

Alaska Administrative Code

Title 3. Commerce, Community, and Economic Development (Refs & Annos)

Part 15. Local Boundary Commission

Chapter 110. Municipal Boundary Changes (Refs & Annos)

Article 13. Procedures for Petitioning and for Other Commission Matters

3 AAC 110.425

3 AAC 110.425. Legislative review annexation petitions.

Currentness

(a) Except as provided in (i) of this section, before a petition for annexation by the legislative review process may be submitted to the department under [3 AAC 110.420](#), the prospective petitioner shall prepare a complete draft of the prospective annexation petition and a summary of the prospective petition. The prospective petitioner shall also conduct a public hearing on the annexation proposal in accordance with (d) - (e) of this section.

(b) The prospective annexation petition required under (a) of this section must be prepared using forms provided by the department under [3 AAC 110.420](#). The summary required under (a) of this section must include a map of the area proposed for borough annexation or territory proposed for city annexation, a synopsis of the views of the prospective petitioner regarding the application of applicable standards to the proposed annexation, a summary of the reasonably anticipated effects of annexation, and an abstract of the transition plan required under [3 AAC 110.900](#).

(c) The prospective annexation petition and the summary must be made available to the public on or before the first publication or posting of the notice of the hearing required under (e) of this section. The prospective petitioner shall make one copy of the prospective petition available for public review at a convenient location within or near the boundaries proposed for annexation for every 500 individuals reasonably estimated to reside within those boundaries. However, the prospective petitioner need not provide more than five copies of the prospective petition for public review regardless of the population within the boundaries proposed for annexation. The prospective petitioner shall make the summary of the annexation proposal available for distribution to the public without charge at a convenient location within or near the boundaries proposed for annexation.

(d) The public hearing required under (a) of this section must address appropriate annexation standards and their application to the annexation proposal, legislative review annexation procedures, the reasonably anticipated effects of the proposed annexation, and the proposed transition plan required under [3 AAC 110.900](#). The hearing must be held at a convenient location selected by the prospective petitioner within or near the boundaries proposed for annexation. The hearing must allow a period for comment on the proposal from members of the public. If the prospective petitioner is a municipality, the governing body shall conduct the hearing.

(e) In the manner provided for a hearing of the commission under [3 AAC 110.550](#), a prospective petitioner shall give public notice and a public service announcement of the public hearing required under (a) of this section.

(f) The department shall specify the text of the public notice required under (e) of this section, to ensure that the notice contains the following information:

- (1) the title of the notice of the hearing;
- (2) the name of the prospective petitioner;
- (3) a brief description of the nature of the prospective legislative review annexation proposal, including the size and general location of the boundaries under consideration;
- (4) information about where and when the prospective petition is available for public review;
- (5) information about where the public may receive, without charge, a summary of the prospective petition;
- (6) a statement concerning who will conduct the hearing;
- (7) a statement of the scope of the hearing;
- (8) notification that public comments will be accepted during the hearing, and a statement of any time limits to be placed on individuals who offer comments;
- (9) the date, time, and place of the hearing;
- (10) a statement of compliance with [42 U.S.C. 12101- 12213](#) (Americans with Disabilities Act);
- (11) the name and telephone number of a representative of the prospective petitioner to contact for additional information.

(g) The department shall specify the text of the public service announcement required under (e) of this section, to ensure that the announcement contains the following information:

- (1) the title of the public service announcement;

- (2) the period during which the public service announcement is requested to be broadcast;
- (3) the name of the prospective petitioner;
- (4) a description of the prospective legislative review annexation proposal;
- (5) a statement of the size and general location of the boundaries being considered for annexation;
- (6) information about where and when the prospective petition is available for public review;
- (7) information about where the public may receive, without charge, a summary of the prospective petition;
- (8) a statement concerning who will conduct the hearing;
- (9) the date, time, and place of the hearing;
- (10) the name and telephone number of a representative of the prospective petitioner to contact for additional information.

(h) When filing a petition with the department under this section, the prospective petitioner shall submit evidence of compliance with the requirements of (e) of this section, a written summary or transcript of the hearing, a copy of any written materials received during the hearing, and an audio recording of the hearing.

(i) This section does not apply to a petition for annexation that is submitted at the request of the legislature.

Credits

(Eff. 5/19/2002, Register 162; am 1/9/2008, Register 185)

AUTHORITY: [Art. X, sec. 1, Ak Const.](#) [Art. X, sec. 3, Ak Const.](#) [Art. X, sec. 7, Ak Const.](#) [Art. X, sec. 12, Ak Const.](#) [Art. X, sec. 14, Ak Const.](#) [AS 29.06.040](#) [AS 44.33.020](#) [AS 44.33.812](#)

Current with amendments received through the Quarterly Supplement, October 2017, (Register 223).

Alaska Admin. Code tit. 3, § 110.425, 3 AK ADC 110.425