

**CITY AND BOROUGH OF SITKA
ORDINANCE NO. 2017-20**

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING SITKA GENERAL
CODE TITLE 19 ENTITLED "BUILDING AND CONSTRUCTION", CHAPTER 19.08
ENTITLED "CODE APPLICABILITY", BY ADDING SUBSECTION D TO SECTION 19.08.030
ENTITLED "ISLANDS", FOR AN EXEMPTION FOR PRIVATE RECREATIONAL CABINS ON
ISLANDS**

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to be a part of the Sitka General Code of the City and Borough of Sitka, Alaska.
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 and circumstances shall not be affected thereby.
3. **PURPOSE.** The purpose of this ordinance is to add a section to the Sitka General Code that would exempt private recreational cabins on islands from the provisions of the Sitka General Code Title 19 applicable to islands.
4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 19 is amended by adding subsection D to Section 19.08.030 entitled "Islands" (new language underlined):

**Chapter 19.08
CODE APPLICABILITY**

Sections:

19.08.030 Islands.

- A. Application of Code to Islands. Chapters 19.09, 19.10, 19.11, 19.12 and 19.14 of this code shall apply to structures on islands in the general island, large island and open space districts.
- B. Site Plan and As-Built Requirements for Island Properties. To ensure compliance with this code, site plans are required for all structures and docks on islands within the open general and open residential low density zoning districts. Site plans and surveys shall be prepared in accordance with the requirements of the administrative official charged with the enforcement of Title 22.
- C. Building codes apply to island construction projects as set out in this chapter irrespective of the start date of the island project, unless:
 1. A person applies to the building department prior to March 1, 2005, to register the project as "grandfathered"; and

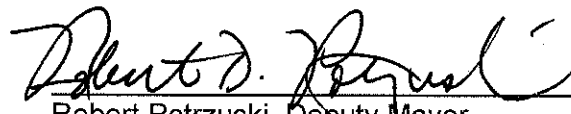
2. The applicant demonstrates to the satisfaction of the building official that substantial progress had been made on the project prior to the effective date of the Island Codes ordinance in July 1999.

D. Exemption for Private Recreational Cabins on Islands. The chapters of this code made applicable to structures on islands by this section shall not apply to private recreational cabins (as defined in this subsection) on islands (as defined in section 19.08.040). The cabin must have no electrical system and any wastewater system must be approved by the State Department of Environmental Conservation. A building permit application shall be submitted for the cabin, but no fee shall be charged and no permit shall be issued. For the purpose of this section only, a "private recreational cabin" means a residential structure used for intermittent or temporary occupancy by nonpaying occupants, with a maximum total of four hundred square feet of living and sleeping areas.

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5. **EFFECTIVE DATE.** This ordinance shall become effective the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 27th day of June, 2017.


Robert Potrzuski, Deputy Mayor

ATTEST:



Sara Peterson, CMC
Municipal Clerk

1st reading 6/13/17

2nd reading 6/27/17