

CITY OF VALDEZ, ALASKA

ORDINANCE NO. 25-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, AMENDING CHAPTER 3.30 ENTITLED OIL AND GAS EXPLORATION, PRODUCTION, PIPELINE TRANSPORTATION, AND SPILL PREVENTION AND RESPONSE PROPERTY TAX

WHEREAS, Chapter 3.30 was established through the adoption of Ordinance No. 24-16 on December 3, 2024; and

WHEREAS, the City desires to amend Chapter 3.30 to clarify the scope of property taxable thereunder; and

WHEREAS, the City desires to amend Chapter 3.30 as provided herein to define the scope of appeals properly heard by the Board of Equalization; and

WHEREAS, the City desires that the Board of Equalization hear appeals regarding both valuation and taxability for VMC 3.30 property; and

WHEREAS, an appeal to the Board of Equalization shall be a prerequisite to any appeal to the superior court.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that:

Section 1. Chapter 3.30, Section 3.30.010 (A) is hereby amended to read as follows:

3.30.010 Taxable property.

A. "Taxable property" means all real and tangible personal property used or committed by contract or other agreement for use in the exploration for, production of, or pipeline transportation of gas or unrefined oil, or in the operation or maintenance of a marine terminal or other facilities used in the exploration for, production of, or pipeline transportation of gas or unrefined oil that is not assessed and determined taxable by the Department of Revenue under AS 43.56.060 is subject to taxation under this chapter. "Taxable property" includes, without limitation, the following:

1. Tangible personal property including vessels, barges, and other machinery and equipment used or committed by contract or other agreement for oil spill prevention and response;
2. Machinery, vessels, barges, appliances, supplies, and equipment;

3. Drilling rigs, wells (whether producing or not), gathering lines and transmission lines, pumping stations, compressor stations, power plants, topping plants, and processing units;
4. Roads, tank farms, tanker terminals, docks and other port facilities, and air strips;
5. Aircraft, vessels, barges, and motor vehicles owned by a person whose principal business in the state is the exploration for, production of, or pipeline transportation of gas or unrefined oil and whose operation of the aircraft, vessel, barge or motor vehicle relates to the conduct of that business;
6. Maintenance equipment and facilities, maintenance camps, and other related facilities and equipment; and
7. Communications facilities owned by a person whose principal business in the state is the exploration for, production of, or pipeline transportation of gas or unrefined oil and whose operation of the communications facilities relates to the conduct of that business.

Section 2. Chapter 3.30, Section 3.30.100, is hereby amended to read as follows:

3.30.100 Appeal.

An owner of taxable property receiving an assessment notice may appeal an assessment as provided in Chapter 3.12, Section 3.12.110. In addition to the grounds for appeal set forth in Chapter 3.12, the Board of Equalization shall hear appeals regarding the taxability of property subject to assessment and taxation under this Chapter. An appellant may file an appeal regarding the taxability of property subject to assessment and taxation under this Chapter by submitting a written appeal specifying: (1) the name of the property owner; (2) a description of the property; (3) grounds for appeal; and (4) supporting evidence. An appeal to and decision from the Board of Equalization is required prior to any appeal to the superior court.

Section 3. All other provisions of Chapter 3.30 remain unchanged.

Section 4. This ordinance shall become effective immediately upon final approval and adoption by the Valdez City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this _____ day of _____, 2025.

CITY OF VALDEZ, ALASKA

Austin Love, Mayor Pro-Tempore

ATTEST:

Sheri L. Pierce, MMC, City Clerk

APPROVED AS TO FORM:

Jake Staser, City Attorney
Brena, Bell, & Walker, P.C.

Adoption:

Yeas:

Noes:

Absent:

Abstaining: