zone of Antigua and Barbuda. The study focused on the impact of marine plastics on the fisheries and tourism sectors.

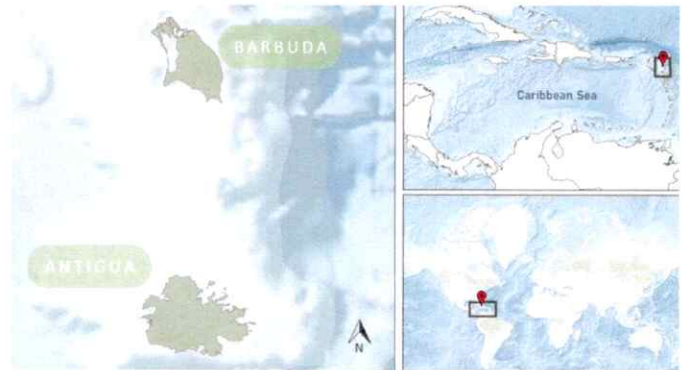
For the fisheries sector, the impact on revenue caused by marine plastics was estimated. Factors such as repair costs, lost productive time, and reduced catches were considered. The estimated impact on fisheries revenue in 2019 was 9.2% of the total revenue, equivalent to 3,861,103 East Caribbean Dollars (XCD) or 1,428,980 US Dollars (USD).

The study also calculated the costs of completely cleaning up all plastics ending up on the coastline to prevent further accumulation of plastics and potentially impacting the tourism sector through a reduction in visitors in the future. The estimated costs for coastal clean-ups in 2019 ranged from XCD 12,868,519 (USD 4,762,590) to XCD 37,657,395 (USD 13,936,860) depending on the plastic accumulation scenario.

CASE STUDY INTRODUCTION

Antigua and Barbuda is a dual island country in the northeastern heart of the Caribbean archipelago, see Map 1 below.

Map 1



In this country > 3,200 tonnes of plastic waste were disposed, mainly single-use plastics.

Around 21% of all plastics disposed end up leaking into the marine environment annually.

The government has implemented measures to address the issue, including fees on imported cans and bottles and the prohibition of plastic shopping bags and styrofoam. However, challenges remain in waste management and recycling.

To combat plastic pollution, efforts are needed to:



- Encourage producer responsibility,
- support the recycling sector,
- and improve waste disposal practices.

Overall, the impact of marine plastics in Antigua and Barbuda in 2019 amounted to XCD 16,729,622 (USD 6,191,569) to XCD 41,518,498 (USD 15,365,839) in direct costs (impact on fisheries and total estimated costs of coastal clean-up).

These findings highlight the significant economic implications of marine plastics on Antigua and Barbuda's key economic sectors, emphasizing the need for effective measures to mitigate plastic pollution and protect the environment and economy of the region.

PROPOSED SOLUTIONS

The recommendations for improving waste management in Antigua and Barbuda include, among others, strengthening the recycling system by:

- improving waste collection and
- segregation at the source.

Through the PWFI project, establishing a Regional Recycling Hub in the Caribbean has been proposed as a potential solution for Antigua and Barbuda and other Caribbean islands to improve waste management.

Currently, recycling in Antigua and Barbuda is limited, with only one waste recycling company operating in the country. There is no separation at the source of recyclable materials or organic waste prior to collection from households or commercial businesses.

This study considered the costs and benefits of a recycling system when Antigua and Barbuda implements it alone, as well as from a regional cooperation perspective with all countries bordering the Caribbean Sea also reducing plastic leakage into the sea.

OVERALL DIRECT COST MISMANAGED PLASTICS (2023-2040)

After estimating the impact of marine plastics in 2019, the study estimated the future impact of plastics continuing to leak into the marine environment, without measures to reduce this leakage.

The future and present values for the period 2023-2040 of the overall impact, direct cost to the fisheries sector, and clean-up costs are displayed in Table 1 and they depend on which plastic scenario is chosen; thus, four different values are presented.

Table 1		
Future and present values of the overall direct costs to fisheries and coastal clean-ups (2023-2040) (discount rate: 6.35%)		
Plastic Accumulation Scenarios		
	Scenario 1 (XCD)	Scenario 2 (XCD)
Future Value	389,568,230	938,245,714
Present Value	214,660,490	517,614,074

COST OF IMPLEMENTING THE RECYCLING SCHEME

To understand the costs and benefits of reducing mismanaged waste and plastic leakage into the Caribbean Sea, the study estimated the costs of improving the recycling system in Antigua and Barbuda, considering improved collection and sorting, and transport to existing large-scale recycling infrastructure.¹

Currently, the operating cost of the general waste management system is estimated to amount to XCD 110.3 per tonne of waste. The estimated cost per tonne of recycling plastics is presented in Table 2.

Table 2			
Estimated costs of recycling per tonne of plastics (2019) ²			
	Types of cost	XCD per tonne	USD per tonne
Collecting cost	Labour cost	272.9	101.0
	Investment cost	13.3	4.9
	Fixed cost	7.9	2.9
Sorting cost		201.5	74.6
Shipping cost		68.8	25.5
Total		564.4	208.9

The following figure compares the Waste Management Budget (WMB) under the BaU scenario with the WMB under the recycling scenario, which is combined with the cost of recycling. The difference between the two waste management scenarios is equal to the additional cost of the proposed solution, i.e. the recycling system as shown in Figure 1.

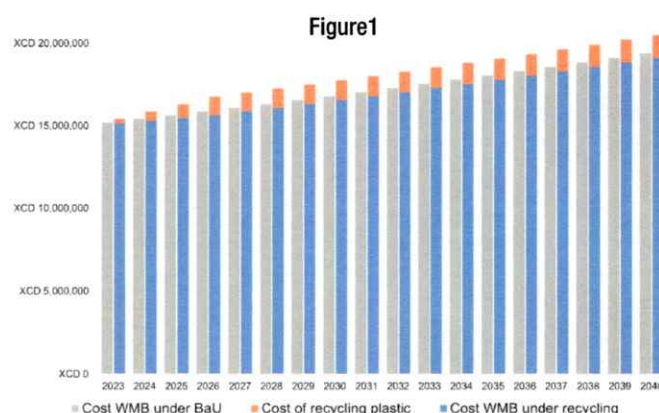


Figure 1 – Estimated costs of recycling, and the waste management budget under BaU scenario and the national recycling scenario (XCD/year)

The future value of the overall cost is estimated to be XCD 25,473,259 (USD 9,427,556). Applying the discount rate of 6.35% results in an estimated present value of XCD 13,495,094 (USD 4,994,483).

The impact in terms of the amount of plastics accumulating in Antigua and Barbuda's waters and coastline under the two recycling scenarios (national recycling and regional cooperation) is displayed below in Figure 2.

¹ The study considered transport to Miami as a proxy for costs, while an exact location for the Regional Hub is not yet decided.
² Source: Serious Business, 2021; PEW, 2020.

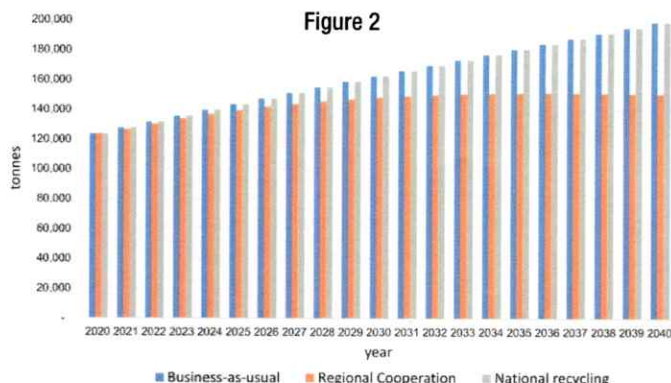


Figure 2 – Estimated tonnes of plastics in Antigua and Barbuda's waters under the three future plastic management scenarios

OVERALL RESULTS NATIONAL AND REGIONAL RECYCLING SCENARIOS

The next figures show the annual benefits of both recycling scenarios (national and regional cooperation) as well as the annual costs of implementing the proposed national recycling system. Figure 3 shows the results under the first plastic accumulation scenario, while Figure 4 shows the results under a second plastic accumulation scenario. Results are displayed both in discounted and non-discounted values. Table 3 shows the net future and present values of the regional cooperation and national recycling scenario.

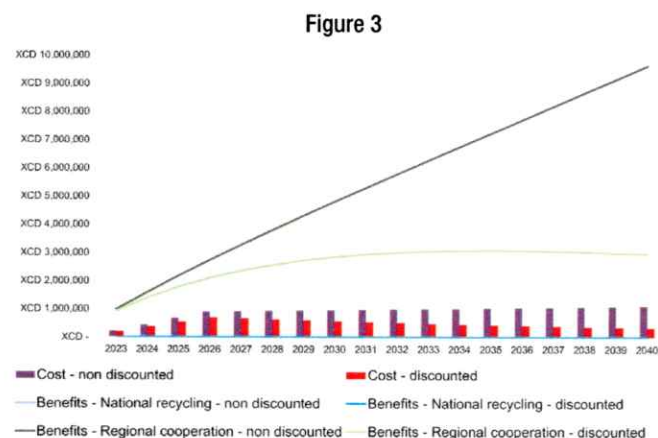


Figure 3 – Cost of recycling plastics for Antigua and Barbuda; benefits of the national recycling and regional cooperation scenario under plastic accumulation scenario 1 (future and present values, discount rate: 6.35%)

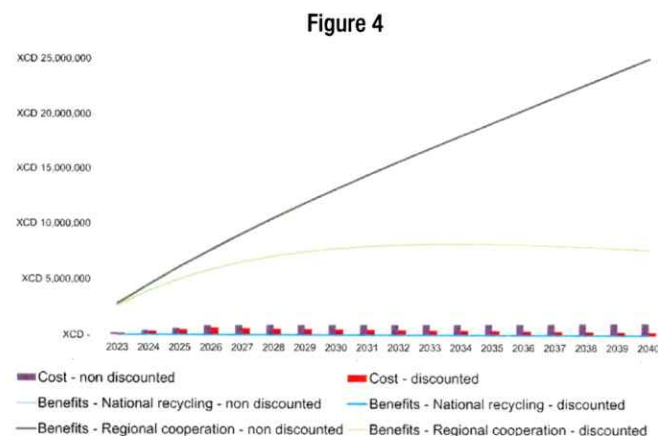


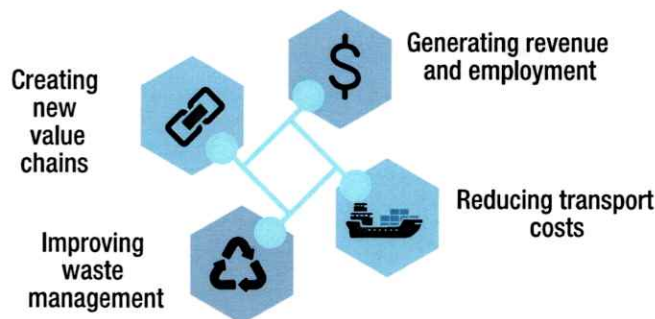
Figure 4 – Cost of recycling plastics for Antigua and Barbuda; benefits of the national recycling and regional cooperation scenario under plastic accumulation scenario 2 (future and present values, discount rate: 6.35%)

Table 3 shows that none of the national recycling scenario is profitable based on the benefits and costs considered in this study, and without or with applying the discount rate used. However, under the regional cooperation scenario, for both plastic accumulation scenarios, the benefits of a regional reduction in MPW greatly overcome the costs of implementing recycling in Antigua and Barbuda.

Recycling Scenario	Plastic Accumulation Scenarios	Net Future Value		Net Present Value	
		XCD	USD	XCD	USD
National recycling	1	-16,466,210	-6,094,082	-8,667,780	-3,207,913
	2	-16,408,969	-6,072,898	-8,637,216	-3,196,601
Regional Cooperation	1	81,975,409	30,338,789	38,351,629	14,193,793
	2	247,607,709	91,638,679	118,490,732	43,852,973
Net future and present values of the national and regional cooperation scenario under both plastic accumulation scenarios (discount rate used: 6.35%)					

The study highlighted the potential benefits of selling recycled plastics. To breakeven in net present value over the 18-year period considered, Antigua and Barbuda would need to resell the plastics at least at a constant price of XCD 436.14 (USD 161.41) per tonne under the least profitable scenario (national recycling under plastic accumulation scenario 1) and XCD 434.6 (USD 160.84) per tonne under the best case (national recycling under plastic accumulation scenario 2).

Additionally, there are other potential benefits of increased recycling of plastics in Antigua and Barbuda.



OTHER ASPECTS OF THE IMPACT OF MARINE PLASTIC POLLUTION AND INSTRUMENTS TO REDUCE IT

Marine plastic pollution not only has potential adverse effects on tourism and fisheries revenue, but it also can negatively impact employment in these sectors. The tourism sector employs a significant portion of the workforce in Antigua and Barbuda, whereas the fisheries sector serves as a crucial safety net for the population, particularly during periods of income loss.

Antigua and Barbuda has a high per capita fish consumption of around 50 kilograms, which is among the highest in the world. Marine plastics pose a threat to food security in Antigua and Barbuda, by diminishing fish stocks and contaminating fish with macro- and microplastics.

Although this study focuses on the direct cost of marine plastics on the fisheries and tourism sectors in Antigua and Barbuda, it's important to note that other factors such as natural disasters like Hurricane Irma in 2017 and the global travel restrictions due to the COVID-19 pandemic have had significant impacts on the tourism sector and the overall economy.

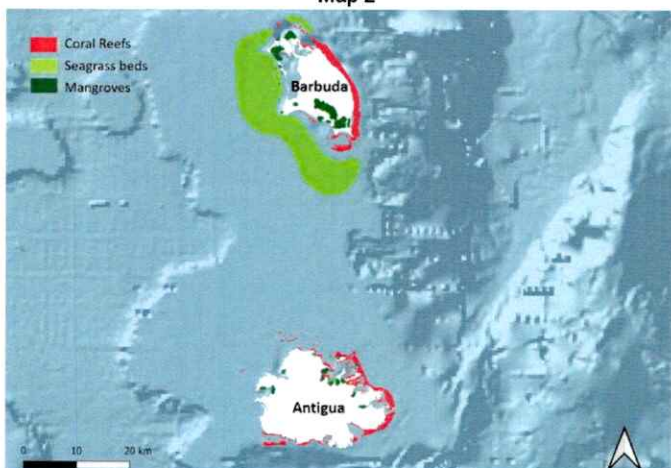
The tourism sector is also vulnerable to the effects of climate change, including sea level rise, increased storm frequency, and coastal erosion. Additionally, this study does not fully consider the future impacts of climate change on fisheries, such as shifting fish migration patterns, changes in reproduction, and altered habitats. It's worth mentioning that Caribbean fishery resources are already overexploited, with declining regional production and a high percentage of species considered overfished.

IMPACT ON MARINE AND COASTAL ECOSYSTEMS

Marine ecosystems in Antigua and Barbuda, including coral reefs, mangroves, and seagrass beds, are crucial for tourism, natural coastal defense, livelihoods in the fisheries sector, and various ecosystem services such as shoreline protection, breeding grounds, water purification, and carbon sequestration.

The conservation and restoration of these ecosystems are essential due to their significant contribution to the island's economy, employment, and vulnerable conservation status of certain species. Map 2 below displays the locations of these ecosystems.

Map 2



Marine plastics have detrimental effects on coral reefs, seagrass beds, and mangrove forests, interfering with their ecological functions and causing population declines and increased disease.



These impacts are exacerbated by other stressors such as climate change, pollution, overfishing, and invasive species, leading to the degradation of marine and coastal ecosystems, affecting tourism, fish stocks, and marine biodiversity including seabirds and marine mammals.

IMPACT ON MARINE WILDLIFE

Antigua and Barbuda's waters are home to six marine mammal species, with three considered vulnerable; four species of sea turtles, two of which nest and forage in nearshore waters; and a diverse range of bird species, including migratory and resident species, with 33 seabird species listed as "least concerned" and two listed as "vulnerable" and one as endangered."

Marine plastics pose various dangers to marine fauna including:

- entanglement,
- ingestion,
- colonisation by invasive species and
- contact or coverage with plastics and exposure to harmful chemicals.



Seabirds, sea turtles, marine mammals, sharks, rays, and sponges are among the species affected with:

- ingestion of plastics leading to potential mortality,
- entanglement causing suffocation or drowning, and
- plastic debris serving as vectors for the spread of pathogens and pollutants.

Plastic pollution should be considered in conjunction with other stressors when assessing its impact on the marine environment, as it may contribute to the decline of individuals, populations, or ecosystems, but not necessarily cause critical population decreases on its own. In addition to macroplastics, the presence of microplastics is a concern as small organisms can ingest them, bioaccumulate contaminants, and elicit toxicological effects, posing risks to marine animals throughout the food chain.

FINAL REMARKS

This study primarily focused on estimating direct costs for the fisheries and tourism sectors in Antigua and Barbuda, but it acknowledges that some costs and benefits were not included, such as the impact of ghost fishing, or the full costs of establishing a Regional Recycling Hub and the demand for recycled plastics under the current and future market.

The study emphasizes the need to consider the broader impacts of mismanaged plastics on blue natural capital assets, marine biodiversity, and the overall economy, recognizing the complexity of quantifying the impact on marine ecosystems. It suggests the implementation of a national recycling system and shows the positive impact of regional efforts to address the plastic waste problem while highlighting the importance of reducing plastic use, improving waste management infrastructure, and integrating local waste pickers into the system.

Further research is needed to gather data on mismanaged plastics, understand the real costs including microplastics, and develop comprehensive accounting frameworks like Ocean Accounting to assess the economic impacts of marine plastics and multiple stressors.

WCC-2020-Res-069-EN

Eliminate plastic pollution in protected areas, with priority action on single-use plastic products

APPRECIATING that protected areas serve an important role in protecting global biodiversity, mitigating carbon emissions and increasing resilience to climate change;

AWARE that wildlife resources also serve as important components of ecosystems, providing services that benefit humanity in the form of pollination, seed dissemination, disease control, pest control, food production, water purification and waste decomposition;

ACKNOWLEDGING that plastic products account for the majority of waste in protected areas, are often inappropriately disposed of on-site, and that discarded plastics take up to a thousand years to decompose;

RECOGNISING that inappropriate disposal of plastics has a significant impact on the environment and may affect wildlife;

FURTHER RECOGNISING the need for responsible management of plastics waste and scrap that prevents its leakage into the environment; and

NOTING that there are alternatives to single-use plastic products available for bringing drinks and other items into protected areas, and that 'pack-it-out' policies encourage responsible management of plastics brought into protected areas;

The IUCN World Conservation Congress 2020, at its session in Marseille, France:

URGES State Members to take priority action by 2025 to prevent pollution of protected areas by single-use plastic products, with the ultimate goal of eliminating all plastic pollution in protected areas.

WCC-2020-Res-069-EN

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Eurodib L21EKS Lamber High Temp Door Type Dishwasher w/ 30 Racks/hr Capacity, Built-in Booster, 208-240v/1ph

[Write a Review!](#) KaTom #: 027-L21EKS • MPN: L21EKS



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Item 3.



Eurodib L25EKS

Lamber High Temp Door Type
Dishwasher w/ 60 Racks/hr...

\$9,162.38

Eurodib L21EKS Description

The Eurodib L21EKS door-type dishwasher features a high-temperature design and a 6-kilowatt booster element. With this configuration, the unit uses hot water to sanitize dishes, so operators don't need cleaners and sanitizers for thorough, safe dish washing. It is made to configure with pass-through layouts and can be used for corner-style or linear-style dishrooms. It can be set to run for 2, 3, or 4 minutes with a maximum of 15 minutes for endless cycles. For staff member convenience, cycles begin as soon as the hood is closed.

Built to withstand heavy use, the Eurodib L21EKS is constructed of corrosion-resistant 304 stainless steel. For strength over time, this durable construction includes the upper and lower wash and rinse arms. A digital thermostat is provided for monitoring heat production. Additional features include a detergent pump, rinse aid dispenser, and electronic controls. It comes with baskets for holding dishes and small supplies during the wash cycle.

Product Details

- Washes 30 racks per hour
- Lift-up door type
- High-temperature model
- Includes: 2 dish baskets, 1 general basket, and 2 cutlery baskets
- 304 stainless steel construction
- 6-kW booster element
- Detergent pump
- Rinse aid dispenser
- Stainless steel upper and lower rotating wash and rinse arms
- Gravity drain
- Electronic control
- Digital thermometer
- Wash-cycle times: 2, 3, and 4 minutes
- Endless cycle: 15 minutes maximum

Dimensions & Utilities

- 24¹/₂ in. W x 30¹/₈ in. D x 57¹/₂ in. H
- 34 A, 6.65 kW
- 208-240 V/60 Hz/1 ph

 Perfect for busy restaurants, hotels, and cafeterias needing to quickly wash large volumes of dishes, trays, and cookware.

**Free shipping on Eurodib L21EKS within the 48 contiguous states.*

From The Manufacturer

Lamber Dishwasher, high temp, upright type, (30) racks/hour, 6kw booster element, detergent pump, rinse aid dispenser, gravity drain, electronic control, digital thermometer, (2) 20" x 20" baskets for dishes, (1) general basket, (2) cutlery baskets, stainless steel, 208-240v/60/1-ph, 34 amps, 6.65 kw, UL, cULus

**Image may not depict product color, inclusions or accessories.*

Resources



1-year Parts & Labor

Eurodib L21EKS Specifications

Manufacturer	Eurodib
Cavity Height (in)	15
Control Location	Bottom
Depth (in)	29.7
Design	Standard
Door Type	Lift Up
Drain Type	Gravity
Heat	Electric
Height (in)	57.5
Hertz	60
Phase	1
Product	Dishwashers
Product Type	Dishwashing Equipment & Supplies
Racks per Hour	30
Rating	Good
Series	Lamber
Special Features	Built in Booster
Type	High Temp
Voltage	208/240
Warranty	1-year Parts & Labor
Width (in)	27.95
Weight	286.00



Spec Sheet



Warranty



Residential Users: The warranty will not be honored for residential or non-commercial use of any Commercial Equipment.

 **Important Prop 65 information** for California residents.



Eurodib F99EKDPS
Lamber High Temp Rack Undercounter
Dishwasher - (30) Racks/hr, 208-240v/1ph

\$4,582.00



Eurodib L25EKS
Lamber High Temp Door Type Dishwasher w/
60 Racks/hr Capacity, Built-in Booster,...

\$9,162.38

Eurodib L21EKS Comparable Products



Centerline by Hobart CDL-1
Low Temp Door Type Dishwasher w/
51 Racks/hr Capacity, 120v

\$5,751.00



Ecoline by Hobart EDL-1
Low Temp Door Type Dishwasher w/
42 Racks/hr Capacity, 120v

\$5,267.00



Ecoline by Hobart EDH-1
High Temp Door Type Dishwasher
w/ 51 Racks/hr Capacity, Built-in...

\$9,238.00



Hobart AM16-BAS-2
High Temp Door Type Dishwasher
w/ 60 Racks/hr Capacity, Built-in...

\$17,242.40



5070 MD-DT-HTB60P
High Temp Door Type Dishw
w/ 60 Racks/hr Capacity, Bt

\$5,355.81

Related Categories



Glass Washers



Dishwasher Racks



Flatware Soak System



Undercounter Dishwashers



Booster Heaters



Digitally signed by Code
Reviser
DN: cn=Code Reviser, o=Lummi Nation, ou=Office
of the Reservation Attorney,
email=davidn@lummi-nsn.
gov, c=US
Date: 2008.04.24 08:59:55
-07'00'

TITLE 13
LUMMI NATION CODE OF LAWS
TIDELANDS CODE

Enacted: Ordinance L-31 (1/8/70) (section 13.01.040)
Resolution S-13 (10/7/74) (all sections except as otherwise indicated)

Amended: Resolution 88-36 (4/5/88)
Resolution 94-128 (8/5/94)

**TITLE 13
LUMMI NATION CODE OF LAWS
TIDELANDS CODE**

Table of Contents

Chapter 13.01 Purpose and Scope

13.01.010 History	1
13.01.020 Necessity of Regulation	1
13.01.030 Definition of "Tidelands"... ..	1
13.01.040 Tidelands Closed to Non-Members	1

Chapter 13.02 Prohibited Acts

13.02.010 Barriers Prohibited--Permit Exception--Violations Deemed Trespass.....	1
13.02.020 Prohibited Uses	1

Chapter 13.03 Regulation of Tidelands

13.03.010 Council Authority to Regulate.....	2
13.03.020 Council Authority to Prepare Development Plans.....	2
13.03.030 Council Authority to Grant Rights-of-Way	2
13.03.040 Council Authority to Close Tidelands	2
13.03.050 Regulation of Construction of Bulkheads and Other Structures within Lummi Coastal Zone Management Area.....	2
13.03.060 Interim Fees and Rates for Use of Tribal Tidelands	2

Chapter 13.04 Penalties

13.04.010 Civil Penalties--Confiscation.....	3
13.04.020 Refusal to Leave Scene of Violation is Deemed Trespass	3
13.04.030 Prohibited Entry is Deemed Trespass	3

TITLE 13 LUMMI NATION CODE OF LAWS TIDELANDS CODE

Chapter 13.01 Purpose and Scope

13.01.010 History

It is generally recognized that the Indians of the Reservation have, beyond the memory of man, used the tidelands within and adjacent to the reservation freely, continuously, and uninterruptedly for the purposes of fishing and the taking of shellfish, for the taking of driftwood, for firewood, for recreational purposes, and other purposes. Such uses are a result of the ownership of the tidelands and the rights established on any other tidelands by custom, tradition, practice and long and continuous use.

13.01.020 Necessity of Regulation

It is necessary for the preservation, protection and best use of the tidelands to adopt reasonable regulations on the use thereof.

13.01.030 Definition of "Tidelands"

"Tidelands" means any lands including beaches, seaward of the line of natural vegetation or the meander line, whichever be more landward along all saltwater bordering the reservation, including all such lands east of the Pt. Francis Treaty Rock line.

13.01.040 Tidelands Closed to Non-Members

The Lummi Tidelands are reserved for the exclusive use of the Lummi Indians by the Treaty of 1855. The Lummi Tidelands are closed to persons who are not members of the Lummi Nation, in the absence of a lease permitting non-member use of the tidelands, or use permits issued pursuant to this Title.

Chapter 13.02 Prohibited Acts

13.02.010 Barriers Prohibited—Permit Exception—Violations Deemed Trespass

It shall be a civil offense for any person to create, erect, maintain, or construct any building, obstruction, barrier, restraint of any nature whatsoever within the tidelands as defined in this ordinance, without having first

obtained a written permit from the Council. No permits shall be given for the areas below the line of mean high tide except as provided herein. A permit for the construction within the area above the line of mean high tide shall be granted only at the discretion of the Council and only after it is clearly shown that such construction will not be inconsistent with the provisions of this Ordinance nor interfere with the rights of the Indians of the Reservation to freely and uninterruptedly use the tidelands for the purposes which have long been established and that such construction will have no damaging effect upon the marine life or cleanliness of water or air in and along such lands. The Council is authorized to adopt rules and regulations for the issuance of such permits and to prescribe reasonable fees to be charged therefore. Anyone who violates the provisions of this section shall be deemed to be in trespass of the property rights of the Tribe in and to the tidelands and shall be required to remove any obstructions or barriers, and to cease from further obstruction or interference, and shall be liable for all damages caused by any such acts. Council may take all appropriate legal action to enforce the provisions of this ordinance and to take such other lawful actions as may be appropriate.

13.02.020 Prohibited Uses

It shall be a civil offense for anyone to use the tidelands in such a manner that would tend to destroy the natural beauty or pollute such lands, interfere with the established use thereof by Indians of the Reservation, or which would tend to create a nuisance thereon. The following rules and regulations covering the use thereof are hereby adopted:

(a) No person shall deposit or willfully permit the deposit of any debris, rubbish, or refuse upon tidelands.

(b) No person shall deface or destroy the natural beauty of the rocks, cliffs, vegetation, and other objects of nature upon or within tidelands.

(c) No sands, rock, mineral, marine growth, driftwood, fish, wildlife, or souvenirs or other product of the tidelands shall be taken from such lands by anyone except pursuant to the terms and conditions of a written permit first obtained from the Council. No permit shall be issued unless it is shown that the removal will not be inconsistent with the conservation of the natural resources of the tidelands. The Council is authorized to adopt rules and regulations for the issuance of such permits and to prescribe reasonable fees to be charged therefore.

(d) No person shall set or permit any fire to be set upon the tidelands except pursuant to permits issued by the Council as areas permitting the setting of camp fires as provided herein.

(e) No person shall erect any tent or overnight shelter upon the tidelands or use the tidelands as an overnight camping area except pursuant to permits issued by the Council in those areas specifically designated and posted by the Council as overnight camping areas as provided herein.

(f) No person shall operate or park or permit the operation or parking of any motor vehicle upon the tidelands except in areas specifically designated and posted by the Council as permitting such operation or parking as provided herein.

(g) No person shall be permitted upon the tidelands in an intoxicated or disorderly condition, or shall engage while on the tidelands in any acts of indecency or immorality.

(h) No person shall violate any rules and regulations subsequently adopted for the use of the tidelands by the Council.

Chapter 13.03 Regulation of Tidelands

13.03.010 Council Authority to Regulate

The Council may regulate the use of tidelands in a manner consistent with the purposes of this ordinance.

13.03.020 Council Authority to Prepare Development Plans

The Council may prepare plans for

development of tidelands, classify tidelands as to use and designate areas where specific activities may be permitted.

13.03.030 Council Authority to Grant Rights-of-Way

Nothing in this Ordinance shall be deemed to diminish the right of the Council to lease or permit rights-of-way over and across tidelands except that any such lease or permit affecting tidelands shall be subject to all the provisions of the Ordinance.

13.03.040 Council Authority to Close Tidelands

The Council is authorized to close all or any portion of the tidelands if it finds that the rules and regulations herein provided, or the rules and regulations adopted by the Council pursuant to this Ordinance, cannot be adequately enforced or if necessary to preserve the tidelands.

13.03.050 Regulation of Construction of Bulkheads and Other Structures within Lummi Coastal Zone Management Area

The Council authorizes the Natural Resources Department, in consultation with the Planning and Water departments, to adopt regulations governing the construction of bulkheads and other structures on or adjacent to tribal tidelands which have the potential for impacting natural resources on the tidelands and adjacent properties. Regulations shall be designed to protect and restore Lummi Nation natural resources from the short-term, long-term and cumulative impacts of construction activities on Reservation shorelines.

(a) Regulatory authority includes the authority to require permits, fees, and technical studies to adequately determine risks.

(b) Any person or company who violates this section shall be subject to the penalties of Chapter 13.04 of this Ordinance.

13.03.060 Interim Fees and Rates for use of Tribal Tidelands

(a) All project proposals and required environmental assessments must be approved and conditions established by tribal I.D. team (interdisciplinary team of tribal technical staff) prior to a permit being issued.

- (1) \$200 per/day for low risk construction.
- (2) \$400 per/day for high risk construction.
- (3) \$2500-\$5000 bond, returned after an inspection of the construction site determines that damages have not occurred or have been mitigated or remediated.

(b) Interim criteria for low risk construction:

- (1) Access to the beach is not restrictive and would not require moving equipment and/or supplies a significant distance over the beach or intertidal zone.
- (2) The slope of the beach is less than 5 degrees and the biological assessments demonstrate no potential for impacts to adjacent biological resources.
- (3) The location of the bulkhead is not subject to severe wave energy which causes rapid beach erosion.
- (4) There is little or no potential risk of adverse impacts to upland or aquatic biota or other natural resources.

(c) Interim criteria for high risk construction:

- (1) Access to the beach is restricted and would require moving equipment and supplies a significant distance over the beach or intertidal zone.
- (2) The slope of the beach is 5 degrees or greater and the biological assessment indicates a significant possibility for impacts to Biological resources.
- (3) The location of the bulkhead would subject it to severe wave energy which causes rapid beach erosion.
- (4) There is no potential risk of significant adverse impacts to upland or aquatic biota or other natural resources.

Chapter 13.04 Penalties

13.04.010 Civil Penalties--Confiscation

- (a) Any person who violates this ordinance or

any rule governing entry upon or use of the tidelands shall be deemed to have committed a civil offense. Any person found to have committed a trespass shall be subject to a civil penalty in an amount not to exceed five hundred dollars (\$500.00) for a first offense and one thousand dollars (\$1,000.00) for a second or subsequent offense.

(b) Any object involved in such violation shall be subject to confiscation and forfeiture following a hearing in the tribal court regardless of whether the person in possession of the object is the owner of it. In the event the person in possession is not the owner, the owner shall also be given notice of the hearing and provided an opportunity to raise any defense he may have. At the hearing the tribe shall have the burden of proving by a preponderance of the evidence that the object was present on the tidelands without the permission of the Tribe or without compliance with this ordinance or the rules and regulations promulgated under this ordinance.

(c) A proceeding to enforce this title shall be commenced in the same manner as any civil action in tribal court. In the event that an object is found abandoned on the tidelands and ownership of the object cannot be determined, an action may be commenced against the object itself with notice of the action being published in a newspaper of general circulation in the reservation area.

13.04.020 Refusal to Leave Scene of Violation is Deemed Trespass

Any person who violates this ordinance or any rule or regulation of the Council with regard to tidelands may be requested to leave such lands and failure to leave or return without proper permission shall be deemed trespass.

13.04.030 Prohibited Entry is Deemed Trespass

Any person who enters upon any closed tidelands or who enters upon any tidelands without valid permission or permit shall be deemed to have committed trespass.

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Chapter 18.28 TIDELANDS

Sections:

- 18.28.010 Regulations adopted.
- 18.28.020 Adopting authority.
- 18.28.030 Scope.
- 18.28.040 Application of State law.
- 18.28.050 Definitions.
- 18.28.060 Ownership.
- 18.28.070 Protection of fish and game.
- 18.28.080 *Repealed.*
- 18.28.090 Reservations.
- 18.28.100 Damages.
- 18.28.110 Federal priority.
- 18.28.120 Navigational authority.
- 18.28.130 Final tideland plat – Survey proportionment cost.
- 18.28.140 Notice and posting.
- 18.28.150 Protest.
- 18.28.160 Review of protest.
- 18.28.170 Deposit.
- 18.28.180 Site examination.

- 18.28.190 Time for filing applications – Loss of preference rights.
- 18.28.200 Waste or injury to land.
- 18.28.210 Additional tide and submerged land.
- 18.28.220 Preference right application.
- 18.28.230 Preference right application – Approval or disapproval.
- 18.28.240 Payment – Class I preference right.
- 18.28.250 Payment – Class III preference right.
- 18.28.260 Appeal.
- 18.28.270 Appeal form.
- 18.28.280 Finality of decision.
- 18.28.290 Appraisal.
- 18.28.300 Cost of appraisal.
- 18.28.310 Appraisal deposit.
- 18.28.320 Purchase agreement – Terms.
- 18.28.330 Purchase agreement – Not applicable.
- 18.28.340 Independent survey.
- 18.28.350 Conveyance of title.
- 18.28.360 Nonpreference right tidelands.
- 18.28.370 Tideland leases.
- 18.28.380 Tideland permit.
- 18.28.390 Tideland permit – Application.

18.28.400 Tideland permit – Duration of permit.

18.28.410 Permits – Rights-of-way and easements.

18.28.420 Disposal of material.

18.28.010 Regulations adopted.

The City, pursuant to AS [38.05.820](#)(b), as amended, adopts the following regulations governing the filing and processing of applications, publication of notices, determination of preference rights and the adjudication of disputes between claimants concerning tidelands, the title to which has been conveyed or hereafter may be conveyed to the City by the State. [Code 1967 § 21-100.1].

18.28.020 Adopting authority.

These regulations are adopted by the City Council, pursuant to authority vested in that body by AS [29.10.010](#) et seq. and by AS [38.05.820](#)(b), as amended. [Code 1967 § 21-100.3].

18.28.030 Scope.

All tide and contiguous submerged lands within or seaward of the boundaries of the City (except those provided for hereafter) from the meander line as established on ATS 612 and seaward to a line agreed upon by the City and the State and shown on ATS 612. These regulations pertain to the use and disposal of City-owned tide and contiguous submerged land. The regulations may be referred to as the City of Homer tideland regulations. [Code 1967 § 21-100.2].

18.28.040 Application of State law.

These regulations implement, interpret and apply the provision of the Alaska Land Act concerning use and disposal of tidelands and related matters and extend to and include the applicable provision of Section 6 of Public Law 85-508 (71 Stat. 330), admitting the State of Alaska to statehood in the United States of America and applicable provisions of the Act of March 3, 1899, pertaining especially to establishment of harbor lines, as well as applicable provisions of Public Law 85-303 (31 Stat. 623). [Code 1967 § 21-100.4].

18.28.050 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings set forth below:

Generally. The following are rules of grammar and construction:

1. Headings of parts and sections of these regulations are not a part of the regulations and are inserted for convenience only.

2. The singular number includes the plural.

Item 4.

3. The masculine gender includes the feminine and the neuter.

“Accretion” means the gradual and imperceptible addition of new land to old by the natural deposition of sediments, i.e., sedimentation.

“Act” means the Alaska Land Act as now constituted or as hereafter amended.

“Apportionment survey cost” means that cost prorated to each subdivided tide and submerged land tract.

“City” means the City of Homer.

“Class I preference right” shall be extended to persons who occupied and developed tide and contiguous submerged lands seaward of the City of Homer on and prior to September 7, 1957, after executing a waiver to the State and the City of all rights such occupancy may have pursuant to Public Law 85-303. Upon execution of the waivers, such persons, or their successors in interest, have the right to acquire such occupied and developed tide and contiguous submerged land from the City for a consideration not in excess of the cost of survey, transferring and conveying title.

“Class II preference right” shall be accorded to Class I preference right claimants who refuse to execute a waiver to the State and City of any rights such occupants may have acquired pursuant to Public Law 85-303. It shall be mandatory for the City to honor the application from the occupant after the Secretary of the Army has submitted to the Secretary of the Interior, the Governor of the State and the City Manager maps showing the pierhead line established by the Corps of Engineers with respect to the tract granted.

“Class III preference right” means the preference right extended to persons who occupied and developed tidelands after September 7, 1957, and who continued to occupy the same on January 3, 1959. Such persons, or their successors in interest, have the right to acquire such occupied and developed tidelands for a consideration not in excess of the cost of appraisal, administering and transferring, plus the appraised fair market value thereof, exclusive of any value occurring from improvements or development, such as fill material, building, or structures thereon.

“Coast line” means the line of ordinary low water along any portion of City tidelands and is the line marking the seaward limit of inland waters.

“Commissioner” means the Commissioner of the Department of Natural Resources of Alaska.

"Director" means the Director of the Division of Lands of the Department of Natural Resources.

Item 4.

"Division" means the Division of Lands within the Department of Natural Resources.

"Fair market value" is defined as the highest price, described in terms of money, which the property would bring, if exposed for sale for a reasonable time in the open market, with a seller, willing but not forced to sell, and a buyer, willing but not forced to buy, both being fully informed of all the purposes for which the property is best adapted or could be used.

"Fill" means earth, gravel, rock, sand, or other similar materials placed upon tide or contiguous submerged lands for the purpose of elevating the lands above the high water line for a specific useful purpose. The placement of earth, gravel, rock, sand, or other similar materials on tide or contiguous submerged land solely for the purpose of spoils disposal and thereafter abandoned and not used for any beneficial purpose shall not be considered fill.

"Final tideland plat" means that survey plat compiled of the tide and submerged lands under the direction and authority of the Division of Lands and the City that shows the subdivision of the tide and submerged lands and upon which each subdivided tract is identified by a letter and a number.

"Harbor line" is defined as that line fixed by the Secretary of the Army which is the limit to which piers, wharves, bulkheads, or other work may be extended in navigable waters without further authorization.

"Improvements" means buildings, wharfs, piers, dry docks, and other similar types of structures permanently fixed to the tide or contiguous submerged lands that were constructed and/or maintained by the applicant for business, commercial, recreation, residential, or other beneficial uses or purposes. In no event shall fill be considered a permanent improvement when placed on the tidelands solely for the purposes of disposing of water or spoils. However, fill material actually utilized for beneficial purposes by the applicant shall be considered a permanent improvement.

"Land" means all tide and submerged lands under the jurisdiction of the City.

"Mean high tide" means the tidal datum plane of the average of all the high tides as may be or has been established by the United States Coast and Geodetic Survey.

"Mean high water line" shall be interpreted as the intersection of the datum plane of mean high water with the shore.

"Mean low water" means the tide datum plane of the average of the low tides as has or may be established by the United States Coast and Geodetic Survey.

"Mean lower low water" means the tidal datum plane of the average of the lower of the two low waters of each day as has or may be established by the United States Coast and Geodetic Survey. Item 4.

"Natural resources" includes, without limiting the generality thereof, oil, gas and all other minerals, but does not include fish, shrimp, oysters, clams, crabs, lobsters, sponges, kelp, and other marine, animal and plant life, or water power, or the use of water for the production of power.

"Occupant" means any person as defined herein, or his successor in interest, who actually occupied for any business, residential, or other beneficial purpose tidelands or tidelands and submerged lands contiguous thereto, within the corporate boundaries of the City on or prior to January 3, 1959, with substantial, permanent improvements. The holder of a permit of clearance in respect to interference with navigation, or of a special use permit from a government agency, will not qualify as an occupant unless such entry on the land had, through exercise of reasonable diligence, resulted in actual occupancy and substantial permanent improvements, as hereinafter mentioned. No person shall be considered an occupant by reason of having:

1. Placed a fish trap in position for operation or storage upon the tide, shore, or submerged land;
2. Placed a setnet or piling therefor, or any other device or facility for the taking of fish;
3. Placed piling or dolphins for log storage or other moorage;
4. Placed floats or vessels upon the tide, shore or submerged land;
5. Placed telephone, power, or other transmission facilities, roads, trails, or other improvements not requiring exclusive use or possession of tide or contiguous or submerged land; or
6. Claimed the land by virtue of some form of constructive occupancy. Where land is occupied by a person other than the owner of the improvements thereon, the owner of the improvements shall, for the purposes of these regulations, be considered the occupant of such lands.

"Occupied" or "developed" means the actual use, control, and occupancy, but not necessarily residence, of the tide and contiguous submerged land by the establishment thereon of substantial permanent improvements.

"Permit preference" means that privilege of the upland owner to acquire first choice over other nonpreference right claimants to a permit for like use and enjoyment of the City-owned tide or contiguous submerged lands abutting his property.

"Person" means any person, firm, corporation, cooperative association, partnership, or other entity, legally capable of owning land or an interest therein.

"Pierhead line" means a line fixed by the Corps of Engineers of the Department of the Army that is parallel to existing line of mean low tide at such distance offshore from the line of mean low tide that the pierhead line shall encompass, to the landward, all stationary, manmade structures (but shall not encompass any part of breakwaters, bridges, or piers used for vessel dockage which part extends beyond such a parallel line marking the seaward extremity of other manmade structures) which were in existence as of February 1, 1957, to seaward of the City.

"Preference right" subject to the classification thereof established hereafter means and includes the right of an occupant to acquire by grant, purchase, or otherwise, at the election of the occupant, except as otherwise limited or prescribed in these regulations, any tract or tracts of tideland, or tideland and submerged land contiguous thereto, occupied or developed by such occupancy on and prior to January 3, 1959.

"Reclaimed or constructed tided or contiguous submerged lands" means those lands resulting by purposeful filling of tide or contiguous submerged lands.

"Shore lands" means all lands which are covered by nontidal waters that are navigable under the laws of the United States up to ordinary high water mark as heretofore or hereafter modified by natural accretion, erosion or reliction.

"Submerged lands" means those lands covered by tidal waters between the line of mean low water and seaward to a distance of three geographical miles, or as may hereafter be properly claimed by the City.

"Substantial permanent improvement" shall for these regulations have the same meaning as "improvements" as defined in this section.

"Tideland Review Committee" means that committee appointed by the City Council to decide on matters pertaining to the administration, adjudication and disposal of tideland preference right applications.

"Tidelands" means those lands which are periodically covered by tidal waters between the elevation of mean high and mean low tides.

"Upland owner" means that owner whose upland property abuts the line of mean high tide.

"Waste or injury to land" means the disturbance of ground cover, damage to vegetation, littering dumping of waste, removal of or damage to any material from a berm, or use of a vehicle in areas designated as prohibited to vehicles. [Ord. [01-38](#), 2001. Code 1967 § [21-100.4](#)].

18.28.060 Ownership.

Except as otherwise provided herein, the City, by virtue of Section 47-2B-35 (3) ACLA, 1959 Supp. and Tideland Patent No. 271 issued 12/09/74, recorded in Vol. IV and any other patents hereafter issued to it, reserves and has succeeded to all right, title and interest of the State of Alaska in tide and submerged lands lying seaward of the City, including lands, improvements, reclaimed lands, or natural resources in all lands up to the original GLO meander line and seaward of the corporate City limits of Homer, Alaska, to the Director's line as defined in said Tideland Patent No. 271, or on any succeeding patents; provided, however, that those lands and rights therein lawfully vested in others by Acts of Congress prior to January 3, 1959, shall not be infringed upon; and provided further, that title to natural resources therein shall be reserved to the State of Alaska until such time as the State may convey such title to the City. [Ord. [01-55](#), 2001. Code 1967 § [21-100.5](#)].

18.28.070 Protection of fish and game.

Prior to any construction of development by any persons or governmental agency that will use, divert, obstruct, pollute or utilize any of the waters of the State of materials from such water areas, the Commissioner of the Alaska Department of Fish and Game shall be notified and a letter of approval obtained by the applicant pursuant to Chapter 94, Article 1, Section 31, SLA 1959, as amended. [Code 1967 § 21-100.6].

18.28.080 Herring spawn covenant.

Repealed by Ord. [13-17\(S\)](#). [Code 1967 § [21-100.7](#)].

18.28.090 Reservations.

Each and every contract for the sale, lease or grant of, and each deed to, City tide and contiguous submerged land, properties or interest therein, made under the provisions of this chapter, shall be subject to a reservation to the City or to the State, whichever shall be entitled thereto, which shall be substantially in the following form:

The party of the first part, City, hereby expressly saves, excepts and reserves out of the grant hereby made unto itself (or to the State of Alaska) its lessees, successors, and assigns forever, all oils, gases, coal, ores, minerals, fissionable materials, and fossils of every name, kind or description, and which may be in or upon said lands above described, or any part thereof, and the right to explore the same for such oils, gases, coal, ores, minerals, fissionable materials, and fossils, and it also hereby expressly saves and reserves out of the grant hereby made, unto itself, (or to the State of Alaska), its lessees, successors, and assigns forever the right to enter by itself, its or their agents, attorneys and servants upon said lands, or any part or parts thereof, at any and all times, for the purpose of opening, developing, drilling and working mines or wells on these or other lands and taking out and removing therefrom all

such oils, gases, coal, ores, minerals, fissionable materials and fossils, and to that end it further expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right by its or their agents, servants, and attorneys at any and all times to erect, construct, maintain, and use all such buildings, machinery, roads, pipelines, powerlines, and railroads, sink such shafts, drill such wells, remove such soil, and to remain on said lands or any part thereof for the foregoing purposes and to occupy as much of said lands as may be necessary or convenient for such purposes hereby expressly reserving to itself, its lessees, successors, and assigns, as foresaid, generally all rights and power in, to and over said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved.

[Code 1967 § 21-100.8].

18.28.100 Damages.

No rights shall be exercised under the foregoing reservation, by the City or the State or their lessees, successors or assigns, until provision has been made by the City or the State or their lessees, successors, or assigns to pay to the owner of the land, upon which the rights, reserved in this chapter to the City or the State or their lessees, successors, or assigns, are sought to be exercised, full payment for all damages sustained by the owner by reason of entering upon the land; provided, that if the owner for any cause whatsoever refuses or neglects to settle the damages, the City or the State or their lessees, successors, assigns, or any applicant for a lease or contract from the City or the State for the purpose of prospecting for valuable minerals or option contract or lease for mining coal, or lease for extracting petroleum or natural gas, shall have the right, after posting a surety bond with the City Council or the Director, as the case may be, in a company qualified to do business in Alaska and in a form as determined by the City Council, or the Director, as the case may be, after due notice and opportunity to be heard, to be sufficient in amount and security to secure the owner full payment for all such damages, to enter upon the land in the exercise of the reserved rights, and shall have the right to institute such legal proceedings in a court of competent jurisdiction wherein the land is situated, as may be necessary to determine the damages which the surface lessee of such lands may suffer.

[Code 1967 § 21-100.9].

18.28.110 Federal priority.

The following tidelands and tide and contiguous submerged lands are reserved pursuant to Section 3, Public Law 85-303, (71 Stat. 623) 1957:

All tracts or parcels of land, together with all accretions thereto, resources therein, or improvements thereon, title to which has been lawfully and expressly acquired by the United States from the Territory or State of Alaska or from any party in whom title has vested under the laws applicable to the Territory or State, or the law of the United States, all lands expressly retained by or ceded to the United States, all land acquired by the United States by gift or by proceedings under eminent domain, all lands filled in, built up, or otherwise reclaimed by the United States for its own use as long as so used, and any rights that the United States has in lands presently and actually occupied by the United States under claim or rights.

[Code 1967 § 21-100.10].

18.28.120 Navigational authority.

The City shall have authority pertaining to the construction and placement by itself or by others of solid fill and/or open pile structures that will extend to the harbor line as established by the U.S. Army, Corps of Engineers, except as provided in Sections 10 and 11 of the River and Harbor Act of 1899 (30 Stat. 1151; [33 U.S.C. 403](#) and [404](#)). [Code 1967 § 21-100.11].

18.28.130 Final tideland plat – Survey proportionment cost.

- a. The final tideland survey plat showing completed subdivision and monumentation and signed by the City Manager and the Director shall be known as final tideland plat ATS 612. The final plat shall serve as the basis upon which all tideland preference right disposals shall be made.
- b. The survey cost of each preference right tract shall be computed by multiplying the total square feet of the preference right tract by a square foot cost factor to be established by the City Council with concurrence of the Director of the Division of Lands. [Code 1967 § 21-100.12].

18.28.140 Notice and posting.

Tideland and contiguous submerged lands as well as any material therefrom owned by the City shall be sold, granted, leased or otherwise disposed of only through action of the City Council. No land or material in the tidelands shall be sold, granted, leased or otherwise disposed of until Council has received a recommendation thereon from the City Manager. Before such lands or any interest therein is disposed of the City Clerk shall post a notice for three consecutive weeks preceding the time of disposal as stated in the notice, in at least two common posting places; provided the sale, lease, or disposal of lands shall be held not less than one week nor more than three weeks following the last date of the posted notice. The notice shall set forth the following:

- a. The name and address of person, persons, corporation or agencies requesting the sale, grant, lease or interest therein;
- b. The location and description of the lands or interest therein and the improvements thereon;
- c. The preference or preference right claimed, if any, and the length of time including dates the claimant occupied the land;
- d. The date, time and place, and the general terms, including the minimum bid, if any, of the sale, lease, or other disposal;
- e. The dates of the advertisement or posting. [Code 1967 § 21-100.13].

18.28.150 Protest.

Anyone may file a protest with respect to the grant, sale, lease, or other disposal of tidelands or materials thereon or therein. Such protest shall be in writing and contain a statement as to the nature and reason for the protest. Each protest so made shall be filed with the City Clerk during but not later than the last date provided in the disposal notice. The party protesting shall be required to notify by registered or certified mail the party whose action he is protesting. The postmark date of the addressee's post office will govern. Failure to protest shall constitute a waiver. [Code 1967 § 21-100.14].

18.28.160 Review of protest.

The City Clerk shall, upon receiving a protest, indicate upon it the time and date received, then submit it to the City Manager, who shall review the protest. The City Manager shall, upon review, submit his findings to the City Council. The City Council shall notify the protestant of their findings within 30 days of the date the protest was received by the City Clerk. [Code 1967 § 21-100.15].

18.28.170 Deposit.

The City Manager may require applicants to deposit with the City Clerk a sum sufficient to cover all, or any portion of, anticipated costs of appraisal and/or advertisement. The deposit shall be made within 30 calendar days after request for deposit. Failure to comply shall result in cancellation of the application. Any sum above the actual cost shall be returned to the applicant. In the event the land applied for is disposed of to other than the applicant within 30 days after offering, the successful applicant shall be required to pay any survey, appraisal or advertising cost and the original deposit will be returned to the depositor. If the depositor cancels his application, or fails to accept the contract or title when offered by the City, the deposited money shall be forfeited but if the City does not grant the application, all sums in excess of costs incurred shall be refunded. It shall be the responsibility of the City following the receipt of any deposit required to perform or have performed any appraisal and/or advertisement required or deemed necessary. [Code 1967 § 21-100.16].

18.28.180 Site examination.

The City, through its authorized representative, shall have the right to enter upon any City held tidelands that are leased, or upon which a permit was granted, to make any and all examinations or investigations that are deemed necessary. [Code 1967 § 21-100.17].

18.28.190 Time for filing applications – Loss of preference rights.

An occupant claiming a Class I, Class II, or Class III preference right may make, and the City will accept, applications for preference rights at any time during normal working hours within two years from the effective date of the ordinance adopting these regulations. Any preference right for which an application is not filed within this period shall be lost. [Code 1967 § 21-100.18].

18.28.200 Waste or injury to land.

It is unlawful for any person to commit waste or other injury upon City-owned tideland and contiguous submerged land and the person so offending shall, in addition to being civilly liable for any damages caused, upon conviction be punished in accordance with HCC [1.16.010](#). [Code 1967 § 21-100.19].

18.28.210 Additional tide and submerged land.

In approving any application for a preference right, the City shall include as part of the tract conveyed, and in addition to the occupied or developed lands, such additional tide and contiguous submerged lands as shall be reasonably necessary in the opinion of the Tideland Review Committee for the occupant's use and enjoyment of the occupied or developed land; provided, however, that any such conveyance shall not include an area which would unjustly deprive any other applicant from reasonable use and enjoyment of the lands for which he applies or any area which would interfere with navigation. [Code 1967 § 21-100.20].

18.28.220 Preference right application.

All persons claiming a preference right to any tideland tract shown on the final tideland plat ATS 612 shall submit an application to the City Clerk on a form approved by the Tideland Review Committee. [Code 1967 § 21-100.21].

18.28.230 Preference right application – Approval or disapproval.

- a. Each complete preference right application submitted to the City Clerk shall be forwarded to the Tideland Review Committee. The Tideland Review Committee through its Chairman may request the applicant to submit additional information or proof of ownership as deemed necessary.
- b. The Tideland Review Committee shall within 60 days from the date the application is received by the City Clerk notify the City Manager of their approval or disapproval of the application.
- c. If the application is approved, the Tideland Review Committee shall notify the City Manager of all monies owed the City by the applicant which pertain to the tideland application and he shall then recommend that a resolution be passed conveying said tract to the applicant.
- d. If the application is not approved, or if it is determined that the applicant possesses a different preference right than that claimed, the Tideland Review Committee shall so notify the applicant by registered mail and state their reasons for disapproval. The Tideland Review Committee shall then advise the City Manager. [Code 1967 § 21-100.22].

18.28.240 Payment – Class I preference right.

Upon approval of each Class I preference right application, the Tideland Review Committee shall notify the applicant of all monies owed the City pertaining to the tideland application, including, but n

limited to, the applicant's proportionate share of the survey cost. The proportionment of the survey cost shall be computed as stipulated in HCC [18.28.130](#). Upon receipt of notice from the Tideland Review Committee, the applicant shall have 30 days to make payment or enter into a purchase agreement as set forth in HCC [18.28.320](#). If payment is not made, or a purchase agreement is not entered into within the 30-day period, the application shall be voidable at the City's option. [Code 1967 § 21-100.23].

18.28.250 Payment – Class III preference right.

Upon approval of each Class III preference right application, the Tideland Review Committee shall notify the applicant of all monies owed the City pertaining to the tideland application including, but not limited to, the fair market value of the tideland tract and the applicant's proportionate share of the survey cost. The proportionment of the survey cost shall be computed as stipulated in HCC [18.28.130\(b\)](#). If payment is not made, or a purchase agreement is not entered into within the 30-day period, the application shall be voidable at the City's option. [Code 1967 § 21-100.24].

18.28.260 Appeal.

Any action taken by the Tideland Review Committee may be appealed to the City Council. The City Council shall render their decision within 60 days from the date the appeal is submitted. Any person shall have the right to appeal in person before the City Council or present his views in writing or be represented. [Code 1967 § 21-100.25].

18.28.270 Appeal form.

Any appeal submitted to the City Council must:

- a. Be filed within 30 days after receipt of notice of the action by the Tideland Review Committee;
- b. Be filed at the office of the City Clerk;
- c. Specify the action or actions to be reviewed by the City Council;
- d. Specify the grounds urged for the reversal or modification of the action. [Code 1967 § 21-100.26].

18.28.280 Finality of decision.

The City Council shall within 60 calendar days after receipt of the notice of appeal render their decision which shall be final so far as the City of Homer is concerned, but without prejudice to any other remedy or remedies the applicant may have. [Code 1967 § 21-100.27].

18.28.290 Appraisal.

Appraisal of the tract shall be made by a qualified appraiser to be appointed by the Tideland Review Committee. Such appraisal to be made on the basis of fair market value of the tidelands exclusive of any value resulting from improvements or developments, such as fill material, buildings, or structures thereon. [Code 1967 § 21-100.28].

18.28.300 Cost of appraisal.

The cost of the appraisal shall be borne by the applicant with the fee to be determined by the Tideland Review Committee. [Code 1967 § 21-100.29].

18.28.310 Appraisal deposit.

Each Class III preference right claimant shall deposit with the City Clerk the sum in the amount as set forth in the most current City of Homer fee schedule to cover the cost of appraisal. Any amount exceeding this shall be charged to the applicant and any surplus shall be returned to the applicant. [Ord. [21-51](#) § 6, 2021. Code 1967 § [21-100.30](#)].

18.28.320 Purchase agreement – Terms.

Persons eligible to receive tideland conveyance from the City may enter into a purchase agreement.

Purchase agreements shall require the applicant to pay to the City according to a payment schedule that shall be agreed upon between the purchaser and the City. However, in no event shall the final payment under the agreement be made beyond March 31, 1974. [Code 1967 § 21-100.31].

18.28.330 Purchase agreement – Not applicable.

Purchase agreements shall be allowed for only the payment of the fair market value of the tideland tract and for the proportionment cost of survey. [Code 1967 § 21-100.32].

18.28.340 Independent survey.

If two or more qualified preference right claimants agree to a boundary relocation, approval of the Tideland Review Committee and concurrence of the Director of the Division of Lands must be obtained by letter. All independent surveys shall be performed by a registered engineer or surveyor and the total cost shall be borne by the claimants. The final plat shall conform to the requirements of the State of Alaska tideland regulations and shall not be considered final until approved by the Tideland Review Committee and concurred in by the Director of the Division of Lands. [Code 1967 § 21-100.33].

18.28.350 Conveyance of title.

When all requirements have been satisfied by the applicant, the City Council shall direct the City Clerk to convey title. [Code 1967 § 21-100.34].

18.28.360 Nonpreference right tidelands.

When in the best interest of the City, the City Council may grant leases or permits for the use of City-owned tidelands. [Code 1967 § 21-100.35].

18.28.370 Tideland leases.

City-owned tide and submerged land shall be leased in accordance with the Charter of the City. In addition to any requirements there set forth, the applicant shall submit a development plan that shall state:

- a. The purpose of the proposed construction or improvement;
- b. The type of construction;
- c. The date construction will begin and the estimated date of completion; and
- d. Any other data, survey plats or information deemed necessary by the City Manager. [Code 1967 § 21-100.36].

18.28.380 Tideland permit.

The City Council may issue permits for the use and/or improvement of City-owned tidelands. Council shall give such preference to the use of the land as will be of greatest economic benefit to the City; provided, that first preference shall be granted to the upland owner over other nonpreference applicants for the use of tideland and contiguous submerged land seaward of the upland property and which is needed by such owner for the purpose or purposes for which it may be granted. [Code 1967 § 21-100.37].

18.28.390 Tideland permit – Application.

Application for a tideland permit shall be submitted to the City Manager. The City Manager shall submit the application to the City Council for their approval or disapproval. Whereupon, Council may, with or without a public hearing or posted notice, grant or reject the requested permit. [Code 1967 § 21-100.38].

18.28.400 Tideland permit – Duration of permit.

- a. Permits issued shall not exceed five years in duration, but are renewable at the option of the City Council. All permits shall be revocable when used contrary to the conditions under which they are granted, or when Council in its judgment determines that the best interest of the City would be served by revocation. If any permit expires or is revoked, all improvements placed on the tide or contiguous lands shall be removed by the permittee within 60 days; provided, however, that the City Manager may

extend the time for removing such improvements in cases where hardship is shown. A permittee with the consent of the City Manager, sell his improvements to any succeeding permittee.

b. Any improvements or chattels having an appraised value in excess of \$10,000 which are not removed within the time allowed shall be sold at public sale and the net proceeds thereof, if any, paid to the permittee after paying all expenses of the sale and charges due to the City. If there be no other bidders, the City may bid on the property for the total amount of permittee's indebtedness to the City. Any improvements having a value of less than \$10,000 which are not removed within the time allowed shall revert to and become the absolute property of the City. [Code 1967 § 21-100.39].

18.28.410 Permits – Rights-of-way and easements.

Permits may be issued by the City Manager and after approval by City Council for utility lines and services of all types and for necessary rights-of-way. Such permits shall be revocable at the option of the City. [Code 1967 § 21-100.40].

18.28.420 Disposal of material.

Applications for the free use or the purchase of material on City-owned tidelands or contiguous submerged lands shall be submitted to the City Manager and he shall present his recommendations to the City Council and the City Council shall determine the conditions of disposal; provided, that when such disposals are deemed not in the best interest of the City, the City Council shall reject the application. [Code 1967 § 21-100.41].

The Homer City Code is current through Ordinance 24-63, passed November 25, 2024.

Disclaimer: The City Clerk's office has the official version of the Homer City Code. Users should contact the City Clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://www.cityofhomer-ak.gov/>

City Telephone: (907) 235-8121

Codification services provided by [General Code](#)

Security Link, Inc. dba
Southeast Fence Specialists

Fencing In The Last Frontier

7531 Imhoff Ave, Ketchikan, AK
 (907) 247-3362
 southeastfence@kpunet.net

ESTIMATE

JOB #:COMCS2521

DATE: 9/26/25

To:

City of Saxman

Frank Seludo

(907) 617-2898

Frank.seludo@saxman.gov

Monika.havens@saxman.gov



PROJECT NAME:	PROJECT ADDRESS:	PAYMENT TERMS
Garbage Enclosures	See Below	50% up front, 50% upon completion

Scope of Work	Rate	Total
Price includes all necessary material, hardware, and labor to install:		
Bear Clan:		
(1) 8' x 8' x 8' high dumpster enclosure w/ concrete pad. \$4,925.00		\$10,875.00
Install 85' of 4' high galvanized chain-link fence. \$5,950.00		
Wolf St: (1) 8' x 8' x 8' high dumpster enclosure w/ concrete pad.		\$4,925.00
Eagle St: (1) 8' x 8' x 8' high dumpster enclosure w/ concrete pad.		\$4,925.00
Saxman Sales Tax 6.5% (capped at \$2000)		\$130.00
	GRAND TOTAL:	\$20,855.00

ASSUMPTIONS:

- All work to be completed during normal business hours (Monday–Friday, 8 AM–5 PM), unless otherwise agreed.
- Customer to provide clear and unobstructed access to the work area for equipment, materials, and crews.
- Pricing assumes standard soil conditions. Quote does not include removal of rocks, asphalt, concrete, tree roots, or other obstructions unless specifically noted.
- Customer (or GC, if applicable) to call for utility locates prior to installation. Fence company not responsible for unmarked or improperly marked utilities.
- Fence layout to be clearly marked or agreed upon prior to start of work.
- Materials will be staged near the work area. Additional charges may apply if materials must be hand-carried long distances or up steep terrain.
- Work schedule subject to weather conditions. Additional charges may apply for remobilization due to inclement weather.

EXCLUSIONS:

- Removal/disposal of existing fencing, vegetation, or debris (unless noted).
- Tree/shrub trimming, landscaping repair, irrigation repair, or lawn restoration.
- Rock excavation, blasting, jackhammering, or coring into concrete/asphalt unless specifically included.
- Surveying or property line verification (owner is responsible for confirming fence placement).
- Permits, fees, or HOA approvals (unless specifically stated as included).
- Painting, staining, or sealing of wood fencing (unless noted).
- Electrical work, grounding, or integration with gates/access control systems (unless specified).
- Costs associated with unforeseen underground conditions (utilities, septic, drainage).
- Special equipment rentals (e.g., lifts, cranes) unless noted.
- Fence performance is not guaranteed in extreme weather, including winds and gusts over 75 mph or other acts of nature.
- Anything not specifically listed on estimate is excluded

I hereby accept the terms of this estimate and authorize Southeast Fence Specialists to perform the work as outlined.

Client Signature: _____ Date: _____

Thank you for your business!