

CODE ORDINANCE

Sponsored by: Assemblymember Nowers  
Introduced: 09/06/22  
Public Hearing: 09/27/22  
Adopted: 09/27/22

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 22-100**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY  
ESTABLISHING THE BOROUGH'S PROPERTY ASSESSED CLEAN ENERGY (PACE)  
PROGRAM.

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BE IT ENACTED:

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

Section 2. Adoption of Chapter. MSB 3.26 is hereby adopted to read as follows:

**Chapter 3.26 PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM**

3.26.010 - DEFINITIONS

3.26.020 - ESTABLISHING THE PACE PROGRAM

3.26.030 - PACE PROGRAM HANDBOOK

3.26.040 - ADMINISTERING THE PACE PROGRAM

3.26.050 - FEES

**3.26.010 DEFINITIONS**

(A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) "Eligible property" means a privately owned commercial or industrial property located within

the Borough including new construction.

(2) "Owner contract" means a document executed by the Borough and the record owner of an eligible property to impose an assessment to repay the financing of a qualified improvement project on that property.

(3) "PACE" means property assessed clean energy.

(4) "Qualified improvements" are those eligible improvements under this chapter that are fixed to new construction or existing privately owned commercial or industrial property and are energy improvement projects designed to reduce energy consumption or demand, energy costs, or emissions affecting local air quality, including a product, device, or interacting group of products or devices that use energy technology to generate electricity, provide thermal energy, or regulate temperature; or improve building resilience; resilience improvement projects include projects for seismic improvements, stormwater management, flood mitigation and protection, fire hardening, fire or wind resistance, erosion management, snow load management, microgrids for energy storage and backup power generation, water or wastewater efficiency including reuse and energy recovery, electric vehicle

charging stations, retrofitting that improves the envelope, structure or systems of the building and any other improvement project included in the PACE Handbook and approved by the Matanuska-Susitna Borough as an energy or resilience improvement project in accordance with the PACE Act (AS 29.55.100 - .165).

(5) "Third party administrator" means a third party contracted by the Matanuska-Susitna Borough to provide certain professional services necessary to administer the PACE program.

#### **3.26.020 ESTABLISHING THE PACE PROGRAM**

The Borough hereby established the PACE program pursuant to AS 29.55.100-29.55.165 to finance through assessments the construction, installation, or modification of a qualified improvement project.

#### **3.26.030 PACE PROGRAM HANDBOOK**

The PACE program is described in detail in the program handbook which shall be available at the Matanuska-Susitna Borough's Planning Department in Palmer, Alaska, and on the Matanuska-Susitna Borough's website, matsugov.us.

**3.26.040 ADMINISTERING THE PACE PROGRAM**

(A) The Borough may:

(1) Hire and set the compensation of a program administrator and program staff; or

(2) Contract for professional services necessary to administer a program.

**3.26.050 FEES**

(A) The Borough may impose fees to offset the costs of administering the PACE program. The fees authorized under this subsection may be assessed as a:

(1) Program application fee paid by the property owner applying to the program;

(2) Component of the interest rate on the assessment in the owner contract; or

(3) Combination of (1) and (2) of this subsection.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this 27 day  
of September, 2022.

  
EDNA DeVRIES, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)



PASSED UNANIMOUSLY: Hale, Nowers, McKee, Yundt, Tew, Sumner, and  
Bernier