

Presented By:
Planning Commission

Action Taken:
Yes 5
No 1
Abstain 0

CITY OF NOME, ALASKA

ORDINANCE NO. 17-09-03 (AMENDED)

AN ORDINANCE AMENDING TITLE 18 (ZONING) AND TITLE 1 (GENERAL PROVISIONS) OF THE NOME CODE OF ORDINANCES TO PROHIBIT THE STORAGE OF JUNK MOTOR VEHICLES IN ALL ZONING DISTRICTS EXCEPT FOR THE INDUSTRIAL ZONING DISTRICT AND SET FINES FOR VIOLATION THEREOF

WHEREAS, the City of Nome ("City") recognizes the need to promote public health and safety, protect property values, create uniform regulations, reduce nuisances, and, conserve land for appropriate uses; and,

WHEREAS, to do so, the Nome Common Council ("Council") adopted Title 18 (Zoning) of the Nome Code of Ordinances on October 13, 2008 by way of Ordinance O-08-09-01; and,

WHEREAS, on May 22, 2017, by way of Ordinance O-17-05-02 (amended by Ordinance O-17-09-02), the Council determined that "junk motor vehicle" means a discarded, dismantled, wrecked, scrapped or mined passenger motor vehicle or parts thereof, an unregistered motor home not connected to water and/or sewer, or a passenger motor vehicle other than an on-premises utility vehicle which is allowed to remain unregistered and uninsured for a period of thirty days from the date of discovery; and,

WHEREAS, at its meetings of May 2, June 6, and July 11, 2017, the Nome Planning Commission ("Commission") discussed which zoning districts should be permitted to allow junk motor vehicle storage; and,

WHEREAS, at the meeting of July 11, 2017, the Commission held a public hearing, which was advertised on KNOM, KICY, Nome-Announce, the City Hall front door, and in *The Nome Nugget* to solicit public input on the topic; and,

WHEREAS, also at the meeting of July 11, 2017, following the aforementioned public hearing, the Commission unanimously approved Resolution 2017-01 to prohibit the storage of junk motor vehicles in all zoning districts except for the industrial zoning district.

NOW, THEREFORE, BE IT ORDAINED, that the City Council formally amends Title 18 to prohibit the storage of more than two junk motor vehicles in all zoning districts except for the industrial zoning district and also amends Title 1.20 to set fines for violation thereof.

Section 1. Amendment of Chapter 18.70.020. Chapter 18.70.020 of the Code of Ordinances of Nome, Alaska is hereby amended to read as follows [deleted text is ~~overstruck~~; added text is underlined]:

Chapter 18.70
INDUSTRIAL DISTRICT

18.70.020 PERMITTED USES AND STRUCTURES

The following uses and their accessory uses are permitted in industrial districts:

- (a) Manufacturing, processing, assembling, research, wholesale, or storage.
- (b) Marine transportation and port facilities.
- (c) Public utility facilities and structures.
- (d) Petroleum storage, including aviation fuel.
- (e) Junkyards, commercial and auto wrecking yards.
- (f) Boat marinas and docks.
- (g) Aircraft and helicopter landing, storage, loading, parking, repair and aviation-related facilities.
- (h) Warehousing and storage.
- (i) Air transport terminals for passengers and freight.
- (j) Offices.
- (k) Navigation aids and facilities.
- (l) Fire station and emergency medical aid station.
- (m) Dwelling for a caretaker or watchman employed on the premises.
- (n) Restaurants, taverns and entertainment establishments.
- (o) Transportation facilities, including bus and taxi operations.
- (p) Service stations.
- (q) Vehicle and equipment repair facilities.
- (r) Public and governmental buildings and uses.
- (s) Cemetery.
- (t) Dredging and filling.
- (u) Recreational facilities.
- (v) Snow dump and storage sites.
- (w) Retail and wholesale businesses.
- (x) Funeral homes.
- (y) Outdoor storage, including junk, as an accessory use to any permitted or conditional use.
- (z) Incidental, small-scale manufacturing, processing, and storage of goods for wholesale or retail sale on the premises.
- (aa) Helicopter landing pad.
- (bb) Junk motor vehicles in excess of two.

Section 2. Amendment of Chapter 18.110. Section 18.110 of the Code of Ordinances of Nome, Alaska is hereby amended to read as follows [deleted text is ~~overstruck~~; added text is underlined]:

Chapter 18.110
MATRIX OF PERMITTED AND CONDITIONAL USES

18.110.020 VIOLATIONS

Any violation of this title shall be an infraction punishable by a fine as set forth in NCO Section 1.20.040. For a subsequent violation to be fined, at least thirty (30) days must have passed since the previous violation.

Section 3 . Amendment of Chapter 1.20. Section 1.20.040 of the Code of Ordinances of Nome, Alaska (Minor Offense Fine Schedule) is hereby amended by the addition of new language to read as follows:

Code Reference	Offense	Penalty/Fine
18.110.010	Violation of the Matrix of Permitted and Conditional Uses	50 – 1 st offense 75 – 2 nd offense 100 – 3 rd and subsequent offenses

Section 4. Classification. This is a Code ordinance.

Section 5. Effective Date. This ordinance will become effective *on July 1, 2018.*

APPROVED and SIGNED this 9th day of October, 2017.


STAN ANDERSEN,
Acting Mayor

ATTEST:


THOMAS MORAN,
City Manager