

**CITY OF WASILLA
ORDINANCE SERIAL NO. 09-27**

AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING WASILLA MUNICIPAL CODE 16.36.060, APPEALS FROM PLANNING COMMISSION, TO CLARIFY THAT COMMISSION RECOMMENDATIONS TO THE COUNCIL ARE NOT SUBJECT TO APPEAL, INCREASE THE AMOUNT OF TIME TO FILE AN APPEAL AND TO AUTHORIZE REFUNDS OF THE FILING FEE AND FEES ASSOCIATED WITH THE PREPARATION COST TO PREVAILING APPELLANTS.

Section 1. Classification. This ordinance is of a general and permanent nature and shall become part of the city code.

Section 2. Amendment of section. Subsection A of WMC 16.36.060, Appeals from planning commission, is hereby amended as follows:

A. Any interested person adversely affected by a decision or order of the commission, other than a recommendation to the council regarding a rezoning or an amendment to this title, may appeal the decision or order to the hearing officer by filing an appeal application with the clerk on a form provided by the clerk within fifteen [FIVE] business days after the date of the decision or order. The appeal application shall state with specificity the grounds for the appeal, include the appellant's mailing address or that of the appellant's representative.

Section 3. Amendment of section. Subsection D of WMC 16.36.060, Appeals from planning commission, is hereby enacted as follows:

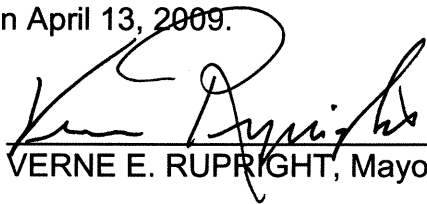
D. If a final decision of the hearing officer or a court on an appeal under this chapter reverses or remands the decision or order of the

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commission, the city shall refund to the appellant the filing fee and costs paid by the appellant under subsection B of this section.

Section 4. Effective date. This ordinance shall be take effect upon adoption by the Wasilla City Council; provided that WMC 16.36.060.D shall apply to any payment under WMC 16.36.060.B received by the City or after January 1, 2008.

ADOPTED by the Wasilla City Council on April 13, 2009.



VERNE E. RUPRIGHT, Mayor

ATTEST:



KRISTIE SMITHERS, MMC, City Clerk

[SEAL]

VOTE: Cox, Hall, Harris, Holler, Larson, and Woodruff in favor.

