

## Chapter 03. The Unorganized Borough.

### Section

010. Establishment

020. Service Areas

030. Platting Authority

### **Sec. 29.03.010. Establishment.**

Areas of the state that are not within the boundaries of an organized borough constitute a single unorganized borough. (§ 2 ch 118 SLA 1972)

### **Sec. 29.03.020. Service areas.**

Allowing for maximum local participation, the legislature may establish, alter, or abolish service areas within the unorganized borough to provide special services, that may include but are not limited to schools, utilities, land use regulations, and fire protection. A new service area may not be established if the new service can be provided by an existing service area, by incorporation as a city, or by annexation to a city. (§ 2 ch 118 SLA 1972)

### **Sec. 29.03.030. Platting authority.**

The Department of Natural Resources is the platting authority for the state except within a municipality that has the power of land use regulation and that is exercising platting authority. (§ 2 ch 74 SLA 1985; am § 3 ch 40 SLA 1998)

**Effect of amendments.** – The 1998 amendment, effective August 18, 1998, rewrote this section.

with the council” following “regular election” in paragraph (1), and deleted “may propose reclassification” following “the council” from the end of paragraph (2); repealed subsection (c), relating to reclassification public hearings; in subsection (d), in the first sentence, substituted “after receiving notification from the Local Boundary Commission that a petition has been accepted” for “after its findings have been made public”; and, in subsection (e), in the second sentence, substituted “is reclassified 30 days after certification” for “shall be considered reclassified to first class status 30 days after certification.”

**Sec. 29.04.050. Reclassification of second class boroughs.**

A second class borough may reclassify as a first class borough in the manner provided by AS 29.35.320 - 29.35.330 for the addition of an areawide power by a first or second class borough, except the petition or proposal requests reclassification instead of requesting addition of a power. (§ 3 ch 74 SLA 1985)

**Sec. 29.04.060. Reclassification of third class boroughs.**

(a) A third class borough may reclassify as a first or second class borough in the manner provided by AS 29.35.320 - 29.35.330 for the addition of an areawide power by a first or second class borough, except the petition or proposal requests reclassification instead of requesting addition of a power. At the time of voting on reclassification of a third class borough to first or second class status, voters shall vote also on whether the borough shall, on reclassification, retain a combined assembly and school board or elect a separate assembly and board as otherwise provided for first and second class boroughs.

(b) If a combined assembly and school board are approved at the reclassification election, the assembly serving at the time of the election continues to serve as the assembly and board on voter approval of reclassification and until terms of assembly members expire as provided before reclassification.

(c) If a separate assembly and school board are approved at the reclassification election, a school board shall be elected in conformity with AS 14.12.030 - 14.12.100 at the next regular election, if it occurs within 90 days of the date of the reclassification election, or otherwise at a special election within 90 days of the date of the reclassification election. Expiration dates of terms of school board members elected at a special election must coincide with the date of the regular election. Until a board is elected and qualified, the assembly continues to serve as the board. (§ 3 ch 74 SLA 1985)