

PETERSBURG BOROUGH

APPEAL FORM FOR NOTICE AND ORDER OF ABATEMENT

THIS FORM IS TO BE USED ONLY FOR FILING AN APPEAL OF A NOTICE AND ORDER OF ABATEMENT  
PURSUANT TO SECTION 9.16.080 OF THE MUNICIPAL CODE

Name of Appellant: Courtney Johnson

Mailing Address: PO Box 1904 410 Mitkof Hwy  
PSB AK 99833

Telephone Number: 907 500 4067

Date of Abatement Order: 08/03/2020

Describe below why you feel the Notice and Order of Abatement was issued in error. If necessary, you may attach additional pages.

Please see attached documents in reference to said notice and order of Abatement. I am appealing these accusations and request to be heard in front of counsel, with legal representation.

An appeal of a decision must be filed with the borough clerk within 15 calendar days of the date the Notice and Order of Abatement was issued. Please attach a copy of the decision which is being appealed.

Signature of Appellant: Courtney Johnson

Date: 08/16/2020

Title of sianatorv if Appellant is an entity:

08/18/2020

To Whom it May Concern,

I am the owner of the residence at 4.1 mile of Mitkof Hwy. This letter is written today to appeal the Borough's Notice and Order of Abatement, dated August 3<sup>rd</sup>, 2020 and request that I have more time to access this grave situation at hand. I am a proud homeowner and want to be in compliance with all required Ordinances. There are currently 4 children under the age of 11 living in the top level of the home with their mother, and I pray we can all work together in order to find the right channels and avenues to correct this sewage issue at hand.

It is unclear who the responsible parties are for these sewage accusations, but I was unaware that I was breaking any Wastewater Codes. When I bought this house in 2018, there should have been a Certificate of Occupancy issued by local government, stating that the residency was in compliance to local regulations and approved to reside in dwelling. I did not receive notification from any entity, stating there were major legal issues that needed to be addressed or I could be evicted from my home. It seems that the Wastewater Department, First Bank of Alaska, and previous owners should have addressed this problem years ago, when the roads were laid and city sewage hookups were installed. My house is currently connected to the City's water hookup, so it would be assumed that the sewage requirements had also been met. I am very sorry we are now here in this situation, but I would love to correct this issue, with the City's advice and knowledge.

According to the Borough Code of Ordinances, Ordinance 14.08.020 states that no person shall construct or maintain a septic tank. I did not think it was legally possible to be on a septic tank in 2020, when it is required to be hooked up to public sewage, as stated in Ordinance 14.08.080. Section A of 14.08.080 states that the owners of the residency are required to connect directly with proper sewer within 180 days after official notice was delivered. This project happened 10-20 years ago. I assumed the City was maintaining their Code of Ordinances and following the proper channels to report this negligence to the Alaska Department of Environmental Conservation and owners. I bought this property from First Bank, as an Estate Sale, due to the previous owners both being deceased. I bought it with the understanding that everything was in compliance with local mandates and requirements. I am still piecing together the history of the home and such permits concerning sewage installations.

As stated in 9.16.030, it is unlawful for any person to create, permit, or maintain the existence of claimed nuisance. I did not have the knowledge that I was doing anything unlawful, since 5 City Workers and an Officer of the Law came to my residency and performed a thorough inspection of my hillside and sewage situation. They, in fact, verified that it was a false accusation and there were no problems to be reported. I was cleared of all accusations. According to the 4<sup>th</sup> Amendment and the Borough's Ordinance 9.16.110, it states that I have protection against unlawful searches and that a court appointed search warrant has to be presented at the time of the search. Nothing like this happened. This Notice of Abatement was not signature verified and documented to be delivered by an Officer of the Law nor by any City Official, so I am requesting an extension for time, in order to properly tackle these issues.

It is stated in the Alaska Right of Privacy Amendment, Amendment 3, that I have rights as a citizen of the United States of America, to privacy and that shall not be infringed. This accusation by the police department was not performed under a search warrant. They entered my premises unlawfully and submitted a grave and detrimental accusation outside of their authority, and this is illegal. I deserve to be treated with respect and some sort of professionalism. I am innocent and want a chance to be heard. I am willing to fix any issues there are with my residency, but I need time and more knowledge of the situation at hand.

Thank you for your time,

Courtney Johnson

