

CITY OF WRANGELL, ALASKA  
Ordinance No. 265

AN ORDINANCE CORRECTING AN ERROR IN THE WRANGELL BUILDING CODE BY AMENDING SECTION 18.10.010 (D) TO REFER TO APPROPRIATE CHAPTER NUMBERS AS BEING INCORPORATED BY REFERENCE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and shall become part of the Code for the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the city ordinances and shall be effective one month after final passage and publication.

Sec. 4. Adoption of Superseding Code Section. The following annexed section, bearing code number sub-section 18.10.010 (D) is adopted as a part of this ordinance and Title 18 of the Code of the City of Wrangell, Alaska.

Sec. 5. Repealer. Sub-section 18.10.010 (D) of Ordinance No. 244 is repealed by the superseding respective section adopted in accordance with Sec. 5 aforesated.

PASSED AND APPROVED: April 13, 1971.

[Signature]  
Mayor

ATTEST: [Signature]  
Clerk

Published March 15, 1971

## Chapter 10 - Building Code

Sec. 18.10.010. Building Code Adopted. For the purpose of regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures or portions thereof in the City, there is hereby adopted by reference, as the Building Code of the City, that certain compilation of rules and regulations prepared and published by the International Conference of Building Officials, a nationally recognized technical trade organization, which compilation is entitled "Uniform Building Code, 1967 Edition", Volume 1, five (5) copies of which have been filed in the office of the Clerk of the City for public use, inspection and examination and which compilation is hereby made a part hereof as if fully set forth herein, subject only to the following enumerated additions, deletions and changes:

- (A) Delete Section 205.
- (B) Delete Section 4505 (b) in its entirety. Substitute Section 4505 (b) as follows:

4505 (b) Projection and Clearance. The horizontal clearance between a marquee and the curb line shall be not less than six inches (6").

The marquee shall in no case be less than eight feet (8') above the ground, pavement or sidewalk below.
- (C) Delete Section 4505 (c).
- (D) Delete Chapters 13 and 14. There is hereby adopted by reference, as Chapter 13, Section H-101 through H-1002 of the Uniform Housing Code, 1967 Edition, prepared and published by the International Conference of Building Officials, which compilation is entitled "Uniform Housing Code, 1967 Edition", and five (5) copies each of which have been filed in the office of the Clerk of the City for public use, inspection and examination, and which sections H-101 through H-1002 are hereby made a part hereof as if fully set forth herein.
- (E) Change Section 420 by adding to the definition of structure: "and shall include earth, soil, rock, rubble or concrete fills where such fills are placed to reclaim land, create usable land, or to serve as the foundation of other structures, or where such fills are to be used as roadways, dikes, dams, or any water diversion purposes".

CITY OF WRANGELL, ALASKA  
Ordinance No. 264

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE CITY OF WRANGELL CODE PERTAINING TO ANIMALS BY RAISING THE PENALTY FOR VIOLATIONS IN GENERAL, RAISING LICENSE FEES, RAISING THE FEES FOR MAINTAINING A DOG PRIOR TO REDEMPTION, CONFERRING SPECIAL POWERS UPON THE CHIEF OF POLICE PERTAINING TO VICIOUS DOGS, AND RAISING THE PENALTY FOR VIOLATIONS PERTAINING TO DOGS; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Declaration of Emergency. The City of Wrangell hereby declares the existence of an emergency by reason of the substantial numbers of unlicensed and unregulated dogs and other animals in the City of Wrangell, appearing in such magnitude to constitute a public nuisance and a possible hazard to the public safety of the municipal citizenry.

Sec. 2. Classification. This ordinance is of a general and permanent nature and shall become part of the Code for the City of Wrangell, Alaska.

Sec. 3. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 4. Effective Date. This emergency ordinance shall become effective immediately upon passage.

Sec. 5. Adoption of Superseding Code Sections. The following annexed sections, bearing code number sections 9.10.030, 9.20.020, 9.20.060, 9.20.090 and 9.20.130 are adopted as a part of this ordinance and Title 9 of the Code of the City of Wrangell, Alaska.

Sec. 6. Repealer. Sections 9.10.030, 9.20.020, 9.20.060, 9.20.090 and 9.20.130 of Ordinance No. 234 are repealed by the superseding respective sections adopted according to Sec. 5 aforesaid.

PASSED AND APPROVED: March 23, 1971.

  
Mayor

ATTEST:

  
Clerk

Published March 1, 1971

Sec. 9.10.030. Penalty. Any person convicted of violating any of the provisions of this chapter shall be punished by fine not to exceed Three Hundred Dollars (\$300.00).

Sec. 9.20.020. License Required. Every person who owns or keeps a dog within the City of Wrangell shall report to the City Clerk within sixty days after enactment of this code section and annually not later than the first day of February of each year thereafter, his or her name and address, and shall give the name, breed, color, and sex of each dog owned or kept by such person and shall be required to pay to the clerk the fee of Five Dollars (\$5.00) for each male or spayed female dog and Fifteen Dollars (\$15.00) for each unspayed female dog so owned or kept. Upon payment of the said fee, the City Clerk shall furnish a receipt thereof, also a metal license tag carrying an identification number that shall be securely fastened to a collar made of leather, metal or other substantial material worn by the dog. The City Clerk shall keep an accurate record of all licensed dogs. The City Clerk shall cause a notice of the necessity of paying such a license fee to be printed in a paper of general circulation within the City one time before the 10th day of January in each year.

Sec. 9.20.060. Redemption. In addition to the fine as hereinafter provided, the Chief of Police shall charge the owner or keeper of impounded dogs Two Dollars and 50/100 (\$2.50) for the release of each dog, together with Three Dollars \$3.00 for each and every day such dog shall be kept in custody; provided that he need keep no dog for more than three days after which time it shall be discretionary with him whether such dog shall be sold to defray the expense of keeping it, or whether it shall be killed.

Sec. 9.20.090. Vicious Dogs. (a) All persons are hereby prohibited from knowingly keeping for themselves or for another, any dog known or reported to be a vicious animal, dangerous to the public safety. (b) Upon written protest, signed by two or more residents of the City of Wrangell, and filed with the City Council, the owner or keeper of any such vicious dog shall be notified and required to have posted upon the premises where such dog is owned or kept a legible painted sign bearing the words "Beware Dog" in letters not less than three inches high and placed in a conspicuous place upon the premises, where it may be plainly seen by all persons entering upon the premises. The owner or keeper of any such dog shall also be required, when said dog is permitted outside the house on a leash, to have



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said dog adequately muzzled, or if not muzzled, to be kept in an inclosure so constructed that any person entering upon the premises may not be subject to attack. (c) Upon a second complaint submitted by one or more persons being filed or reported against any owner or keeper of any such vicious dog, it shall be the duty of the Chief of Police, or some person appointed by him to immediately impound such dog for such period of time as is necessary to conduct an investigation. Thereupon the Chief of Police or the person duly appointed by him shall immediately conduct an investigation into the character and propensities of such dog and investigate the grounds of protest and complaint filed against said animal, and thereafter shall take whatever action is justified by the situation, and may decree compliance with the conditions provided in subsection (b) of this Chapter or have the dog destroyed or removed from the City of Wrangell.

Sec. 9.20.130. Penalty. Any person convicted of violating any of the provisions of this Chapter shall be punished by a fine not to exceed Three Hundred Dollars (\$300.00).

CITY OF WRANGELL, ALASKA  
Ordinance No. 263

AN ORDINANCE AMENDING CERTAIN SECTIONS OF  
THE WRANGELL CITY CODE PERTAINING TO THE  
HOSPITAL BOARD

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Necessity for Amendment. Certain minor changes are necessary in the Hospital Board provisions, as presently codified to bring said regulations into compliance with policy promulgated by Federal Medicare requirements.

Sec. 2. Classification. This ordinance is of a general and permanent nature and the amendments hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 3. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 4. Effective Date. This ordinance shall be published as provided by the ordinances of the city and shall take effect one month after final passage and publication.

Sec. 5. Repealer. Ordinance No. 250, to the extent superseded by the amendments adopted herewith, is hereby repealed.

Sec. 6. Adoption of Amendments. The following annexed amendments, identified by reference in Sections 3.63.010, 3.63.020, 3.63.050, 3.63.070, and 3.63.100, are hereby adopted as a part of this ordinance and Title 3 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: March 9, 1971

[Signature]  
Mayor

ATTEST: [Signature]  
Clerk



Sec. 3.63.040. Powers with Respect to Property. The custody and management of the Municipal Hospital building, the land upon which the same is situated and all equipment, furnishings and property situated thereon and therein is hereby entrusted to said Board which shall have full power and authority to make all repairs, and improvements thereto which are necessary to maintain the same in good condition but no addition to or replacement of said real property shall be made by the Board. The Board shall have the power to purchase, sell, exchange, operate, maintain and repair all personal property which it shall deem advisable, provided, however, that no property or equipment other than supplies shall be purchased until and unless the Board has funds either derived from the operation of the Hospital or appropriated for that purpose by the City Council.

Sec. 3.63.050. Power to Operate Hospital. The Board has full power and authority to operate and maintain said hospital, to employ an administrator who shall have the active management of the hospital, subject to the supervision and control of the Board, and to delegate to such administrator authority to hire and discharge such subordinate employees as it may deem advisable. The Board shall determine all salaries and wages to be paid to each classification of labor employed. The Board shall determine, charge and collect such fees and charges for the services rendered and furnished by the Hospital as it shall deem advisable. Said rates, however, shall be subject to modification by the City Council which may change the rates at any time. No rates, however, will be changed by the City Council without the Board being advised of a proposal to review such rates and until the Board has an opportunity to be present and be heard with respect thereto. It shall have authority to take all necessary action to collect all accounts owing to said hospital and the City of Wrangell for services rendered or furnished by the hospital and the Board. The Board shall require that all persons admitted to the Hospital be under the supervision and care of a licensed physician. The Board shall have power and authority to make such rules and regulations as it deems advisable or necessary for the efficient and safe operation of the Hospital.

Sec. 3.63.060. Accounting Procedures. The Board shall establish a system of accounts and procedure for collecting revenues from the operation of the hospital which revenues shall be deposited periodically as determined by the Board in a bank in Wrangell, Alaska, and a system for paying of all expenses of operation and costs of services and equipment purchased.

Sec. 3.63.070. By-laws. The Board shall adopt by-laws governing its own proceedings and elect from the membership of the Board a President, a Secretary, and such other officers as it shall deem necessary where duties shall be set forth in the by-laws. A copy of the by-laws shall be filed with the City Clerk together with all rules and regulations made by the Board.

Sec. 3.63.080. Compensation. No member of the Board shall be paid for any services rendered or duties performed in connection with the administration and operation of the hospital.

Sec. 3.63.090. Advisors. The Hospital Board may appoint such persons in an advisory capacity as it shall deem advisable. The Board will consult with all physicians and surgeons practicing in the City of Wrangell from time to time so as to determine, understand and take such action upon the views and recommendations of such physicians and surgeons as the Board considers advisable.

Sec. 3.63.100. Liason with the Council. The councilman member of the Board shall be the liasion between the City Council and the Hospital Board. The Board, however, is encouraged to meet with the Council from time to time to discuss its problems and particularly matters pertaining to finance and for this purpose, the Council will receive reports from any member of the Board or any officer of the Board at any regular meeting. The Board, however, will set all policies with respect to hospital management. The Board shall submit an operating statement and a financial statement to the Council for each quarter calendar year which report will be submitted not later than thirty (30) days after the close of each quarter calendar year.

The Board shall annually submit a report setting forth the principal facts regarding its policies, rules, regulations procedure and statistics in connection with the operation of the Hospital which report will be filed by the President and Secretary of the Board. The Board shall annually, on or before the fifteenth (15) day of May of each year submit a budget setting forth the anticipated income and expense of the Hospital operations for the ensuing year starting July 1. The purpose of the budget is to allow the Council to provide necessary funds for operations and to use excess revenue of the Hospital in the General Fund of the City. The Council shall provide for an annual audit of the books of accounts of the Hospital as of June 30 of each year.

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 275

AN ORDINANCE PROVIDING THE TERMS AND PROCEDURES FOR SALE OR OTHER DISPOSITION OF PUBLIC LANDS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the amendments hereby adopted shall become part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided by the ordinances of the City and shall be effective one month after final passage and publication.

Sec. 4. Repealer. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers Sec. 45.20.010 through and including 45.20.060 are adopted as a part of this ordinance and Title 45 of the Code of Ordinances for the City of Wrangell, Alaska.

PASSED AND APPROVED: December 12, 1972.

James J. Paul  
Mayor

ATTEST: James Paul  
Clerk

## Chapter 20. Sale of Public Lands

Sec. 45.20.010. Applicability. The provisions of this Chapter shall constitute the formal procedure for the lease, sale or other disposition of real property or interest in real property owned by the City of Wrangell, Alaska.

Sec. 45.20.020. Commencement. Proceedings commencing disposition shall be initiated by the City Clerk or by the Council or a councilman upon motion at a meeting, or by an interested third party upon written application or request submitted to the City Clerk seven days prior to Council meeting. Such motion, application or request must identify the property by general or legal description, state the interest to be disposed (sale, lease, or other) and state the reason and purpose of the proposed disposition.

Sec. 45.20.030. Disposition Procedure. The City Clerk shall have the estimated fair market value of the subject property determined by a qualified appraiser or the City Assessor. Thereafter, the Clerk shall give notice of the sale, lease, or other disposition by publication of said notice in a newspaper of general circulation in the City at least 30 days before the date of the sale, lease, or disposition, and said notice shall be posted within that time in at least three public places in the City. Said notice shall contain a description of the property and the interest therein which is being disposed, the estimated value of the property, declare that the disposition shall be effected through sealed bids, the forms for which may be obtained in advance at the City Clerk's office at City Hall, shall specify the address to which the sealed bids shall be addressed or delivered by the bidders, state the date and hour upon which said bids shall be opened in public, and that sealed bids may be submitted at any time prior to said opening, that the property shall be sold, leased, or disposed to the highest responsible bidder for cash, or best terms established by the Council, that the City reserves the right to reject any and all bids, and any other terms and conditions fixed by the Council.



Sec. 45.20.040. Ordinance Required. The City Clerk shall report the results of the closed bid sale to the council after the public opening whereafter the council shall determine the highest responsible bidder. Immediately thereafter, the council shall adopt, at least into first reading, a non-code ordinance specifying all material terms and conditions of the disposition. An ordinance shall be required for all dispositions.

Sec. 45.20.050. Effective date of Ordinance. A non-code ordinance providing for the disposition of property valued prior to sale shall become effective 30 days after passage and publication. Upon the effective date, the City Clerk shall prepare a deed or other appropriate instrument of conveyance and exchange same with the successful purchaser for the bid price cash. However, a non-code ordinance pertaining to the disposition of property originally estimated to have a value of \$25,000.00 or more shall not have an effective date until ratification by public election.

Sec. 45.20.060. Ratification by Election. Where required, the qualified voters of the City of Wrangell shall ratify the sale, lease, or other disposition of real property or an interest therein by voting to ratify or not ratify the ordinance providing for the terms and conditions of the subject disposition. Ratification shall be by a majority of the qualified voters voting at a general or special election at which the question of the ratification of the ordinance is submitted. Thirty (30) days' notice shall be given of the election and during that period, the City Council shall have published at least once each week in a newspaper published in the city a notice stating the time of the election and the place of voting, describing the property to be sold, leased, or disposed of, giving a brief statement of the terms and conditions of the sale and the consideration, if any, and stating the title and date of passage of the ordinance. Notice shall also be given by posting a copy of it in at least three public places in the City at least 30 days before the election.

CITY OF WRANGELL, ALASKA

Ordinance No. 274

AN ORDINANCE AMENDING SECTION 01.30.020(18) OF THE WRANGELL CODE TO ALLOW THE DISPLAY OR PRINTING OF THE CITY FLAG ON CLOTHING, STICKERS, PATCHES, ETC., AND REQUIRING A PERMIT TO DO SO, AND ADOPTING A PENALTY BY REFERENCE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

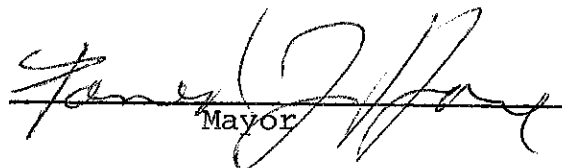
Sec. 3. Effective Date. This ordinance shall be published as provided in the City Ordinances and shall be effective one month after final passage and publication.

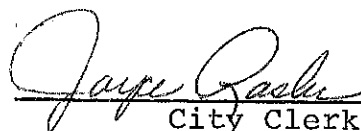
Sec. 4. Repealer. Section 01.30.020(18) of Ordinance No.       , passed                                 , 1972, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed section bearing code number Sec. 01.30.020(18) amending that certain code section of the identical designation is hereby adopted as a part of this ordinance and Title 01 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Adoption of Penalty by Reference. Violation of the section herein enumerated shall be punishable as specified in Title 30, Chapter 10 of the Wrangell City Code.

PASSED AND APPROVED: November 28, 1972.

  
Mayor

ATTEST:   
City Clerk

(13) When the flag is displayed flat on the wall of a platform, it should be above the speaker.

(14) When the flag is displayed on a motor vehicle, the staff should be fastened firmly to the front of the vehicle.

(15) When the flag is displayed on a float in a parade, it should always be attached securely to a staff.

(16) The flag should not be allowed to touch the ground or the floor or to trail in water.

(17) The flag should not be draped over the hood, top, sides or back of any vehicle or of a railroad train, boat or airplane.

(18) The flag may be displayed or printed on clothing athletic uniforms, bumper stickers, decals, shoulder patches, etc., provided, however, that before any such display or printing, any person desiring to do so must first obtain a permit from the City of Wrangell. The purpose of the permit is merely to assure that the persons intending to so display the flag may be fully advised of the flag emblem use and display regulations; there shall be no charge for the permit.

(19) The flag should not have any printing or lettering of any kind placed upon it except as has been adopted officially.

(20) No advertisements of any kind may be attached to the flag, flag pole or staff.

(21) The flag should not be used for purposes of decoration, either over the middle of streets or as a covering for automobiles or floats in a parade or for draping speaker's platforms or stands, or for any other similar purpose of decoration.

(22) The flag should not be carried flat or horizontally but always aloft and free as it is carried in a parade.

(23) The flag is flown at half mast by first raising it to the top of the flag pole and then slowly lowering it to a position one-fourth of the distance down the flag pole and there leaving it during the time it is to be displayed, observing the rule that it must not be raised before sunrise and must be taken down each day before sunset. In taking the flag down it should be first raised to the top of the flag pole and then slowly lowered.

CITY OF WRANGELL, ALASKA

Ordinance No. 273

AN ORDINANCE ESTABLISHING THE PORT OF WRANGELL AND ITS JURISDICTION; CREATING A PORT COMMISSION TO GOVERN ITS OPERATIONS, PRESCRIBING ITS MEMBERSHIP AND DUTIES; PRESCRIBING PROCEDURES FOR THE ADOPTION OF RULES AND REGULATIONS AND THE ADOPTION OF RATES AND FEES; ADDING CERTAIN DEFINITIONS; AND PROVIDING A PENALTY FOR VIOLATIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall become effective October 3, 1972, provided that Proposition No. 1 concerning the City's acquisition of the Wrangell Wharf Co.'s physical assets be approved by a majority of the electors voting on the proposition.

Sec. 4. Repealer. Sections 15.10.010 through and including 15.20.020, Sections 15.40.010, -.030, -.040, -.050, Sections 15.50.010 through and including 15.50.030, Sections 15.60.010, -.020, -.030, and 15.70.010 of Wrangell Ordinance No. 246, and all other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed sections bearing code number sections 15.10.010 through and including 15.20.110, 15.40.010 through and including 15.70.010 are hereby adopted as a part of this ordinance and Title 15 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Penalty Adopted by Reference. Violations of the sections herein enumerated shall be punishable as specified in Title 30, Chapter 10 of the Wrangell City Code.

PASSED AND APPROVED: September 12, 1972.

James J. Hove  
Mayor

ATTEST: Jays Paul  
Clerk

CITY OF WRANGELL

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TITLE 15. BOAT HARBOR

Chapter	Section
10.	General Provisions
	15.10.010. Definitions
	15.10.020. Purpose
	15.10.030. Policy and Intent
20.	Port of Wrangell
	15.20.010. Port Commission Generally - Membership
	15.20.020. Jurisdiction of Wrangell Harbor
	15.20.030. Power to Acquire and Own Property, Enter Contracts
	15.20.040. Regulation of Terminal Operations And Transportation Facilities
	15.20.050. Rules and Regulations
	15.20.060. Port Director and Employees
	15.20.070. Powers and Duties of Port Director
	15.20.080. Permit for Terminal or Transportation Facilities
	15.20.090. Condition as to Equal Services And Rates
	15.20.100. Investigation of Holder; Cancellation
	15.20.110. Fixing of Rates, Charges, Etc.
30.	Classification of Harbor Areas
	15.30.010. Classification
40.	Fees and Payment
	15.40.010. Small Boat Harbors; Mooring And Stall Rentals
	15.40.020. Wrangell Wharf Fees (Reserved).
	15.40.030. Payment of Rentals
	15.40.040. Lien for Unpaid Rentals and Fees
	15.40.050. Failure to Pay Moorage and Service Fees
	15.40.090. Accounting

## Chapter 10. General Provisions

Sec. 15.10.010. Definitions. Unless, from the context, a different meaning is appertent as used in this article, the terms hereinafter used shall be defined as follows:

**DERELICT:** Any boat moored or otherwise located in the boundaries of the Wrangell Boat Harbor facilities which is forsaken, abandoned, deserted or cast away, or which by appearance gives evidence of being forsake, abandoned, deserted or cast away, or which in the opinion of any recognized marine surveyor is unsound, unseaworthy and unfit for its trade or occupation and which by any substantial evidence of neglect may be considered abandoned.

**DOCKAGE:** "Dockage" is the charge made for vessels occupying berths at the wharves or floats or moored in any slip.

**FINGER FLOATS:** Numbered floats attached and connected to the master floats. Finger Floats shall be identified by numbers commencing with number one. All floats, now or hereafter installed, whether or not so connected with the master float, shall be suitably identified.

**FLOAT:** "Float" means and includes wharf, pier, quay or landing.

**MOORING:** The word "mooring" means any weight, chain, rope, float, structure and/or appliance used by a vessel for anchoring purposes, and which is not carried aboard such vessel as part of her regular equipment.

**PERSON:** "Person" means any person, firm, association, organization, partnership, business trust, corporation or company.

**PORT COMMISSION:** Whenever the term "port commission" shall be used, the same shall be construed to mean, and shall mean, as acting for and in the name of the City of Wrangell.

**PORT OF WRANGELL:** Whenever the term "Port of Wrangell" shall be used, the same shall be consttued to mean, and shall mean, the port department of the City of Wrangell.

**VESSEL AND CRAFT:** "Vessel" and "craft" means and includes ships of all types: motorships, steamships, canal boats, tugs, barges, sailing vessels, motorboats and every structure adapted to be navigated from place to place for the transportation of property and persons by any means.

WHARF: The term "wharf" embraces every structure to which vessels make fast, or on which merchandise is discharged, or from which it is loaded.

WHARFAGE: "Wharfage" is the charge made against cargo and commodities passing over city premises.

WHARF-DEMURRAGE: "Wharf-demurrage" is the charge made against cargo and commodities left on city premises longer than the time specified.

WRANGELL HARBOR: That area known and defined as that area of water from shoreline to a line connecting the two points established by extending the Northerly and Southerly corporate limits to points of 500 feet offshore.

WRANGELL WHARF: That dock and related facilities commonly referred to as "Wrangell Wharf", formerly owned by Wrangell Wharf Company.

Sec. 15.10.020. Purpose. The purpose of these boat harbor regulations are to protect and preserve the lives, health, safety and well-being of the people of the City of Wrangell who have property in, or use or work upon the boats therein, or who use said facilities in the course of visits for commercial or pleasure purposes; to protect the property of such boat owners by regulating the harbor and its facilities to insure the widest possible public use thereof; to prevent the maintenance of nuisances, fire and health hazards; to make reasonable charges for the use of certain facilities to enable the City of Wrangell to pay the costs of maintenance, operation and supervision of the Wrangell Boat Harbor facilities from the revenues derived therefrom; that all of the sections of Title 15 shall be liberally construed for the accomplishment of the purposes of promoting the general welfare, and of operating upon a non-profit basis a public utility consisting of public wharves and appurtenances.

Sec. 15.10.030. Policy and Intent. It is hereby declared to be the intent of this Title to favor the use of the facilities of the Boat Harbor by commercial fishermen, government vessels, commercial vessels in trade and commerce and pleasure craft, and by the general public at large. It is further the intent of this Title to prevent and discourage the use of facilities of the Boat Harbor by boats which have been abandoned by their owners to the point of becoming derelicts as herein defined, or becoming a charge and nuisance to the City of Wrangell, and Port Director and the general public.



## Chapter 20. Port of Wrangell

### Sec. 15.20.010. Port Commission Generally - Membership.

There is established the Wrangell Port Commission which shall consist of five (5) members who shall each hold office for a period of five (5) years ending on January 1, or until their successors have been appointed and have qualified. Members of the commission, who shall have the same qualifications as councilmen, shall serve without pay. One member shall be initially elected for a period of five (5) years, one member for a period of four (4) years, one member for a period of three (3) years, one member for a period of two (2) years and one member for a period of one (1) year, excluding the period of time between the 1972 general election and January 1, 1973. Filing shall be by declaration of candidacy filed with the City Clerk not more than 30 days and at least 14 days prior to the election; no petition is necessary. Vacancies shall be filled by appointment by the mayor until the next annual election at which time candidates may file for the remainder of the vacant term.

### Sec. 15.20.020. Jurisdiction of Wrangell Harbor.

Subject to the paramount authority of the City Council, the Port Commission shall have jurisdiction, supervision and control of Wrangell Harbor, herein also referred to as the Port of Wrangell, including all the tide and submerged lands, whether filled or unfilled, below the line of mean high tide, and including small boat harbors and the Wrangell Wharf and related facilities, but shall not extend to include the State Ferry Terminal or Wrangell Lumber Dock or operations undertaken at either. In the exercise of its police power by the City of Wrangell as delegated to the Port Commission, the provisions of this title shall be construed to supplement Federal Laws and Regulations, in cases of concurrent jurisdiction.

Sec. 15.20.030. Power to Acquire and Own Property, Enter Contracts. The Port Commission shall have the power to acquire and own, in the name of the City, real and personal property and all rights incident thereto; enter into contracts; disburse moneys collected from service charges of any nature and to take all necessary action in the furtherance of any of the powers expressly set out. Service charges established by the Commission or other fees or payments collected shall be disbursed in accordance with Port Commission account procedures

established by Council resolution, provided, however, that all proposed contracts for the purchase or sale of real property or any interest therein and all contracts in excess of \$5,000.00 shall be executed only after the City Council shall have authorized such contracts.

Sec. 15.20.040. Regulation of Terminal Operations and Transportation Facilities. The Port Commission shall regulate the manner in which terminal or transportation facilities are operated with reference to the safety and accommodation of the public. The Port Commission shall also make ordinance recommendations to the Council.

Sec. 15.20.050. Rules and Regulations. The Port Commission shall have the power to adopt such rules and regulations as may be necessary to carry out its duties under this chapter. The Port Commission's rules and regulations, including amendments, shall be posted in a conspicuous place at Wrangell Wharf and at each of the Small Boat Harbors. The original set of rules and regulations promulgated by the Commission shall be published once in a paper of general circulation in the City before becoming effective. The procedure applies to modifications of rules and regulations. The rules and regulations shall be binding unless within 30 days from effective date, an interested or aggrieved party or the City Manager petitions the Council for review, specifying the provisions in contention and requesting a hearing at the next regular Council meeting.

Sec. 15.20.060. Port Director and Employees. The City Manager shall appoint the Port Director with the advice and consent of the Port Commission and such technical and administrative employees as shall be necessary to carry on the functions of the Port of Wrangell. The Port Director's term of appointment shall not exceed five (5) years and his salary shall be established by the Port Commission subject to Council approval. All such positions and the salaries therefor shall be established in accordance with the position classification and pay plan of the City. The City Manager shall consult with the Port Commission regarding the appointment or dismissal of the Port Director and shall consult with both the Port Director and the Port Commission regarding the appointment, classification and pay plan as these matters relate to employees subject to the jurisdiction of the Port Director.

Sec. 15.20.070. Powers and Duties Of Port Director. The Port Director shall be chief administrator of the port. He shall, except as otherwise specifically instructed by the City Manager, exercise such powers and perform such duties as may be prescribed by the Port Commission and shall, in addition, perform all duties imposed upon harbor masters, port directors and administrative heads of harbors and ports by State or Federal law.

Sec. 15.20.080. Permit for Terminal or Transportation Facilities. All lessees, owners or occupants of property within the territorial jurisdiction of the Port Commission and subject thereto, who wish to construct or operate terminal or transportation facilities of any kind therein, including but not limited to, docks and warehouses, shall apply to the Commission for a permit. Application therefor shall be made in accordance with regulations prescribed by the Commission and shall be accompanied by a plan of the proposed construction, which shall meet all standards and requirements which may be set forth by the Commis-

The Port Commission shall refer all plans of the type or location of any proposed construction which are or may be in conflict with the general plan to the Planning Commission to determine whether such proposed construction is in keeping with the objectives of the general plan. The decision of the Planning Commission shall be binding on the Port Commission, unless reversed by Council. The Port Commission, subject to the conditions of this section and Section 204 of the City Charter, may issue permits upon such terms and conditions and for such duration as it may deem proper, and no construction may be begun or operation carried on without a permit from the Commission.

Every permit, lease, deed or conveyance of any right, title, or interest from the City to any lands within the jurisdiction of the Port Commission shall incorporate, by reference or otherwise, and shall be subject to, the restrictions contained in this section.

Sec. 15.20.090. Condition as to Equal Services and Rates. It shall be a condition of all permits granted by the Port Commission that the facilities to be constructed and the services to be supplied in connection with them shall be made available to all carriers upon equal terms, at equal rates and without discrimination of any kind.

Sec. 15.20.100. Investigation of Holder; Cancellation. The Port Commission may inquire into the manner in which obligations under the permit issued by it are carried out, and into the rate schedules and practices of the permit holders for the purpose of determining whether the provisions of the permits are being complied with. It shall have access to books and records, and to terminal and transportation facilities as may be reasonably necessary to enable it to make such a determination. Should the Commission at any time find that a permit holder is not complying with the terms of its permit, it may cancel the permit upon such notice and in accordance with such procedure as it may, by regulation, prescribe.

Sec. 15.20.110. Fixing of Rates, Charges, Etc. The Port Commission, subject to approval by the Council, shall fix the rates, charges and classifications to be charged for the use of any and all terminal or transportation facilities constructed on property under its jurisdiction, including charges assessed against vessels, their owners, agents or operators, which load or discharge cargo at any of the terminals within the area under the Commission's jurisdiction; charges for berthage while loading or discharging cargo; charges for administrative expenses in serving the carrier; charges for freight handling operations, and wharfage, handling, loading, unloading and wharf demurrage rates. Such rates, charges and classifications shall be just and reasonable and shall be established and modified at a public hearing conducted by the Port Commission at which at least four councilmen shall be present and notice specifying the time and place of hearing shall be given by at least one publication in a newspaper of general circulation in the City at least fifteen (15) days before the hearing. At said hearing, all public service corporations, associations, or individuals affected by or interested in the matters to be heard may be present and may be represented by counsel. At the conclusion of the hearing, the parties interested may make such arguments before the Port Commission and councilmen either in person or by attorney as they consider proper, touching the matters at issue, and thereafter the Port Commission shall proceed to prepare a schedule of rates to be submitted to the Council at its next regular meeting. The Council may adopt the Board's proposed schedule of rates by ordinance but the date upon which the rates fixed or regulated go into effect may not be less than ten (10) days after its passage and approval. Until the Port Commission shall hold its first rate hearing and submit a proposed schedule

of rates to the Council for adoption, the moorage rates and service charges at the small boat harbors shall remain the same as shall all rates and charges of Wrangell Wharf Co., its agents or lessees, for use of Wrangell Wharf facilities.

## Chapter 40. Fees and Payment

Sec. 15.40.010. Small Boat Harbors; Mooring and Stall Rentals. All mooring and stall rentals and other charges herein provided shall be paid to the Port of Wrangell in advance by delivery or mail to the Port Director at the City Hall, Wrangell, Alaska, as follows:

- (a) Rates: Moorage rate for boats shall be \$1.80 (one dollar and eighty cents) per lineal foot per year with a minimum yearly fee of \$36.00.
- (b) House Boats, Barges and Scows: Boat houses, etc. shall be charged according to designated area they are in, in ratio to the space or speses they occupy.

Sec. 15.40.020. Wrangell Wharf Fees. (Reserved).

Sec. 15.40.030. Payment of Rentals. Assignment to exclusive use of designated and numbered space, either stall, side mooring, or bow mooring, shall be evidenced by the Harbormaster or Port Director giving the boat owner a duplicate of the space assignment record. Presentation of this duplicate to the Port Director and payment of the fee indicated thereon shall entitled such owner to the exclusive use of such designated space.

Sec. 15.40.040. Lien for Unpaid Rentals and Fees. The City of Wrangell shall have a lien, under the provisions of Alaska Statute 34.35.220 for any unpaid mooring rentals, and a lien, under the provisions of Alaska Statute 34.35.175 for any unpaid fees for services provided by the Harbormaster or Port Director; and, should any of such rentals and fees be unpaid nor secured for ninety (90) consecutive days after which due, any boat, vessel or other floating structure upon which such rentals or fees have accrued, shall be sold by the Port Commission for such unpaid charges and fees in accordance with the provisions of Title 34, Chapter 35 of Alaska Statutes (1962).

Sec. 15.40.050. Failure to Pay Moorage and Service Fees. Any owner, master, managing agent of any boat who fails to pay the moorage and service fees as herein provided, at the time and place when such fees are due and payable, and for a period of thirty days thereafter, shall be subject to an action by the Port Commission for the recovery of such fees and charges, or the boat may be sold to satisfy the lien hereinabove provided. The Port Director shall submit a report to the City Manager each calendar quarter of all such delinquencies and such report shall include the description of the boat, the name and address of its owner, and the type and value of such fees as are delinquent. The Port Director shall refer delinquencies to the City Attorney for appropriate action to recover fees owed to the Port Commission.

Sec. 15.40.090. Accounting. The Port of Wrangell shall be a city-operated utility to be operated in a business-like manner. As a utility it is intended to be financially self-sufficient. The City may issue revenue bonds for its capitalization needs, to be secured by the revenues which the utility generates, and which may additionally be secured by the general fund of the City.

## Chapter 50. Duties of Boat Owners

Sec. 15.50.010. Registration. Every owner, master or managing agent of any boat using the mooring facilities of the Wrangell Harbor is hereby required to register his name, telephone number, post office and street address, and the name and number of the boat, its length, its breadth, registered tonnage, if any, with the Port Director on forms to be provided by him for that purpose, within 7 days after such boat enters and moors at any float in the Wrangell Harbor.

Every such owner, master or managing agent desiring to moor at a stall or numbered mooring space shall apply therefor to the Port Director. No such stall or space shall be used until so assigned and the rental therefor is paid in advance.

Sec. 15.50.020. Location and Securing Regulations - Small Boat Harbors. Every owner, master or managing agent of any boat using the mooring or other facilities of the Wrangell Harbor shall comply with the following regulations:

- (a) No rowboats or skiffs shall be pulled up and left on any of the City Floats.
- (b) All Government Floats must be kept clear at all times.
- (c) Not more than four boats shall be tied abreast without the permission of the Harbormaster or Port Director.
- (d) Each boat must have proper spring lines to keep the boat from surging.
- (e) Each boat must have at least one line to the float, alternating ends.
- (f) All row boats and skiffs shall be on board or tied in a space allotted for that purpose, and not tied alongside larger boats.
- (g) No boat shall be tied so it can touch other boats fore and aft, and said persons shall supply and use adequate fenders to safeguard floats and vessels from chafing and other damages.



(h) Floats must be kept clean and free of discarded boat debris.

(i) All boats must be tied in area designated for that size boat.

Sec. 15.50.030. Location and Securing Regulations - Wrangell Wharf. The location and securing regulations for vessels using Wrangell Wharf shall be as adopted and posted by the Port Commission.

Sec. 15.50.040. Miscellaneous Rules and Regulations. Every owner, master and managing agent of any boat using the mooring or other facilities of the Wrangell Harbor shall be obliged to use due diligence in performing the following requirements:

(a) Use all reasonable precautions in keeping the boat in his charge in a reasonably clean and sanitary condition, with special attention to pure water and sanitary toilets.

(b) Use all reasonable precautions in keeping the boat in his charge free from fire hazards of any type or nature. No open fires shall be permitted.

(c) Use all reasonable effort and precautions in keeping the boat in his charge well secured, securely moored with lines in reasonable fit condition, sufficiently pumped out at all times to keep the boat afloat and to otherwise attend the needs of the boat to avoid attention by the Harbormaster or Port Director.

(d) Use adequate precautions to lock up and stow and otherwise safeguard all movable gear and tackle.

(e) To promptly pay all charges and taxes assessed or levied according to law upon or against the boat or its owner, and all rentals and charges for utilities requested and ordered by the boat or its owner.

## Chapter 60. Defective Conditions

Sec. 15.60.010. Boat or Other Vessel as Nuisance. For the purposes of this Title, and in the interest of the greatest use of the facilities of the Wrangell Harbor by the general public, boats in the Wrangell Harbor which are derelicts and unfit and unseaworthy or which are maintained in such a manner as to make them liable to sinking for lack of being pumped or other maintenance, or which are maintained in a manner as to constitute a fire hazard to the boat harbor and to boats lawfully occupying the same, for any period of thirty (30) or more days, and sunken boats and boats in imminence of sinking, are hereby declared to be nuisances and subject to abatement and removal from the boat harbor by the Port Commission or its agents, without liability on the Port Commission or City of Wrangell for any damage done by virtue of said removal. Boats removed from the boat harbor under the provisions of this section shall be disposed of as if the same were abandon property.

Sec. 15.60.020. Abandon Property. Any boat in Wrangell Harbor which is abandon may be impounded, removed, sold or otherwise disposed of as provided herein.

Immediately upon impounding or removing any boat in Wrangell Harbor, the Port Director shall cause to be posted in the City Clerk's office, at Wrangell Wharf, and on the bulletin board of the United States Post Office in Wrangell, Alaska, notice of such action taken by the Port Commission. A copy of said notice shall be mailed to the owner, master or registered agent of said boat at his last known address, which address shall be the same as that furnished in accordance with the registration provision of this Title. Such notice shall contain the name and/or number of the boat, the name and address, if known, of the owner, master or managing agent, and the location of the boat.

For any boat impounded or removed by the Port Commission, the owner, master or managing agent thereof shall be subject to and liable for a storage charge of \$25.00 per month and shall be subject to and liable for all costs incurred by the Port Commission by reason of such impounding or removal.

Any boat impounded or removed shall be held by the Port Commission for a period of not less than thirty (30) days, during which time the Port Commission shall publish in a newspaper of general circulation in Wrangell, Alaska, a notice describing the boat in general terms, the name and/or number, if any, the name and address of the owner, master, or managing agent, if known, or if not known, shall so state the location of the boat, and the intention of the Commission to sell the same at public auction, at Wrangell Harbor, on a day and at a time certain, not less than 10 days prior to such sale, for cash to the highest and best bidder. The proceeds of such sale shall be first applied to the cost of sale, then to moorage and service fees accrued, and the balance, if any, shall be held in trust by the Port Commission for the owner of the boat to claim; and if not claimed within two (2) years, said balance shall be deposited into the Port Commission fund.

Upon the sale being made, the Port Commission shall make and deliver its bill of sale, without warranty, conveying the boat to the buyers.

If at the public sale there are no bidders for the boat, the Commission may destroy, sell at private sale, or otherwise dispose of said boat. Said disposition is to be made without liability to the owner, master or lienholders of the boat.

Failure of any boat owner, master or managing agent to register, pay moorage fees or service fees provided by this Chapter shall be presumed to constitute an abandonment.

Sec. 15.60.030. Fees for Port Commission Services. The Port Director is hereby granted the power and authority to, from time to time, but without any obligation or duty to do so, and without any obligation or liability on his part or that of the Port Commission for his failure to do so, replace defective mooring lines, pump boats which are in a dangerous condition for lack thereof and to move any boat occupying any mooring space for the purpose of protecting such boat from fire or other hazard or for the protection of other boats therefrom.

Whenever the Port Director or Harbormaster shall perform any of the acts hereinabove authorized, after having given notice to the boat owner or operator at the registered address of the immediate need therefor, or having attempted to give such notice, the boat and owner thereof is hereby required to pay to the Port Commission the following fees:

- (a) Replacing or securing with additional mooring lines. . . . . \$10.00
- (b) Pumping. . . . . \$20.00
- (c) Moving - \$0.50 per foot of length of boat, minimum fee shall be . . . . . \$ 5.00

## Chapter 70. Prohibited Acts

Sec. 15.70.010. Prohibited Acts. It shall be unlawful for any owner, master or managing agent, or other person in charge of the operation of a boat using the facilities of Wrangell Harbor to commit any of the following prohibited acts:

(a) To operate or cause to be operated any boat in a reckless manner and in wilful and wanton disregard for the safety of person or property, within the limits of the Wrangell Harbor.

(b) To operate or cause to be operated any boat in a negligent manner likely to endanger the safety of persons or property, within the limits of the Wrangell Harbor.

(c) To operate or cause to be operated any boat within the limits of the Wrangell Harbor in excess of three (3) M.P.H.

(d) To throw or otherwise cause to be deposited gasoline, oil, trash, garbage, refuse on any float or wharf or into the waters of the Wrangell Harbor.

(e) To create or maintain any nuisance within the Wrangell Harbor facilities, or to conduct or carry on any unlawful business or occupation therein; and, all of the ordinances of the City of Wrangell, defining offenses and prescribing penalties for the violation thereof are hereby expressly extended to the Wrangell Harbor.

(f) For any owner or person in charge of any dog or animal to allow or permit such dog or animal to run at large on any municipally operated float or wharf or to become a nuisance therein.

(g) To deposit, place or leave any cargo, merchandise, supplies, freight, articles or thing upon any float, ramp, wharf, decline, walk or other public place in the Wrangell Harbor facilities, excepting at such place or places as may be designated as loading and unloading spaces by the Port Director.

(h) To tap, connect, disconnect, interfere with, or tamper with any water outlet, water pipe, water connection or any electrical wiring, electrical outlet or electrical device, or any kind installed or maintained in the Wrangell Harbor facilities by the City of Wrangell or Port Commission without first having obtained the permission of the Harbormaster; or to interfere with or tamper with any wharf, float, gang plank, ramp, or any other facilities of the Wrangell Harbor facilities.

(i) To write or post any written or printed matter or sign upon any bulletin board, piling or space in the Wrangell Harbor facilities, without first having obtained permission of the Port Director.

(j) To erect, place, post or maintain any advertising matter, sign, or other printed matter other than legal notices, on any part of the Wrangell Harbor facilities, without approval thereof first being obtained from the Port Director. All unauthorized advertising and signs shall be removed by the Port Director.

(k) To disregard, deface, remove, tamper with or damage any sign or notice posted or erected by the Port Director or by direction of the Port Commission relating to the use of mooring areas or other uses of the Wrangell Harbor facilities.

(l) It shall be unlawful for any person to refuse to comply with any lawful order by the Port Director or his designated agent.

(m) It shall be unlawful for a person or group or firm to anchor logs in Wrangell Harbor.

CITY OF WRANGELL, ALASKA

Ordinance No. 272

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE ELECTION CODE BY ELIMINATING THE 75-DAY STATE VOTER RESIDENCY REQUIREMENT AND PROVIDING FOR THE REQUIREMENT OF VOTER REGISTRATION FOR STATE OF ALASKA ELECTIONS AT LEAST 30 DAYS IMMEDIATELY PRECEDING THE MUNICIPAL ELECTION, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Declaration of Emergency. The City of Wrangell hereby declares an emergency by reason of the need for modification of the Wrangell election code prior to the next general election.

Sec. 2. Purpose. The purpose of this ordinance is to effect compliance of the Wrangell election code with the decision of the Superior Court for the State of Alaska, First Judicial District at Juneau, in Van Dort v. State of Alaska, Civil Action No. 72-252, rendered August 16, 1972, wherein it was ruled that the 75-day State voter residency requirement is unconstitutional and allowance was made for the requirement of voter registration for State of Alaska elections at least 30 days immediately preceding the municipal election.

Sec. 3. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 4. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 5. Effective Date. The provisions of this ordinance shall go into effect on September 10, 1972, intended to correspond with the effective date of the new municipal code promulgated at the last session of the Alaska State Legislature and the effective date of Ordinance No. 270, passed on August 29, 1972.

Published September 1, 1972

Sec. 6. Repealer. Wrangell Code Sec. 36.10.020, 36.10.040, and 36.15.020 of Wrangell Code Title 36 which has been introduced and to be effective on September 10, 1972, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 7. Adoption of Superseding Code Sections. The following annexed sections bearing code number sections 36.10.020, 36.10.040, and 36.15.020 are adopted as a part of this ordinance and Title 36 of the Code of Ordinances of the City of Wrangell, Alaska. All of the remaining code sections adopted in Ordinance No. 270 and not heretofore specifically repealed as recited in the repealer section, are reaffirmed and to any extent invalid therein, are incorporated herein as a part of this emergency ordinance as if fully set forth.

Sec. 8. Adoption of Penalty by Reference. Violations of the sections herein enumerated, unless specifically provided for in the section, shall be punishable as specified in Title 30, Chapter 10, of the Wrangell City Code.

PASSED AND APPROVED: August 29, 1972.

  
Mayor

ATTEST:   
Clerk



## Chapter 10. Registration and Qualifications

Sec. 36.10.010. Registration. Voter registration for regular and special elections is not required. The foregoing does not mean that election officials shall not keep a register of those persons actually voting or offering to vote.

Sec. 36.10.020. Qualifications. To be qualified to vote in a general or special municipal election, a voter shall be:

- (1) a United States citizen;
- (2) Qualified to vote in State of Alaska elections, and registered therefor at least thirty (30) days immediately preceding this municipal election;
- (3) At least 18 years of age;
- (4) A resident of the City for 30 days preceding the election; and
- (5) Not disqualified by reason of having been convicted of a felony involving moral turpitude, and if so that his civil rights have been restored; nor disqualified because judicially determined to be of unsound mind.

Sec. 36.10.030. Disqualification of Voters No person may vote who has been convicted of a felony involving moral turpitude unless his civil rights have been restored. No person may vote who has been judicially determined to be of unsound mind unless the disability has been removed.

Sec. 36.10.040. Qualification Certification. Each person before voting shall certify as to his qualifications as a voter. Certification shall be by voter's affixation of signature on the right-hand page of a book maintained at each polling place, the left-hand page of which shall state:

"I hereby certify that I am

- \* a citizen of the United States,
- \* both qualified to vote in State of Alaska elections and registered therefor for at least 30 days immediately preceding this municipal election,
- \* at least 18 years of age
- \* a resident of the city for 30 days immediately preceding the election, and
- \* not disqualified by reason of having been convicted of a felony involving moral turpitude, and if so that my civil rights have been restored; nor disqualified because judicially determined to be of unsound mind.

Signed and dated this \_\_\_\_\_  
day of \_\_\_\_\_, 19\_\_."

Sec. 36.10.050. Certification as Register. The book(s) containing voter qualification certification may be used to satisfy the Original Register requirements of Sec. 36.30.065.

## Chapter 15. General Elections.

Sec. 36.15.010. Time of Election. There shall be a general annual election in the City of Wrangell, Alaska on the first Tuesday in the month of October in each year for the election of two members of the council for three year terms, for the election of a mayor for a two year term, and members of the school board for a three year term. (AS 29.10.030; Charter 10-i)

Sec. 36.15.020. Notice of Election. Twenty days before any annual election the City Clerk shall post and publish, or cause to be posted and published, at least once, notices thereof, in three conspicuous places within the city limits of the City of Wrangell, Alaska, which said notices may be substantially in the following form:

### NOTICE OF GENERAL ELECTION

NOTICE IS HEREBY GIVEN that on the \_\_\_\_ day of October, 19\_\_, there will be held in the City of Wrangell, Alaska, an election for the purpose of (here insert officers to be elected or proposition to be voted upon). The polls for said election will be open at 8:00 a.m. on the said day and will close at 8:00 p.m. on the same day.

Registration is not required, but a person at the polling place must certify as to his qualifications as follows: Be a United States citizen qualified to vote in State of Alaska elections and registered therefor at least 30 days preceding the date of this municipal election, be at least 18 years of age, a resident of the City for thirty (30) days immediately preceding the election, and not disqualified under Art. V of the State Constitution as recited in Sec. 36.10.030.

Sec. 36.15.030. Subjects of Elections At any general election the voters shall vote upon the election of officers to fill vacancies, and in addition upon any question or proposition which may be submitted by the council by resolution or ordinance for ratification by the voters or for an expression of opinion by them. (AS 29.10.054; AS 29.10.060).

CITY OF WRANGELL, ALASKA

Ordinance No. 271

AN ORDINANCE PROVIDING FOR THE EMBLEM DESIGN, COLORS, AND THE INTERPRETATION OF THE CITY OF WRANGELL FLAG; SETTING FORTH OFFICIAL RULES AND REGULATIONS FOR ITS USE AND DISPLAY; AND ADOPTING A PENALTY BY REFERENCE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the city ordinances and shall be effective one month after final passage and publication.

Sec. 4. Adoption of Sections. The following annexed sections, bearing code numbers Sec. 01.30.010 through and including Sec. 01.30.020 are hereby adopted as part of this ordinance and Title 01 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 5. Penalty Adopted by Reference. Violations of the sections herein enumerated shall be punishable as specified in Title 30, Chapter 10, of the Wrangell City Code.

PASSED AND APPROVED: August 29, 1972.

Donald J. Howe  
Mayor

ATTEST: Jayne Rusk  
Clerk

Published September 1, 1972

CITY OF WRANGELL CODE

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TITLE 01. GENERAL PROVISIONS

Chapter	-	Section
10.		City Code
		01.10.010. Title
		01.10.020. Acceptance
		01.10.030. Construction of Words
		01.10.040. Definitions
20.		Savings Clause
		01.20.010. Permanent and General Ordinances
		01.20.020. Repeal Not To Affect Offenses and Rights
		01.20.030. Temporary and Special Ordinances To Remain in Effect
30.		City Flag
		01.30.010. Description of Flag
		01.30.015. Interpretation of Flag
		01.30.020. Use of Flag

## Chapter 30. City Flag

Sec. 01.30.010. Description of Flag. The official flag of the City of Wrangell is an emblem of four sides, and four angles of ninety degrees each. The background or field shall be white. In the center of the flag shall be a totem house in black above which are eight gold stars situated in the form of the Big Dipper. The totem house and stars shall be encircled by two circles, set apart so that a circle of equal width is formed by the field of white; the inner circle shall be blue, and the outer circle shall be red. Around the outer border of the red circle shall be the words "WRANGELL" and "GATEWAY TO THE STIKINE" in blue, Roman face lettering. To the upper left of center a gold-colored fish shall be positioned so that the head of the fish points toward the upper section of the red circle; and to the upper right of center shall be a fir tree in black.

Sec. 01.30.015. Interpretation of Flag. The Red, White, and Blue represent the colors of the American Flag. The Eight Stars of Gold compliment the Alaskan Flag. The Shakes House stands for our Native Culture and is Wrangell's nationally known land mark. The Salmon represents one of Wrangell's largest Industries, including Sport and Commercial Fishing. The Tree represents the Forest, the Logging and the Sawmills, Industries constituting a large part of Wrangell's Economy.

Sec. 01.30.020. Use of Flag. The following rules and regulations shall govern the use of the City of Wrangell Flag:

(1) When the flag is displayed out of doors, it must be either on a flag pole or staff and the staff should be at least two and one-half times as long as the flag. The flag is always attached at the spearhead end of the staff, and the heading must be made of material strong enough to protect the flag.

(2) The flag should not be unfurled out of doors earlier than sunrise, and it should be taken down and furled, not later than sunset. The flag may be flown for any length of time between sunrise and sunset as may be directed by the Council.

(3) The flag should not be left unfurled in inclement weather, such as rain, sleet, snow, hail, or storm, and it should not be left outdoors at night.

(4) The flag should be hoisted briskly, and furled slowly.

(5) The flag should not be fastened in such a manner that it can be torn easily.

(6) The flag should be on the marching left when it is carried in a procession in which the flag of the United States of America and the flag of the State of Alaska are unfurled.

(7) The flag should be on the left of the flag of the United States of America and the flag of the State of Alaska, and its staff should be behind the staff of the National and State Colors when the three are displayed against a wall from crossed staffs. When the flag is flown from the same halyard as the United States Flag and the State of Alaska Flag, it must be underneath the National and State Colors.

(8) When the flag is flown on a flag pole adjacent to the flag poles on which the flags of the United States of America and the State of Alaska are flown, it must be unfurled after both of the National and State colors and it must be displayed at the left of the flags of the United States of America and the State of Alaska.

(9) When the flag is displayed at the same time with the National Flag and the State Flag, they should be flown on separate flag poles of equal length. Where only two staffs or flag poles are available, the City flag may be displayed on the pole or staff to the left of the National Colors and below the State Colors.

(10) When the flag is flown from a window sill, balcony or front of a building and flat against the wall, it should be on a staff.

(11) When the flag is displayed on a speaker's platform at the same time as the National Flag and the State Flag, the City Flag should be on the left side of the speaker.

(12) The flag should never be used to cover a platform or speaker's desk nor to drape over the front of a speaker's platform.

(13) When the flag is displayed flat on the wall of a platform, it should be above the speaker.

(14) When the flag is displayed on a motor vehicle, the staff should be fastened firmly to the front of the vehicle.

(15) When the flag is displayed on a float in a parade, it should always be attached securely to a staff.

(16) The flag should not be allowed to touch the ground or the floor or to trail in water.

(17) The flag should not be draped over the hood, top, sides or back of any vehicle or of a railroad train, boat or airplane.

(18) The flag should not be used as a covering for a ceiling; must not be used as any portion of a costume or athletic or other uniform; and should not be embroidered upon cushions, pillows or handkerchiefs nor printed on paper napkins, boxes or other things of this type.

(19) The flag should not have any printing or lettering of any kind placed upon it except as has been adopted officially.

(20) No advertisements of any kind may be attached to the flag, flag pole or staff.

(21) The flag should not be used for purposes of decoration, either over the middle of streets or as a covering for automobiles or floats in a parade or for draping speaker's platforms or stands, or for any other similar purpose of decoration.

(22) The flag should not be carried flat or horizontally but always aloft and free as it is carried in a parade.

(23) The flag is flown at half mast by first raising it to the top of the flag pole and then slowly lowering it to a position one-fourth of the distance down the flag pole and there leaving it during the time it is to be displayed, observing the rule that it must not be raised before sunrise and must be taken down each day before sunset. In taking the flag down it should be first raised to the top of the flag pole and then slowly lowered.

(24) The flag should not be displayed, used or stored in such a manner that it can be easily soiled or otherwise damaged.



(25) When the flag is in such condition of repair that it is no longer a suitable emblem for displaying, it should be totally destroyed by burning.

CITY OF WRANGELL, ALASKA

Ordinance No. 270

AN ORDINANCE AMENDING THE WRANGELL ELECTION CODE TO COMPLY WITH STATUTORY PROVISIONS OF THE NEW MUNICIPAL CODE ENACTED BY THE ALASKA STATE LEGISLATURE IN 1972 AND PROSPECTIVELY EFFECTIVE SEPTEMBER 10, 1972; AND PROVIDING A PENALTY FOR VIOLATIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to any other person or circumstances shall not be affected thereby.

Sec. 3. Effective Date. The provisions of this ordinance shall go into effect on September 10, 1972, intended to correspond with the effective date of the new municipal code promulgated at the last session of the Alaska State Legislature, unless publication pursuant to ordinance enactment procedures results in subsequent effective date.

Sec. 4. Repealer. All of Chapter 10, Sections 36.15.020, 36.16.025, 36.20.010, all of Chapter 30, Sections 36.35.020, 36.35.030, 36.35.050, all of Chapter 40, Section 36.45.010, of Wrangell Ordinance No. 199 are hereby repealed, and further repealed are Sections 36.16.035 and 36.20.045 of Wrangell Ordinance No. 258.

Sec. 5. Adoption of Superseding Code Sections. The following annexed sections bearing code number sections 36.10.010--050, 36.15.020, 36.16.025, 36.16.035, 36.20.010, 36.20.045, 36.30.010--120, 36.35.020, 36.35.030, 36.35.050, 36.40.010--070, 36.45.010, 36.45.030, 36.53.010--100, 36.55.010--130, and 36.65.020 are adopted as a part of this ordinance and Title 36 of the Code of the City of Wrangell, Alaska.

Published September 1, 1972

Sec. 6. Penalty Adopted by Reference. Violations of the sections herein enumerated, unless specifically provided for in the section, shall be punishable as specified in Title 30, Chapter 10 of the Wrangell City Code.

PASSED AND APPROVED: August 29, 1972.

James J. House  
Mayor

ATTEST: Joseph B. Baker  
City Clerk

CITY OF WRANGELL CODE

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TITLE 36. ELECTIONS

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15.	General Elections. 36.10.010. Time of Election 36.15.020. Notice of Election 36.15.030. Subjects of Elections
16.	Special Elections. 36.16.010. Time for Elections 36.16.020. Calling of Elections 36.16.025. Date of Election 36.16.030. Notice of Special Election 36.16.035. Qualifications of Voters
20.	Candidates. 36.20.010. Candidates' Qualifications 36.20.040. Filing for Office 36.20.045. Declaration of Candidacy
30.	Voting Procedures. 36.30.010. Election Officials 36.30.020. Official's Oath 36.30.030. Inspector 36.30.035. Training Sessions; Vacancies 36.30.040. Ballots 36.30.045. Election Supplies and Equipment 36.30.060. Election Hours 36.30.065. Keeping of Original Register 36.30.070. Voting 36.30.110. Rejected Ballots 36.30.120. Challenging an Elector
35.	Absentee Voting. 36.35.010. Absentee Elector 36.35.020. Absentee Application 36.35.030. Absentee Ballot 36.35.040. Rejecting Absentee Ballots 36.35.050. Challenging Absentee Elector

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36.60.010. Expenses

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Scope of Election Code

36.65.010. Scope of Election Code

36.65.020. Incorporation of State and  
Federal Law

Chapter 10. Registration and Qualifications.

Sec. 36.10.010. Registration. Voter registration for regular and special elections is not required. The foregoing does not mean that election officials shall not keep a register of those persons actually voting or offering to vote.

Sec. 36.10.020. Qualifications. To be qualified to vote in a general or special municipal election, a voter shall be:

- (1) a United States citizen;
- (2) Qualified to vote in State of Alaska elections, and as such be at least 18 years of age and a resident of the State for 75 days preceding the election;
- (3) Registered to vote in State elections;
- (4) A resident of the City for 30 days preceding the election; and
- (5) Not disqualified by reason of having been convicted of a felony involving moral turpitude, and if so that his civil rights have been restored; nor disqualified because judicially determined to be of unsound mind.

Sec. 36.10.030. Disqualification of Voters. No person may vote who has been convicted of a felony involving moral turpitude unless his civil rights have been restored. No person may vote who has been judicially determined to be of unsound mind unless the disability has been removed.

Sec. 36.10.040. Qualification Certification. Each person before voting shall certify as to his qualifications as a voter. Certification shall be by voter's affixation of signature on the right-hand page of a book maintained at each polling place, the left-hand page of which shall state:

"I hereby certify that I am

- \* a citizen of the United States
- \* both qualified and registered to vote in State of Alaska elections.
- \* a resident of the city for 30 days immediately preceding the election, and currently residing in this election precinct.

\* not disqualified by reason of having been convicted of a felony involving moral turpitude, and if so that my civil rights have been restored; nor disqualified because judicially determined to be of unsound mind.

Signed and dated this \_\_\_\_\_  
day of \_\_\_\_\_, 19\_\_."

Sec. 36.10.050. Certification as Register. The book(s) containing voter qualification certification may be used to satisfy the Original Register requirements of Sec. 36.30.065.



## Chapter 15. General Elections

Sec. 36.15.010. Time of Election. There shall be a general annual election in the City of Wrangell, Alaska on the first Tuesday in the month of October in each year for the election of two members of the council for three year terms, for the election of a mayor for a two year term, and members of the school board for a three year term. (AS 29.10.030; Charter 10-i)

Sec. 36.15.020. Notice of Election. Twenty days before any annual election the City Clerk shall post and publish, or cause to be posted and published, at least once, notices thereof, in three conspicuous places within the city limits of the City of Wrangell, Alaska, which said notices may be substantially in the following form:

### NOTICE OF GENERAL ELECTION

NOTICE IS HEREBY GIVEN that on the \_\_\_\_ day of October, 19\_\_, there will be held in the City of Wrangell, Alaska, an election for the purpose of (here insert officers to be elected or proposition to be voted upon). The polls for said election will be open at 8:00 a.m. on the said day and will close at 8:00 p.m. on the same day.

Registration is not required, but a person at the polling place must certify as to his qualifications as follows: Be a United States citizen qualified and registered to vote in State of Alaska elections, a resident of the City for thirty (30) days immediately preceding the election, and not disqualified under Art. V of the State Constitution as recited in Sec. 36.10.030.

Sec. 36.15.030. Subjects of Elections. At any general election the voters shall vote upon the election of officers to fill vacancies, and in addition upon any question or proposition which may be submitted by the council by resolution or ordinance for ratification by the voters or for an expression of opinion by them. (AS 29.10.054; AS 29.10.060).

## Chapter 16. Special Elections.

Sec. 36.16.010. Time for Elections. There may be special elections called by the council in its discretion at any time or times subject only to the requirements of notice and the applicable laws and ordinances governing the subject of the proposition or question submitted at the election.

Sec. 36.16.020. Calling of Elections. The council may, by resolution or ordinance, call a special election, or by resolution authorize the mayor to call a special election by proclamation. (Charter 10-9)

Sec. 36.16.025. Date of Election. The resolution, ordinance or proclamation calling a special election shall fix the date of the election. If a charter amendment or ordinance is to be submitted to the voters for approval or enactment through initiative then the date must be set to allow publication of the notice of election and the amendment or ordinance in full at least once for not less than three weeks prior to the date of the election, except in the case of a referred ordinance previously published in full after passage. Other propositions may be submitted upon twenty days notice to the voters.

Sec. 36.16.030. Notice of Special Election. Notice shall be given by both publication and posting as in the case of general elections, except that twenty days notice by publication and posting is sufficient when a charter amendment or an ordinance is not a proposition to be voted upon.

Sec. 36.16.035. Qualifications of Voters. Each voter must have the qualifications set forth in Sec. 36.10.020, Chapter 10 of this title. There shall be no additional requirement that every person voting upon a bond issue submitted in either a general or special election shall, in addition to the other qualifications for voters, be enrolled as a taxpayer of real property taxed upon the last tax roll of the city.

Chapter 20. Candidates.

Sec. 36.20.010. Candidates' Qualifications. Only qualified voters of the city who, at the time of their election or choice to fill a vacancy, are at least 21 years old and have resided within the city at least three years, shall be qualified for the office of councilmen. A candidate for the office of mayor need be but 18 years old, but shall satisfy the qualified voter and residency requirements preceding. No councilman may hold any office or position in the city government by appointment by the mayor. If the mayor or any other councilman ceases to be a resident of the city, he shall thereupon cease to hold office.

Sec. 36.20.040. Filing for Office. Any qualified person may have his name placed on the ballot for the election as a candidate for mayor or councilman by filing, not more than one month and at least seven days prior to the election, with the City Clerk, a sworn declaration of his candidacy, and a petition signed by at least twenty qualified voters of the city; provided that the petition may be circulated and may be filed by the candidate himself or by one or more qualified voters of the city other than the candidate. (AS 29.10.036; Charter 10-3)

Sec. 36.20.045. Declaration of Candidacy. The declaration shall be in substantially the following form as provided by the City Clerk's office:

DECLARATION OF CANDIDACY

I, \_\_\_\_\_, declare that I reside at \_\_\_\_\_ (Address), in the city of \_\_\_\_\_, Alaska; that I am at least 18 (mayor) or 21 (councilman) years of age; that I have been a resident of Wrangell, Alaska for at least thirty days preceding the date of this election; that I am a citizen of the United States, a qualified voter of the State of Alaska and a resident of the State for 75 days, and that I am not disqualified under Art. V of the State Constitution.

I declare myself a candidate for the office of \_\_\_\_\_ for a term of \_\_\_\_\_ years,

commencing \_\_\_\_\_ and ending  
\_\_\_\_\_; and request that my  
name be printed upon the official ballot for  
the city election to be held in the city of  
\_\_\_\_\_, Alaska on the \_\_\_\_\_ day  
of \_\_\_\_\_, in the year \_\_\_\_\_.

\_\_\_\_\_  
(Signature of Candidate)

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

(AS 29.10.039)

## Chapter 30. Voting Procedures

Sec. 36.30.010. Election Officials. The council shall be the judge of the election, and the City Clerk, the election supervisor for the municipality. It shall be the duty of the election supervisor before the date of the election, to appoint from the qualified electors of the town three judges of election for each voting precinct, one of whom shall be designated as the inspector, and two clerks of election <sup>who</sup> shall enter on separate poll lists the name of each elector whose ballot has been received, numbering each name as it is taken down. (AS 29.10.114; Charter 10-10).

Sec. 36.30.020. Official's Oath. The election officials aforesaid shall severally take and subscribe the oath or affirmation as hereinafter directed which shall be administered by the city clerk or in his absence by the mayor or any member of the council, or by any officer having the power to administer oaths, which said oath or affirmation may be substantially in the following form:

"I do solemnly swear that I will duly attend at the ensuing election during the continuance thereof; that I will not receive any tickets, ballots or votes from any person other than such as I firmly believe to be entitled to vote at such election, according to the laws of this state and the ordinances of the City of Wrangell, Alaska; nor will I refuse to receive any vote or ballot from any person or persons whom I believe to be entitled to vote aforesaid, and I will in all things truly and impartially and faithfully perform my duty therein to the best of my judgment and ability."

Sec. 36.30.030. Inspector. The inspector shall have authority to administer all necessary oaths and affirmations which may be required during the election. He shall also have power during the election to fill any vacancy which may occur among precinct election officials until their duties have been completed.

Sec. 36.30.035. Training Sessions; Vacancies. All election officials must attend a training session unless personally and specifically excused for cause by the election supervisor. Any appointed official who fails to attend a training session, without an excuse by the election supervisor, may not serve on the day of election. If an appointed official is not able or refuses to serve on election day, the election supervisor may appoint a replacement for that official.

Sec. 36.30.040. Ballots. (a) The ballots shall be numbered in series, the number being placed in an area set off by perforations for ease of removal and on a portion of the ballot that can be seen when the ballot is folded to conceal the manner in which it has been voted. Each ballot shall bear the words "Official Ballot", the date of the election and a facsimile signature of the Clerk causing the ballots to be printed.

(b) All candidates to the same office shall be shown on one ballot. The title of each office to be filled shall be followed by the printed names of all candidates for that office and provision shall be made for write-ins equal in number to the positions to be filled. On the ballot between the title of the office and the names of the candidates shall be placed the instruction "Vote for One" or "Vote for Two", as the case may be. The phrases "for one year term", "for two year term", and/or "for three year term", as the case may be shall be placed after the titles of the officers on the ballot as necessary to identify vacancies on the council being filled at an election. Where there is more than one candidate for office, the names of such candidates shall be arranged in alphabetical order.

(c) Following the offices and candidates there shall be placed on the ballot or on separate ballots as the election supervisor may determine all propositions or questions to be voted upon. The words "Yes" and "No" shall be placed below the statement of each proposition or question. The election supervisor may determine the number of ballots to be used to present all offices, propositions and questions to the qualified voters of the municipality.

(d) The election supervisor shall have the ballots in his possession at least four (4) days before the election. At any time the ballots may be inspected by any candidate whose name is on the ballot, or his authorized representative, and any mistake discovered shall be corrected immediately. Sufficient ballots for the registered voters of each precinct shall be delivered to the election board for that precinct prior to the time for opening the polls. The ballots shall be delivered in a separate sealed package with the number of ballots enclosed clearly marked on the outside of the package and a receipt shall be taken.

Sec. 36.30.045. Election Supplies and Equipment.

(a) Before the opening of the polls the Clerk shall furnish to the election board for each precinct a voter qualification certification book for that precinct and shall equip and supply each polling place with sufficient materials for the election, including those materials required by this section.

(b) The Clerk shall prepare instructions explaining to the voters how to obtain ballots, how to mark them, how to obtain information from election officials and how to obtain new ballots to replace those destroyed or spoiled. These instructions shall be printed on cards in large, clear type and shall be distributed to the election boards to be prominently displayed in each polling place. The Clerk shall have sample ballots printed on colored paper identical in form to the official ballots to be used in each election and shall make such sample ballots available in each polling place according to the official ballot types bearing offices and propositions to be voted upon at that polling place. Sample ballots of all types shall be made available to the public in the Clerk's office.

(c) The Clerk shall provide voting booths at each polling place with appropriate supplies and conveniences to enable each voter to mark his ballot screened from observation. Ballot boxes shall be placed outside of the voting booths in plain view of the election officials, voters and other persons at the polling place.

Sec. 36.30.050. Polling Places. A qualified voter shall vote only once per election and shall exercise that right at the polling place established in the hereinafter designated precinct in which he resides:

Wrangell Precinct No. 1

All that part of Election District No. 2 within the corporate limits of the City of Wrangell extending from the centerline of St. Michaels Street to the west boundary of the city limits.

Wrangell Precinct No. 2

All that part of Election District No. 2 within the corporate limits of the City of Wrangell extending from the centerline of St. Michaels Street east to the east boundary of the city limits.

Sec. 36.30.060. Election Hours. On the day of election, each election board shall open the polls for voting at 8:00 in the morning, shall close the polls for voting at 8:00 in the evening, and shall keep the polls open during the time between these hours. The election board members shall report to the polling place at 7:30 in the morning of an election day. The hours shall be determined by the standard time, or daylight saving time, that is applicable to the polling place. Immediately after the opening of the polls and before receiving any ballots, one of the judges of the election shall proclaim from the door of the polling place that the polls of such election are open, and similarly, after the closing of the polls, proclamation thereof shall be made from the doors of the polling place by one of the election judges and no votes or ballots shall be received thereafter.

Sec. 36.30.065. Keeping of Original Register. The judges shall keep an original register in which each voter before receiving his ballot shall sign his name and give both his residence and mailing address. A record shall be kept in the registration book in space provided of the name of the persons who offer to vote but are refused, and a brief statement of the basis of the refusal. The signing of the register constitutes a certification by the voter that he is qualified to vote.

Sec. 36.30.070. Voting. (a) Before issuing any ballots, the election board must, in the presence of any persons assembled at the polling place, open and exhibit the ballot box to be used at the polling place to demonstrate that it is empty. The ballot box shall then be closed and shall not be opened again or removed from the polling place until the polls have closed.

(b) The voter shall give the election officials his name and address. If it is determined that he is a qualified voter of that precinct, he shall then place his signature on the appropriate line in the precinct index provided by the election official. If an election official believes the voter is not qualified, he shall immediately challenge the voter.

(c) If the voter is not challenged, or if he has complied with the challenged ballot procedure, the election officials will issue to him the ballot or ballots to which he is entitled.



(d) A qualified voter who cannot read, mark the ballot or sign his name may request a judge, another person, or not more than two persons of his choice to assist him. If the judge is requested, he shall assist the voter. If any other person is requested, the person shall state upon oath before the election judge that he will not divulge the vote cast by a person whom he assists.

(e) With the exception of the circumstances recited in the previous subsection, not more than one person shall occupy the booth or compartment at the same time, and no person shall be permitted to occupy an election booth or compartment longer than shall be necessary for preparing his ballot.

(f) No voter may leave the polling place with the official ballot that he received to mark.

(g) If a voter improperly marks or otherwise damages a ballot, the voter may request and the election official shall provide him with another ballot, with a maximum of three, and the official shall record the number of the improperly marked or damaged ballot and destroy it immediately without examining it.

Sec. 36.30.110. Rejected Ballots. No election official shall deposit in any ballot box any ballot which contains on the outside thereof any distinguishing mark, impression, device or other. Where any ballot is so rejected, it must be endorsed on the back thereof "Rejected" and signed by an election official.

Sec. 36.30.120. Challenging an Elector. Any person offering to vote may be challenged as unqualified by any of the election officers or by any legal voter or bystander, and it shall be the duty of each of the judges to challenge any person offering to vote, whom they know, suspect or believe, not to be qualified as an elector. A person whose right to vote has been challenged may be issued a ballot if he first completes and subscribes to an affidavit of his qualifications. When the marked ballot is returned to the officials, it shall be placed in a plain envelope and then placed in an official envelope bearing the aforesaid affidavit, the envelope sealed and the whole placed in the ballot box. The election supervisor shall provide forms and materials for this procedure. All envelopes containing challenged ballots shall be delivered to the election supervisor, to be forwarded, unopened, to the canvass board.

*2 copies  
of this and*

Chapter 35. Absentee Voting

Sec. 36.35.010. Absentee Elector. Any qualified elector of the City of Wrangell, Alaska, who is absent or expects to be absent from the City of Wrangell on the day of holding any municipal election, may vote at any such election.

Sec. 36.35.020. Absentee Application. Any such absent elector may make application to the city clerk on a blank form to be furnished by the city clerk for an official ballot of the kind to be voted on at such election, showing the names of candidates who had filed for office as of the time of the application, which application shall be made not more than 14 days nor later than 5:00 p.m. of the day preceding such election, and shall be duly signed and sworn to by such elector before an officer to administer oaths and shall be substantially in the following form:

APPLICATION FOR BALLOT TO BE VOTED  
AT THE \_\_\_\_\_ ELECTION HELD  
AT WRANGELL, ALASKA, ON THE \_\_\_\_\_  
DAY OF \_\_\_\_\_, 19\_\_\_\_

STATE OF ALASKA

CITY OF WRANGELL, ALASKA

I, \_\_\_\_\_ do solemnly swear that I am a duly qualified elector of the City of Wrangell, Alaska in compliance with Municipal Code Sec. 36.10.020; I expect to be absent from the City of Wrangell on the date of the above election. I hereby apply for an official ballot to be voted on by myself at such election.

\_\_\_\_\_  
SUBSCRIBED and SWORN to before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
City Clerk

The blanks in said statement shall be filled in by the city clerk to the extent necessary to identify the election at which said ballot is proposed to be cast. The city clerk shall keep as a part of his records a list of all applications so received and of the manner and delivery of ballots thereon.

Sec. 36.35.030. Absentee Ballot. (a) Before delivering any ballot the clerk shall satisfy himself of the applicant's right to vote in the subject election and may require the applicant to comply with the challenged ballot procedure. Thereafter the clerk shall deliver to said applicant elector personally or registered mail, postage prepaid, an official ballot to be voted on by the elector. The clerk shall enter on the application the number of the ballot issued and the date of delivery or mailing. Before the election, the clerk shall furnish to the election judge or judges of each district or precinct a list of voters of the precinct who have been issued absentee ballots. When the canvass board meets, the clerk shall furnish to it all absentee ballot applications bearing the aforesaid notations relative to issuance of ballots.

(b) The city clerk will fold said ballot as specified in this ordinance for other official ballots, and enclose the same in an official envelope, unsealed, to be furnished by him, which envelope shall bear on its face the name, official title and post office address of the city clerk, and on the other side a printed statement substantially as follows:

"I am a duly qualified elector of the City of Wrangell, Alaska in compliance with Municipal Code Sec. 36.10.020. My personal attendance in said City of Wrangell on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the date of the election, is prevented.  
Dated \_\_\_\_\_, 19\_\_\_\_.

"

The blanks in said statement shall be filled out by the city clerk to the extent necessary to identify the election at which said ballot is proposed to be cast.

(c) The clerk shall also personally or by separate notation or memorandum or by notation printed upon the back of the official envelope advise the absentee voter that a new ballot will be furnished upon request if time permits, if a voter loses, improperly marks or otherwise damages a ballot, but replacement ballots may be requested no more than three times.

(d) EMERGENCY APPLICATION FOR ABSENTEE BALLOT: Any qualified voter who is a patient under the care of a physician in a hospital or a private home or who is held in jail or other place of detention on the day of election and is unable to go to the polling place of his precinct to vote may request delivery of absentee voting materials to him after the time period for such application has closed. Such request may be by telephone or by a third party on the voter's behalf. If, in the opinion of the Clerk, there is time for the voted ballots to be returned before the closing of the polls, a duly appointed and sworn election clerk shall take the ballot, along with application form and other necessary materials, to the voter. After having filled out and signed the application for absentee ballot, the voter shall cast his ballot in the same manner provided herein for absentee voting in the Clerk's office. If there is doubt of the voter's qualification, he may be required to comply with the challenged ballot procedure, except that in this case the challenge may be stated on the return envelope and the affidavit printed thereon is adequate.

(e) On marking his absentee ballot, the voter shall refold same as previously folded and shall enclose it in the plain envelope marked "Ballot Envelope" and thereafter enclose the Ballot Envelope in the official envelope, seal said envelope securely and deliver it to the officer who issued same at least by 5:00 P.M. of the day preceding the date of subject election. The ballot shall be marked, folded and sealed by the voter in private and secretly.

(f) On receipt of such absent voter's ballot the City Clerk shall forthwith enclose the same unopened, together with the application upon which such ballot was issued, in a plain envelope, endorsed with his name and his official title, and the words "Absent voter's ballots, to be opened only at the polls on election day while said polls are open." The City Clerk shall hold the same until the delivery of the official ballots to the judges of election and shall deliver such absent voters' ballots to the election judges. Absentee ballots not received by the Clerk personally or by mail prior to 8:00 P.M. of the day of the subject election shall not be counted.

(g) Between the opening and closing of the polls on election day, the judges shall remove the absentee voters' official envelopes from the plain envelope marked "Absent voters' ballots, to be opened only at the polls on election day while said polls are open" announce the absent voter's name and said voter has theretofore not voted at said election, they shall open the official envelope and remove the ballot envelope without destroying the endorsements on the envelope and open the ballot envelope without permitting the ballot to be unfolded, removing the numbered stub or stubs, and deposit the same in the proper ballot box and cause the absent voter's name to be entered on the poll books the same as though he had been present and voted in person.

Sec. 36.35.040. Rejecting Absentee Ballots. The judges shall reject any ballot which does not substantially conform to the foregoing requirements, or in case the ballot envelope has been theretofore opened or contains more than one ballot; and rejected ballots shall be endorsed "Rejected" with the reason therefor and fastened to the ballot envelope and application accompanying the same. All rejected ballots shall be enclosed and securely sealed in an envelope upon which the judges shall endorse "Defective Absentee Ballots", signed by said judges and the same shall be delivered to the canvassing board.

Sec. 36.35.050. Challenging Absentee Elector. The vote of any absentee voter may be challenged as though he were present. The election judges shall deliver the official envelopes containing the ballot envelope of all challenged absentee ballots to the canvass board which shall rule upon the legality of each such challenged absentee ballot.

## Chapter 40. Canvassing Returns

Sec. 36.40.010. Counting Ballots. (a) As soon as the polls are closed the judges shall open the ballot box and commence counting the ballots and continue without adjournment until they are all counted, and in no case shall the ballot box be removed from the room in which the election was held until all the ballots have been counted. The opening of the ballot box and the counting of ballots shall be accomplished in full view of any persons present. The public may not be excluded from the area in which the ballots are counted; however, the election judges shall not permit anyone present to interfere in any way or to distract the appointed officials from their duties and no one other than such appointed officials may handle ballots.

(b) The candidate for mayor receiving the greatest number of votes shall be elected. The two candidates for councilman receiving the greatest number of votes shall be elected. In case of a tie, the election shall be determined by lot from among the candidates tying.

Sec. 36.40.020. Tallies. The election officials shall write down each office to be filled and the name of each person voted for such office, and shall keep the number of votes by tallies, as they are read aloud by the judges. With necessary adjustment to account for the number of ballot sheets or cards issued to each voter, the number of ballots cast shall agree with the number of voters who signed the register and who were issued ballots. If a discrepancy exists which cannot be resolved, the election officials shall make note of it in writing for the information of the canvass board and shall call it to the attention of the election supervisor when they return their election materials and ballots.

Sec. 36.40.030. Rules for Determining Mark on Ballots. The election board shall canvass and count the votes according to the following rules:

(1) A voter may mark his ballot only by the use of crossmarks, "X" marks, checks, or plus signs that are clearly spaced in the square opposite the name of the candidate the voter desires to designate.

(2) A failure to properly mark a ballot as to one or more candidates does not itself invalidate the entire ballot.

(3) If a voter marks fewer names than there are persons to be elected to the office, a vote shall be counted for each candidate properly marked.

(4) If a voter marks more names than there are persons to be elected to the office, the votes for candidates for that office shall not be counted.

(5) The mark shall be counted only if it is substantially inside the square provided, or touching the square so as to indicate clearly that the voter intended the particular square to be designated.

(6) An erasure or correction invalidates only that section of the ballot in which it appears.

(7) Stickers bearing a candidate's name may be affixed to the ballot in lieu of writing in a candidate's name if write-in votes or ballots are otherwise permitted.

(8) If duplicate ballots are found folded together they shall both be rejected.

Sec. 36.40.040. Delivery of Ballots. When the tally of votes is completed, a Certificate of Returns shall be prepared and signed by the inspector and clerks of each election precinct. After completion of the Certificate of Returns the counted ballots and all rejected ballots shall be sealed into an envelope provided by the election supervisor, sealed, and delivered to the Clerk, along with all challenged ballots, to be retained in a depository until submitted to the canvass board.

Sec. 36.40.045. Canvass of Returns. (a) The canvass board shall consist of the City Clerk who acted as election supervisor, the inspector from each election precinct, the mayor, and all city councilmen. The council may, by resolution preceding the date of election, delegate its canvass board functions to two councilmen, in which case the canvass board shall consist of six members. The presence of two-thirds of the persons on the canvass board shall be sufficient to constitute a quorum for the transaction of canvassing election returns.

(b) Within three days after each election the canvass board shall meet in public session and shall canvass the election returns. The canvass may be continued from day to day, but must be completed no less than five days after the election. The canvass board may accept the Certificate of Returns submitted by the precinct election judges, examine election officials, and may hear informal protests, complaints or objections from individuals. The canvass board may, in lieu of the foregoing procedure, canvass the returns de novo by following the procedures specified in Sec. 36.40.020. In full view of those present the canvass board shall judge separately the validity of all challenged ballots, and upon specific request, specific absentee ballots which were earlier rejected by the election judges, and shall open and tally those accepted and shall compile the total votes cast in the election.

(c) The canvassing board shall thereafter make a general determination concerning whether or not the election was validly held and the returns accurately presented, and shall prepare a Certificate of Return together with a full report of votes cast for each candidate and for and against each proposition or question, and reporting any discrepancies or contingencies. Said Certificate shall be signed by each participating member of the canvass board.

(d) If the canvass board reports that a failure to comply with provisions of State law or municipal ordinance or a finding of illegal election practices, and it is determined that such failure or illegal practices were sufficient to have changed the outcome of the election, the canvass board may recommend the exclusion of votes cast in one or more precincts or districts where the defect occurred from the total returns or they may recommend the entire election be declared invalid and order a new election.



(e) If the canvass board finds an apparent discrepancy in the returns of one or more precincts which may materially affect the outcome of the election, the canvass board shall immediately undertake a recount of the votes cast in that precinct or precincts.

Sec. 36.40.047. Custody and Destruction of Ballots. After the ballots of every election shall have been canvassed they shall be kept in the custody of the city clerk unopened, except for use as evidence in the event of election contest, for six months and then to be destroyed.

Sec. 36.40.050. Contest of Election. (a) Any candidate or any ten (10) registered qualified voters may contest the election of any person and the approval or rejection of any question or proposition upon one or more of the following grounds:

(1) Malconduct, fraud or corruption of an election official sufficient to change the results of the election;

(2) Disqualification of the person elected under provisions of law or ordinance: or existence of a corrupt election practice as defined by the laws of the State of Alaska or in Chapter 45 of this title.

(b) The candidate or one or more of the voters initiating a contest shall appear before the council at the meeting held to canvass the election returns, and there shall deliver to the council written notice of contest. The notice shall state the grounds of contest in detail, shall be signed under oath by the candidate or voter filing it, and shall be in substantially the following form:

NOTICE OF ELECTION CONTEST

The undersigned contest the regular (or special) election of the City of Wrangell, Alaska, held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, on the following grounds: \_\_\_\_\_

\_\_\_\_\_  
Signature of Candidate or Person  
Contesting Election

SUBSCRIBED and SWORN to before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_\_.

\_\_\_\_\_  
Notary Public for Alaska.

(c) Upon receiving a notice of contest, the council shall order an investigation by the mayor to be made with the assistance of the city election supervisor and attorney. Those contesting the election, those whose election is contested and the public shall be allowed to attend all investigation and recounting proceedings.

(d) If only a recount of ballots is demanded, the election boards in the precincts where error allegedly occurred shall recount the ballots in such precincts.

(e) If the contestant shall allege prohibited practices, the council shall direct the city election supervisor to open the boxes containing the duplicant registration cards for the purpose of discovering the alleged prohibited practices. If the contestant charges a candidate obtained votes, or a proposition was voted for or against, by reason of prohibited practices, and the charges are proven to and sustained by the council, the council shall to the extent of such proof purge the illegally induced votes from the returns and after a recount certify the amended returns.

Sec. 36.40.060. Tie Election. If two or more persons shall have received an equal and highest number of votes for any one and the same office, the city clerk shall give notice to each of such persons to attend at a time and place appointed by the city clerk who shall then and there publicly proceed to determine by lot which of the persons so having an equal number of votes, shall be declared duly elected, and shall issue to such person so declared elected his certificate accordingly.

Sec. 36.40.070. Canvass Report; Certificates of Election.  
(a) If the council concludes that the election was validly held, such conclusion shall be publicly announced and entered upon the minutes of the meeting. The minutes also shall include the number of votes cast in the election, the names of the persons voted for and the propositions and questions voted upon at such election, the offices voted for, the number of votes cast for each candidate for each office, and the number of votes for and against each proposition and question voted upon. If the council concludes that the election is not valid it shall order another election.

(b) If the Council accepts the canvass board's Certificate of Returns showing that a valid election was held and that substantial compliance with all voting procedures was effected and that no material discrepancy exists which may effect the outcome of the election, the Council shall direct the City Clerk to deliver to each person elected to office a Certificate of Elections signed by the mayor and City Clerk and authenticated by the municipal seal.

Chapter 45. Election Offenses; Corrupt Practices.

Sec. 36.45.010. Election Offenses, Corrupt Practices.  
The following acts are declared to be election offenses  
and corrupt practices and hereby prohibited:

(a) Inducing, compelling, or attempting to induce or compel any person to vote or refrain from voting for any candidate in any election or for or against any election proposition or question by, directly or indirectly, using or inflicting or threatening to inflict damage, harm, or loss upon or against the person.

(b) Giving, promising to give, or offering any money or other valuable thing to any person with the intent to induce him to vote for or restrain from voting for any candidate or for or against any election proposition or question.

(c) Printing or circulating, or causing to be written, printed or circulated, any letter, circular, bill, placard or poster, or other publication relating to any election or to any candidate at any election or to any election proposition or question without the same bearing on its face, the name and address of the author, printer, and publisher thereof.

(d) Writing, printing or circulating, or causing to be written, printed or circulated, any letter, circular, bill, placard or poster, or causing any paid advertising to be placed in a newspaper or any other publication, or paying or contributing to the payment for any such advertisement, or making any radio broadcast, with knowledge that the letter, circular, bill, placard, broadcast contains any false statement, charge or comment relating to any candidate at any election or to any election proposition or question.

(e) Possession of an official ballot outside of the voting room by any person not authorized by law.

*city* - (f) Time Off for Voting: Any qualified voter who does not have sufficient time outside his working hours within which to vote at any borough election may, without loss of pay, take off as much working time as will enable him to vote. If any employee has two (2) consecutive hours in which to vote, either between the opening of the polls and the beginning of his regular shift, or between the end of his regular working shift and the closing of the polls, he shall be deemed to have sufficient time outside his working hours within which to vote.

(g) While the polls are open, opening any ballot received from a voter, or marking a ballot by folding or otherwise so as to be able to recognize it, or otherwise attempting to learn how any voter marked his ballot, by an election judge or clerk or by any other person with his permission.

(h) Publishing or causing to be published any letter, circular, poster, bill, publication, or placard, knowing that it contains any false statement or false charges reflecting on the character, morality, or integrity of any candidate at any election.

(i) Voting or attempting to vote in the name of another person or in any name other than his own.

(j) By force, threat, intimidation, or offer of reward, inducing to attempting to induce any election judge or clerk to fail in his duty.

(k) Wilfully changing or causing to be changed any official election documents including ballots, tallies, and returns, or attempting to do so.

(l) Wilfully delaying or causing to be delayed the election returns, or attempting to do so.

(m) Wilfully voting or attempting to vote more than once at the same election.

(n) Wilfully making a false affidavit or swearing falsely under the oath required by this Chapter.

(o) Wilful failure to perform any election duty or knowingly doing any unauthorized act with the intent to affect the election or its results, by any election judge or clerk.

(p) Wilfully permitting, making or attempting to make any false count of the election returns by an election judge or clerk.

(q) Wilful concealment, withholding, or destruction of the election returns or any attempt to do so by an election judge or clerk.

(r) Electioneering on election day within the poll-place place or within one hundred feet (100') of same.

Sec. 36.45.020. Corrupt Practices - Penalties. (a) Violation of any provision of Sec. 36.45.010 shall be a misdemeanor and punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than thirty (30) days or both. A person charged with a violation of any provision of such section shall, upon demand, have a right to a trial by a jury of six (6) persons.

(b) Any person elected to any city office who is convicted of a corrupt practice or election offense as provided herein, shall be punished, in addition to any other punishment by being deprived of the office or position and the vacancy shall be filled as any other vacancy.

Sec. 36.45.030. Civil Remedy. The City may institute civil litigation to recover its costs and expenses of duplicate elections in the event the canvass board determines voting infractions attributable to one or more individuals were sufficient to have changed the outcome of the election and recommends declaration of whole or partial invalidity and new elections be held regarding same.

## Chapter 53. Initiative and Referendum

Sec. 36.53.010. Reservation of Powers. The powers of initiative and referendum are reserved to the residents of Wrangell except the powers do not extend to matters restricted by Sec. 7, Art. XI, of the State Constitution, and as such the initiative shall not be used to dedicate revenues, make or repeal appropriations, create courts, define the jurisdiction of courts or prescribe their rules, or enact local or special legislation. The referendum shall not be applied to dedications of revenue, to appropriations, to local or special legislation, or to laws necessary for the immediate preservation of the public peace, health, or safety.

Sec. 36.53.020. Petition. A petition for initiative or referendum must be filed with the City Clerk and an initiative petition must be filed not less than 90 days before the next regular election.

Sec. 36.53.030. Contests of Petition. A petition for an initiative or referendum shall:

- (1) embrace only a single comprehensive subject;
- (2) set out fully the ordinance or resolution sought by the petition;
- (3) state upon the petition, when circulated, the date of first circulation of the petition;
- (4) contain the statement, when circulated, that the signatures on a petition shall be secured within 90 days from the date of the first circulation;
- (5) have the required signatures, dates of signatures and resident addresses of the signers.

Sec. 36.53.040. Required Signatures. (a) The necessary signatures on a petition shall be secured within 90 days from the date of the first circulation of the petition. The petition shall be signed in ink or indelible pencil.

(b) Every petition for either the initiative or referendum in the government of the municipality shall be signed by a number of qualified voters residing within the territorial limits of the City, or, if the act sought to be initiated or referred pertains exclusively to the area outside cities or to a service area, by a number of qualified voters residing within the area outside cities or within the service area, as the case may be, equal to twenty-five percent (25%) of the total number of votes cast at the last general election in the City, or special election called for the purpose of electing city officers.

(c) When signing a petition each voter shall write or print after his signature the date of signing the petition and his resident address.

(d) Illegible signatures unless accompanied by a legible printed name may be rejected by the municipal clerk.

(e) A petition signer may withdraw his signature upon written application to the Clerk within seven days after the petition has been filed with the Clerk.

Sec. 36.53.050. Sufficiency of Petition. (a) Within 10 days from the filing date, the City Clerk shall certify on the petition whether or not it is sufficient.

(b) If the petition is insufficient, it may be amended or supplemented within 10 days after the date on which the petition is rejected as insufficient.

(c) Within 10 days after supplementary filing the Clerk shall recertify the petition. If it is still insufficient the petition is rejected and filed as a public record.

Sec. 36.53.060. Protest. If the City clerk certifies the petition is insufficient, a signer of the petition may file a protest with the City Manager within seven days after the certification and the City Manager shall present the protest at the next regular meeting to the Council which shall hear and decide the protest.

Sec. 36.53.070. New Petition. Failure to secure sufficient signatures does not preclude the filing of a new initiative or referendum petition. However, a new petition may not be filed sooner than six months after a petition is rejected.



Sec. 36.53.080. Presentation of Initiative. (a) When a petition seeks enactment of an ordinance or resolution within the powers of the Council, the Clerk shall present it to the Council at its next meeting after certification. The assembly or Council may reject the petition if the subject matter of the initiative or referendum is within the restrictions of Sec. 36.53.010 of this chapter.

(b) Unless the petition is granted within 30 days of its submission to the Council, the Clerk shall, with the assistance of the City Attorney, prepare an ordinance or resolution to implement the petition and shall submit it to the voters at the next regular election. The ordinance or resolution shall be published in full in the notice of election but may be summarized on the ballot to indicate clearly the proposal submitted.

(c) If a majority of those voting favor the proposal, it becomes effective when the election results are officially declared.

(d) The Council may at any time not less than 10 days from the date of election adopt an ordinance or resolution to implement the petition. In that event an election shall not be held.

Sec. 36.53.090. Presentation of Referendum. (a) When a petition seeks a referendum vote of an ordinance or resolution the Clerk shall submit the ordinance to the voters of the City at the next regular or special election. If no regular or special election occurs within 75 days of the filing of a sufficient petition with the Clerk, the Council shall hold a special election within 75 days of filing.

(b) If a sufficient petition for referendum is filed within 30 days after final passage of the ordinance, the ordinance against which the petition is filed shall be suspended pending the referendum on the ordinance. During the period of suspension the Council may not enact an ordinance substantially similar to the suspended ordinance but may repeal the suspended ordinance.

(c) If a majority of those voting favor the referendum legislation, it remains in effect. If a majority rejects the legislation, it is repealed.

Sec. 36.53.100. Effect. (a) The Council may not, within two years, act in any way to modify or negate the effect of a successful initiative or referendum. If an ordinance against which a referendum directed has been repealed by the Council after a petition has been filed but before the referendum, the Council may not enact substantially similar legislation for a period of one year after repeal.

(b) An unsuccessful initiative or referendum precludes the filing of a new petition for the same purpose sooner than six months after voter disapproval of the initiative or referendum.

## Chapter 55. Recall

Sec. 36.55.010. Recall. An elected official may be recalled by the voters after he has served six months in office.

Sec. 36.55.020. Grounds. Grounds for recall are misconduct in office, incompetence, or failure to perform prescribed duties.

Sec. 36.55.030. Petition. (a) A petition seeking recall of one or more municipal officials is filed with the City Clerk. The petition shall contain:

- (1) The signatures and resident addresses of 25% of the qualified voters residing within the territorial limits of the City;
- (2) The date each voter signed the petition; and
- (3) A statement of the grounds of the recall stated with particularity as to specific instances.

(b) A petition for recall must be filed with the Clerk within 60 days after the date of the earliest signature on the petition.

Sec. 36.55.040. Examination for Sufficiency. The City Clerk shall review the petition for content and signatures and shall certify on the petition within 10 days of the filing date whether it is accepted or rejected. Until the petition is accepted, a petition signer may withdraw his signature upon written application to the Clerk.

Sec. 36.55.050. Supplemental Petition. (a) If the petition is rejected because of insufficient signatures, it may be supplemented by additional signatures within 10 days after the date of rejection. If the petition is insufficient for any other reason, it shall be rejected and filed as a public record.

(b) Within 10 days after supplementary filing, the Clerk shall recertify the petition. If it is still insufficient, the petition is rejected and filed as a public record.

Sec. 36.55.060. New Petition. Failure to secure sufficient signatures does not preclude the filing of a new recall petition. However, a new petition may not be filed sooner than six months after a petition is rejected.

Sec. 36.55.070. Submission. If a recall petition is sufficient, the Clerk shall immediately submit it to the Council.

Sec. 36.55.080. Election. (a) If a regular election occurs within 75 days of the submission, the Council shall submit the recall at that election.

(b) If no regular election will occur within 75 days, the Council shall hold a special election within 75 days of submission.

(c) If a vacancy occurs in the office after a recall petition is filed, the petition shall not be submitted to the voters.

Sec. 36.55.090. Form of Recall Ballots. A recall ballot contains:

- (1) The grounds as stated in the recall petition;
- (2) The officer's statement of 200 words or less, if the statement is filed with the Clerk for publication and public inspection within 20 days before the election;
- (3) The following question: "Shall (name of person) be recalled from the office of (office)?  
Yes [ ] No [ ]".

Sec. 36.55.100. Election Procedure. Procedures for conducting a recall election are those of a regular election.

Sec. 36.55.110. Majority Required. A majority vote on the question is required to recall an officer.

Sec. 36.55.120. Effect. If an incumbent is not recalled at the recall election, a petition to recall the same incumbent may not be filed sooner than six months after the recall election.

Sec. 36.55.130. Election of Successor. If the voters recall an officer, the Clerk shall conduct an election for a successor to fill the unexpired term. The election shall be held at least 10 but not more than 45 days from the date of the recall election. However, if a regular or special election occurs within 75 days of the recall election, the successor to the recalled official shall be chosen at that regular or special election. The procedures and requirements for the regular election for the office from which the incumbent is recalled apply to the election conducted under this section.

Chapter 65. Scope of Election Code

Sec. 36.65.010. Scope of Election Code. The provisions contained in this code shall apply to all general annual elections to be held in the City and to all special elections and to all school elections insofar as the same may be applicable.

Sec. 36.65.020. Incorporation of State and Federal Law. All provisions of the Constitution of the United States, the Constitution of the State of Alaska, and any laws enacted pursuant to said Constitutions affecting municipal elections are incorporated in this chapter as if fully set forth herein.

CITY OF WRANGELL, ALASKA  
Ordinance No. 269

AN ORDINANCE AMENDING SECTION 9.20.030  
OF THE WRANGELL CODE PERTAINING TO THE  
VACCINATION OF DOGS TO PROVIDE AN EXEMP-  
TION FROM VACCINATION FOR DOGS YOUNGER  
THAN SIX MONTHS OF AGE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed Section bearing code number Sec. 9.20.030 amending that certain code section of the identical designation is hereby adopted as a part of this ordinance and Title 9 of the Code of ordinances of the City of Wrangell, Alaska.

Sec. 6. Penalty Adopted by Reference. Violation of the section herein enumerated shall be punishable as specified in Title 30, Chapter 10 of the Wrangell City Code.

PASSED AND APPROVED: July 25, 1972.

[Signature]  
Mayor

ATTEST: [Signature]  
City Clerk

## Chapter 20. Dogs

Sec. 9.20.010. Dogs Not to Run at Large. All dogs running at large within the city limits of the City of Wrangell are hereby declared to be a public nuisance, and it shall be unlawful for any owner or keeper of any dog to permit said animal to run at large on any street, sidewalk, wharf, or public place or otherwise become a nuisance within the incorporated limits of the City of Wrangell unless such dog be led or securely tied upon a leash, in the hands of some suitable person.

Sec. 9.20.020. License Required. Every person who owns or keeps a dog within the City of Wrangell shall report to the City Clerk within sixty days after enactment of this code section and annually not later than the first day of February of each year thereafter, his or her name and address, and shall give the name, breed, color, and sex of each dog owned or kept by such person and shall be required to pay to the Clerk the fee of Five Dollars (\$5.00) for each male or spayed female dog and Fifteen Dollars (\$15.00) for each unspayed female dog so owned or kept. Upon payment of the said fee, the City Clerk shall furnish a receipt thereof, also a metal license tag carrying an identification number that shall be securely fastened to a collar made of leather, metal or other substantial material worn by the dog. The City Clerk shall keep an accurate record of all licensed dogs. The City Clerk shall cause a notice of the necessity of paying such a license fee to be printed in a paper of general circulation within the City one time before the 10th day of January in each year.

Sec. 9.20.030. Vaccination. No license shall be granted for a dog older than six months which has not been vaccinated against rabies as provided in this section within a period of six months preceding the application for a license, beginning with application for the annual licensing period commencing February 1, 1970.

Sec. 9.20.040. Impoundment. It shall be the duty of the Chief of Police, or some person appointed by him, to detain or impound any dog or dogs which are in controvention of any provision of this Chapter. If their owner or such person having control of such dog be known then it shall be the duty of the Chief of Police, or some person appointed by him, immediately to give notice verbally or in writing to such person that such dog has been seized or impounded or has been running at large. Any citizen within the City of Wrangell may file



ORIGINAL

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 268

AN ORDINANCE of the City of Wrangell, Alaska confirming the results of special elections held therein on October 6, 1970, and May 25, 1971; providing for the issuance and sale of \$350,000 of electric utility revenue bonds of the city for the purpose of providing funds to pay the cost of acquiring, constructing, installing and making necessary capital improvements to the existing electric utility system of the city; fixing the date, form, terms, maturities and covenants of said bonds; creating two Construction Funds; providing and adopting certain covenants and protective features safeguarding the payment of such principal and interest; reserving the right to issue additional revenue bonds on a parity with the bonds authorized herein upon compliance with the certain conditions; confirming the sale of said bonds; and declaring a state of emergency.

WHEREAS, at a special election held in the City of Wrangell, Alaska (hereinafter called the "City") on October 6, 1970, pursuant to a resolution of the City Council passed and approved August 25, 1970, and other resolutions and ordinances of said Council, the qualified electors of the City authorized the issuance of electric utility revenue bonds in the amount of \$450,000 for the purpose of purchasing additional generators for the electric utility system of the City; and

WHEREAS, at a special election held in the City on May 25, 1971, the qualified electors thereof authorized the issuance of \$275,000 out of such \$450,000 electric

utility revenue bonds of the City for the amended purpose of acquiring certain types of generators different than those originally authorized on October 6, 1970; and

WHEREAS, the National Bank of Alaska, Anchorage, Alaska, has agreed to purchase \$350,000 principal amount of the \$450,000 of bonds so authorized, at par plus accrued interest to date of delivery and under the terms and conditions thereof as hereinafter set forth; and

WHEREAS, it is necessary and to the best interest of the City and its inhabitants that said bonds be so issued;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Wrangell, Alaska, as follows:

Section 1. This ordinance shall not become part of the city code.

Section 2. As used in this ordinance the following words shall have the following meanings:

a. The word "System" shall mean the existing electric utility system of the City as the same may be added to, improved and extended for as long as any of the Outstanding Bonds, the Bonds and any Parity Bonds are outstanding.

b. The words "Outstanding Bonds" shall mean

the electric revenue bonds of the City issued under date of October 1, 1963, pursuant to Ordinance No. 181, \$150,000 principal amount of which are now outstanding;

c. The words "Revenue Fund" shall mean the special fund of the City created by Section 5 of Ordinance No. 181 known as the "Wrangell 1963 Electric Utility Revenue Fund," into which the City has pledged that it will pay as collected all of the gross earnings and revenue of the System.

d. The words "Bond Redemption Fund" shall mean the Wrangell 1963 Electric Utility Revenue Bond Redemption Fund created by Section 6 of said Ordinance No. 181 created for the purpose of paying and securing the payment of the principal of and interest on the Outstanding Bonds and the Bonds.

e. The word "Bonds" shall mean the \$350,000 principal amount of electric utility revenue bonds of the City issued pursuant to this ordinance for the purpose authorized herein.

f. The words "Future Parity Bonds" shall mean all electric utility revenue bonds of the City issued after the date of the issuance of the Bonds and having a lien upon the money in the Revenue Fund for the payment of the principal thereof and interest thereon equal to the lien upon the money in such Fund for the payment of the principal of and interest on the Outstanding Bonds and the Bonds.

Section 3. This City Council hereby finds and determines, as required by Section 11 of Ordinance No. 181 as follows:

First, that the Bonds are being issued for the purpose of acquiring, constructing and installing additions and improvements to and extensions of the System.

Second, that at the time of the adoption of this ordinance and at the time of the issuance and delivery of the Bonds there is not nor will there be any deficiency in the Bond Redemption Fund or in the Reserve Account therein.

Third, that by Section 15 of this ordinance, the City has covenanted and provided that it will establish, maintain and collect rates and charges for electricity furnished sufficient to meet the requirements of Section 10 of Ordinance No. 181, as applied to the Outstanding Bonds and the Bonds.

Fourth, that by Section 11 of this ordinance the City has covenanted that it will pay into the Reserve Account created in the Bond Redemption Fund the amount required by Section 7 of Ordinance No. 181.

Fifth, that at the time of the issuance and delivery of the Bonds the City will have on file a certificate from an independent

licensed professional engineer experienced in the construction and operation of municipal utilities complying with the requirements of Section 11 A.c. of Ordinance No. 181

The conditions contained in Section 11 of Ordinance No. 181 having been complied with or assured, the payments required herein to be made out of the Revenue Fund into the Bond Redemption Fund and Reserve Account therein to pay and secure the payment of the principal of and interest on the Bonds shall constitute a lien and charge upon the money in the Revenue Fund equal in rank with the lien and charge thereon for the payments required to be made out of said Revenue Fund into the Bond Redemption Fund to pay and secure the payment of the Outstanding Bonds.

The City hereby further covenants and agrees that the Bonds will not be issued and delivered to the purchasers thereof as bonds on a parity with the Outstanding Bonds until the above-described certificate has been filed with the City.

Section 4. The results of the special election held in the City on October 6, 1970, whereby the qualified electors of the City adopted a proposition providing for the issuance of \$450,000 of electric utility revenue bonds for the purpose of providing funds to purchase certain additional generators for the electric utility

system of the City, are in all respects ratified and confirmed.

The results of the special election held in the City on May 25, 1971, whereby the qualified electors of the City approved a proposition providing that the issuance of \$275,000 of such \$450,000 of electric utility revenue bonds be for the purpose of acquiring generators of a type different than those authorized on October 6, 1970, are in all respects ratified and confirmed.

Section 5. In order to provide funds in the amount of \$175,000 to pay the cost of purchasing and installing electrical generating facilities as authorized by the voters of the City on October 6, 1970, and to provide funds in the amount of \$175,000 to pay part of the cost of purchasing and installing the electrical generating facilities approved by the voters as an amended purpose for the use of said funds at an election held May 25, 1971, said \$175,000 to be deemed a part of the \$275,000 authorized for such amended purpose at such election, the City shall now issue and sell the Bonds in the principal amount of \$350,000.

The Bonds shall be designated "Electric Utility Revenue Bonds, 1972" shall be in the denomination of \$5,000 each, shall be dated May 1, 1972, shall bear interest at the rate of 6.50% per annum payable

November 1, 1972, and semiannually thereafter on the first days of May and November of each year from date of issue, and shall be numbered and mature in order of their number as follows:

<u>Bond Nos.</u>	<u>Maturity Year</u>	<u>Amount</u>
1-3	1974	\$ 15,000
4-6	1975	15,000
7-9	1976	15,000
10-12	1977	15,000
13-15	1978	15,000
16-18	1979	15,000
19-21	1980	15,000
22-24	1981	15,000
25-27	1982	15,000
28-30	1983	15,000
31-33	1984	15,000
34-38	1985	25,000
39-43	1986	25,000
44-48	1987	25,000
49-53	1988	25,000
54-58	1989	25,000
59-62	1990	20,000
63-66	1991	20,000
67-70	1992	20,000

Both principal of and interest on the Bonds shall be payable in lawful money of the United States of America at the main office of the National Bank of Alaska, Anchorage, Alaska.

Section 6. The City hereby reserves the right to redeem any or all of the outstanding Bonds on May 1, 1987, or on any interest payment date thereafter, at 104% of their par value, plus accrued interest to the date of redemption.

Notice of any such intended redemption shall be given by one publication thereof in newspapers

of general circulation in Anchorage, Alaska and in Seattle, Washington, not more than forty nor less than thirty days prior to said redemption date, and by mailing a like notice at the same time to the National Bank of Alaska, at its main office in Anchorage, Alaska. Interest on any Bond so called for redemption shall cease on such redemption date unless the same is not paid in full upon presentation made pursuant to such call.

The City further reserves the right, whenever it has any surplus money in its Revenue Fund over and above all other moneys required by this Ordinance and by Ordinance No. 181 to be paid into the Bond Redemption Fund and the Reserve Account created therein, to use such money at any time to purchase any of the Bonds in the open market for retirement, as long as the same may be purchased at a price not more than par plus accrued interest.

Section 7. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF ALASKA  
CITY OF WRANGELL  
ELECTRIC UTILITY REVENUE BOND 1972

THE CITY OF WRANGELL, a municipal corporation of the State of Alaska, hereby acknowledges itself to owe and for value received promises to pay to bearer on the first day of May, 19\_\_\_\_, the



principal sum of

FIVE THOUSAND DOLLARS

together with interest thereon at the rate of 6.50% per annum payable on the first days of May and November of each year from date hereof, as evidenced by and upon presentation and surrender of the attached interest coupons as they severally become due, or until the payment of such principal sum shall be made or duly provided for.

Both principal of and interest on this bond are payable in lawful money of the United States of America at the main office of the National Bank of Alaska, Anchorage, Alaska, solely out of the special fund of the city known as "Wrangell 1963 Electric Utility Revenue Bond Redemption Fund" created by Ordinance No. 181 of the city.

This bond is one of an issue of seventy bonds of like amount date and tenor except as to number and date of maturity, aggregating the principal sum of \$350,000, issued pursuant to the laws of the State of Alaska, and ordinances of the city duly and regularly adopted, for the purpose of providing funds to pay the cost of acquiring, constructing, installing and making necessary capital improvements to the existing electric utility system of the city.

The city has reserved the right to redeem any or all of the outstanding bonds of this issue,

at 104% of par value, on May 1, 1987, or on any interest payment date thereafter, upon at least 30 days prior notice published in newspapers of general circulation in Anchorage, Alaska, and Seattle, Washington.

All of the bonds of this issue are payable solely out of the gross earnings and revenue of said electric utility system and all additions and improvements thereto and extensions thereof.

The City of Wrangell hereby covenants and agrees with the owner and holder of this bond that it will keep and perform all the covenants of this bond and of Ordinances 181 and \_\_\_\_\_ to be by it kept and performed.

The City of Wrangell does hereby pledge and bind itself to set aside from the money in its Wrangell 1963 Electric Utility Revenue Fund and to pay into and maintain in said Bond Redemption Fund and the Reserve Account created therein by said Ordinance No. 181 the various amounts required by said ordinance and by Ordinance No. \_\_\_\_\_ to be paid into and maintained in said Fund and Account, all within the times provided by said ordinances. The city has further pledged and bound itself to set aside and pay into said Electric Utility Revenue Fund, as collected, all the gross earnings and revenue of its electric utility system and all additions and improvements

thereto and extensions thereof.

The amounts so pledged to be paid into and maintained in said Fund and Account are hereby declared to be a prior lien and charge upon the money in said Revenue Fund superior to all other charges of any kind or nature except the normal costs of maintenance and operation of said electric utility system, and equal in rank to the charges upon the money in such Fund for the payment of the principal of and interest on the electric utility revenue bonds of the city issued under date of October 1, 1963 and of and on any electric utility revenue bonds of the city that may later be issued on a parity with the bonds of this issue.

The City of Wrangell has further bound itself to maintain said electric utility system in good condition and repair, to operate the same in an efficient manner and at a reasonable cost and to establish, maintain and collect rates and charges for electricity furnished for as long as any of the said outstanding bonds, these bonds and any bonds issued on a parity with these bonds are outstanding, that will make available for the payment of the principal of and interest on all of such bonds as the same shall become due, an amount equal to at least 1.4 times the average amount required annually hereafter to

pay the principal of and interest on all of such bonds, after normal costs of maintenance and operation of such system have been paid, but before depreciation.

It is hereby certified and declared that the bonds of this issue are issued pursuant to and in strict compliance with the Constitution and laws of the State of Alaska and ordinances of the City of Wrangell, and that all acts, conditions and things required to be done precedent to and in the issuance of this bond have happened, been done and performed.

IN WITNESS WHEREOF, the City of Wrangell, Alaska, has caused this bond to be signed by its Mayor, to be attested by its Clerk, the corporate seal of the City to be impressed hereon, and the interest coupons attached hereto to be signed with the facsimile signatures of said officials, this first day of May, 1972.

CITY OF WRANGELL, ALASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

The interest coupons attached to the Bond shall be in substantially the following form:

NO. \_\_\_\_\_

\$162.50

On the first day of \_\_\_\_\_,  
19\_\_\_\_, the City of Wrangell, Alaska, will pay  
to bearer at the main office of the National  
Bank of Alaska, in Anchorage, Alaska, the sum  
of ONE HUNDRED SIXTY TWO AND 50/100 DOLLARS in  
lawful money of the United States of America,  
said sum being the semiannual interest due that  
date on its Electric Utility Revenue Bond dated  
May 1, 1972, and numbered \_\_\_\_\_.

CITY OF WRANGELL, ALASKA

By \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk

Section 8. The bonds shall be signed on behalf of  
the City by its Mayor, shall be attested by the City  
Clerk, and shall have the corporate seal of the City  
impressed thereon. The interest coupons attached  
to the Bonds shall be signed with the facsimile signatures  
of said officials.

Section 9. All of the gross earnings and revenue  
of the System, including all additions and improvements  
thereto and extensions thereof shall be deposited,  
as collected, into the Revenue Fund. All costs of  
maintaining and operating said System, all payments  
required by this ordinance to be made into the Bond

Redemption Fund and the Reserve Account therein, and all payments which may be required to be made in payment of the principal of and interest on any Future Parity Bonds of the City shall be paid out of said Fund.

Section 10. The Bond Redemption Fund is to be drawn upon for the purpose of paying the principal of and interest on the Outstanding Bonds, the Bonds and any Future Parity Bonds as the same shall become due.

The City hereby obligates and binds itself to pay into the Bond Redemption Fund upon receipt the accrued interest received at the time of the sale of the Bonds.

The City further obligates and binds itself to set aside and pay into the Bond Redemption Fund, out of the money in the Revenue Fund, certain fixed amounts necessary to pay the principal of and interest on the Bonds as the same shall become due. Said payments shall be made into the Bond Redemption Fund on or before the tenth day of each month in the amounts hereinafter specified:

a. Beginning with the month of May, 1972, and continuing as long as any of the Bonds are outstanding and unpaid, an amount equal to at least one-sixth of the interest to become due and payable on the next ensuing interest payment date on all of the Bonds then outstanding.

b. Beginning with the month of May, 1973, and continuing as long as any of the Bonds are outstanding and unpaid, an amount equal to at least one-twelfth of the principal amount of the Bonds to become due and payable on the next principal payment date.

When there is sufficient money in the Bond Redemption Fund and the Reserve Account hereinafter created therein to pay the principal and interest to maturity of the Outstanding Bonds and the Bonds, then no further payment need be made into the Bond Redemption Fund.

The amounts pledged to be paid out of the Revenue Fund into the Bond Redemption Fund and said Reserve Account are hereby declared to be a prior lien and charge upon the money in the Revenue Fund superior to all other charges of any kind or nature except the normal costs of maintenance and operation of the System, and equal in rank to the charges upon the money in the Revenue Fund necessary to pay and secure the payment of the principal of and interest on the Outstanding Bonds and of and on any Future Parity Bonds.

Section 11. A Reserve Account has been created in the Bond Redemption Fund by Section 7 of Ordinance No. 181, and the City hereby agrees that it will set aside and pay into said Reserve Account, out of the money in the Revenue Fund and out of any other moneys which it may now or later have on hand and available for such purpose, an amount equal to the average annual

amount required as of May 1, 1972, to pay the principal of and interest on the Outstanding Bonds and the Bonds (hereinafter called the "Reserve"). The City further agrees that it will meet such obligation by depositing in the Reserve Account on the first day of each month commencing with the month of May, 1972, a sum equal to one-sixtieth of the Reserve.

The City hereby further covenants and agrees, in the event that it issues any Future Parity Bonds, that it will require in the ordinance authorizing the issuance of the same that equal monthly payments will be made out of the Revenue Fund into the Reserve Account so that by five years from the date of issuance of such Future Parity Bonds there will have been paid into the Reserve Account an amount which, with the money already on deposit therein, will be equal to the average annual debt service requirement to pay the principal of and interest on all outstanding bonds payable out of the Bond Redemption Fund.

The City further agrees that when said Reserve has been accumulated in the Reserve Account it will at all times maintain the Reserve until there is a sufficient amount in the Bond Redemption Fund and the Reserve Account to redeem and retire all of the Outstanding Bonds and Bonds outstanding with accrued interest to the date of redemption.

In the event there shall be a deficiency in the



Bond Redemption Fund to meet maturing installments of either interest of or principal of and interest on the Bonds outstanding, such deficiency shall be made up from the Reserve Account by the withdrawal of money therefrom. Any deficiency created in the Reserve Account by reason of any such withdrawal shall then be made up from the moneys in the Revenue Fund first available after making necessary provision for the required payments into the Bond Redemption and the Reserve Account.

All moneys in the Reserve Account may be kept in cash or invested in direct obligations of the United States of America having a guaranteed redemption price or maturing not later than twelve years from date of purchase and in no event maturing later than the last maturity of the Bonds outstanding at the time of such purchase. Interest earned on any such investments shall be deposited in and become a part of the Revenue Fund.

Section 12. The corporate authorities of the City hereby declare that in fixing the amounts to be paid into the Bond Redemption Fund and the Reserve Account they have exercised due regard for the cost of maintenance and operation of the System and have not obligated the City to set aside and pay into the Bond Redemption Fund and Reserve Account a greater amount or proportion of the revenue of said System than in their judgment will be available over and

above such cost of maintenance and operation.

Section 13. There is hereby created another special fund of the City to be known as the "Wrangell 1972-A Electric Utility Construction Fund" (hereinafter called "Construction Fund A"). Out of the moneys derived from the sale of the Bonds (exclusive of any accrued interest, which shall be paid into the Bond Redemption Fund) the sum of \$175,000 shall be deposited in said Construction Fund A and shall be used solely for the acquisition and installation of two Ingersoll-Rand and one Worthington generating units together with all necessary power plant improvements and accessory equipment as authorized by the voters on October 6, 1970, and to repay the general fund of the City for any moneys advanced for such purposes.

Section 14. There is hereby created another special fund of the City to be known as "Wrangell 1972-B Electric Utility Construction Fund B" (hereinafter called the "Construction Fund B"). Out of the moneys derived from the sale of the Bonds (exclusive of any accrued interest, which shall be paid into the Bond Redemption Fund) the sum of \$175,000 shall be deposited in said Construction Fund B and shall be used solely for the acquisition and installation of four used Worthington generating units together with all accessory equipment and electrical plant improvements, as authorized by the electors of the City of May 25, 1971, and to repay the general fund of the City

for any moneys advanced for such purposes.

Section 15. The City hereby covenants with the owner and holder of each of the Bonds, for as long as any of the same remain outstanding, as follows:

a. That it will establish, maintain and collect rates and charges for electricity for as long as the Outstanding Bonds, any Bonds and the Future Parity Bonds are outstanding, that will make available for the payment of the principal of and interest on all of such bonds as the same shall become due an amount equal to at least 1.4 times the average annual amount required to pay the principal of and interest on all of such bonds after normal costs of maintenance and operation of the System have been paid, but before depreciation.

b. That it will at all times keep and maintain the System in good condition and repair, and will at all times operate the System in an efficient manner and at a reasonable cost.

c. That it will not sell or dispose of any of the properties of the System (unless the same are no longer used, useful or necessary in the operation thereof), unless provision is made for payment into the Bond Redemption Fund of a sum sufficient to redeem and retire all of the outstanding bonds payable out of such Fund in accordance with the terms thereof.

d. That it will not furnish electricity to any customer whatsoever free of charge.

e. That it will carry fidelity bonds covering all officers and/or employees of the City and the System who are charged with the operation of the System and with collecting and disbursing funds in an amount sufficient to protect the City from loss at all times.

f. That it will at all times carry fire and other insurance against hazards on such of the buildings and equipment of the System as are normally carried by private electric utility companies to the full insurable value thereof, and will also carry adequate public liability and other forms of insurance as under good practice are ordinarily carried on such a utility and all of its real and personal property by private electric utility companies. If and when the United States or some agency thereof shall provide for war risk insurance, the City further agrees that it will take out and maintain such war risk insurance on all or such portion of the properties of the System upon which such war risk insurance may be written in an amount to adequately cover the value of the properties insured.

g. That it will keep proper and adequate records, books and accounts on a calendar year basis, showing complete and correct entries of all transactions relating to the operation of the System, which books and records shall include monthly records showing the number of active customers, total production and sales of electricity, gross revenues derived from the sales

of electricity and any other commodity including hot water, steam or any goods, wares and merchandise sold, and a reasonably detailed statement of all expenditures of the System, segregated in accordance with standard electric public utility practice.

Section 16. The City hereby further covenants and agrees with the owner and holder of each of the Bonds as follows:

A. That it will not issue any Future Parity Bonds, except that it reserves the right, for

First, the purpose of acquiring, constructing and installing additions, betterments and improvements to and extensions of, acquiring necessary equipment for, or making necessary replacements of or repairs to the System; or

Second, the purpose of refunding by exchange or purchase, at or prior to their maturity, any outstanding electric utility revenue bonds of the City that may have a lien on the money in the Revenue Fund for the payment of the principal thereof and interest thereon junior and inferior to the lien on the money in such Fund for the payment of the principal of and interest on the Bonds,

to issue Future Parity Bonds and to pledge that payment shall be made out of the Revenue Fund into the Bond Redemption Fund and Reserve Account to pay and secure

the payment of the principal of and interest on such Future Parity Bonds on a parity with the payments required herein to be made out of such Revenue Fund into such Fund and Account to pay and secure the payment of the principal of and interest on the Outstanding Bonds and the Bonds upon compliance with the following conditions:

1. That at the time of the issuance of such Future Parity Bonds there is no deficiency in the Bond Redemption Fund or Reserve Account; and

2. That the City will covenant in each ordinance authorizing the issuance of Future Parity Bonds that it will establish, maintain and collect rates and charges for electricity furnished, sufficient to meet the same requirements contained in Section 15 of this ordinance. That the City will also covenant and provide in each such ordinance that it will pay into and maintain in the Reserve Account the amounts required by Section 11 of this ordinance to be paid into and maintained in said Account; and

3. That at the time of the issuance of such Future Parity Bonds the City shall have on file a certificate executed by an independent consulting engineer experienced in the construction and operation of municipal utilities, showing that the net revenue of the System available for revenue bond debt service for a period of any twelve consecutive months out

of the twenty-four months immediately preceding the month of delivery of such Future Parity Bonds, together with his estimate of the annual net revenue to be derived by the City from any increase in customers that have connected their premises to the System on or before the time of delivery of such Future Parity Bonds not reflected in the above-required twelve-consecutive-month net revenue statement, together with his estimate of the annual net revenue to be derived by the City from the additions and improvements to or replacements and extensions of the System to be constructed or installed out of the proceeds of such Future Parity Bonds, will be equal to at least 1.4 times the average amount required annually thereafter for the payment of the principal of and interest on all the outstanding bonds then payable out of the Bond Redemption Fund and on such Future Parity Bonds being issued.

The words "net revenue of the System available for revenue bond debt service" as used in subparagraph 3 immediately above shall mean the gross operating revenues and receipts of the System for said twelve-months period after deducting therefrom all normal expenses of maintenance and operation of the System incurred during such twelve-months period, but before depreciation and debt service on any outstanding junior lien electric utility revenue bonds.

The words "annual net revenue" as used in subparagraph 3 above shall mean such engineer's estimate of the annual gross revenue to be derived by the City from the operation of the additions and improvements to and extensions of the System to be constructed out of the proceeds of sale of such Future Parity Bonds, less his estimate of any additional annual necessary operating and maintenance expenses of the System allocable to such additions, improvements and extensions; and such "annual net revenue" must be computed on the basis of any increase or decrease in gross revenue to be derived by any increase or decrease in rates or charges fixed for electricity furnished by the City to be effective on or before the time of delivery of such Future Parity Bonds.

B. That the City may issue Future Parity Bonds for the purpose of refunding by exchange or purchasing and retiring at or prior to their maturity, any part or all of the then outstanding bonds payable out of the Bond Redemption Fund, if the issuance of such refunding Future Parity Bonds does not require a greater amount to be paid out of the Revenue Fund for principal and interest on the refunding revenue bonds to be issued over their life than is required to be paid out of such Fund for the principal and interest over the life of the bonds to be refunded, and if the conditions required in subparagraphs A(1) and A(2) of this section are complied with.



C. Nothing herein contained shall prevent the City from issuing electric utility revenue bonds which are a charge upon the money in the Revenue Fund junior or inferior to the payments required herein to be made out of such Fund into the Bond Redemption Fund and Reserve Account, or from issuing electric utility revenue bonds to refund maturing bonds for the payment of which moneys are not otherwise available.

Section 17. The action of the City officials in negotiating the sale of the Bonds to the National Bank of Alaska, Anchorage, Alaska, at par plus accrued interest to the date of delivery and under the terms and conditions of the Bonds as set forth in this ordinance, is hereby in all respects ratified and confirmed.

The proper City officials are hereby authorized and directed to do everything necessary for the prompt issuance and delivery of the Bonds and for the proper use and application of the proceeds of such sale.

Section 18. An emergency is hereby declared to exist, affecting the public peace, health and safety of the City in that the completion of the acquisition of new generating facilities is critical to the continued functioning of the Wrangell Electric Utility at a level adequate to serve the citizens of the City. The rules governing the introduction,

reading, passage and approval of this ordinance are hereby suspended and this ordinance shall be effective immediately upon its passage and approval.

PASSED by the Council of the City of Wrangell, Alaska, this 9th day of May, 1972.

CITY OF WRANGELL, ALASKA

By Ronald E. Castle  
Acting Mayor

ATTEST:

Jane Raskin  
City Clerk

CITY OF WRANGELL, ALASKA  
Ordinance No. 267

AN ORDINANCE AMENDING THE PROPERTY TAX  
ORDINANCE BY REPEALING ITS APPLICATION  
TO RESIDENTIAL PERSONAL PROPERTY, HOUSE-  
HOLD GOODS AND FURNITURE, AND MOTOR  
VEHICLES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL,  
ALASKA

Sec. 1. Classification. This ordinance is of a  
general and permanent nature and the code sections hereby  
adopted shall become a part of the code of the City of  
Wrangell, Alaska.

Sec. 2. Severability. If any provision of this  
ordinance or any application thereof to any person or cir-  
cumstance is held invalid, the remainder of this ordinance  
and the application to other persons or circumstances shall  
not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be  
effective retroactively to January 1, 1972, the City Clerk  
having earlier been advised of the Council's intent in this  
matter and directed to omit the personal property subject  
to this repealer from the forms to be mailed to taxpayers.

Sec. 4. Repealer and Adoption of Amending  
Provisions. Wrangell Code Sections 60.20.010 through and  
including 60.20.045, formerly existing are hereby repealed  
and superseded by the annexed amendments, identified by  
reference in Sections 60.20.010 through and including  
60.20.045, which are adopted as a part of this ordinance  
and Title 60 of the Wrangell Code of Ordinances.

PASSED AND APPROVED: January 25, 1972

James J. Howe  
Mayor

ATTEST: James Gaskin  
Clerk

CITY OF WRANGELL CODE

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TITLE 60. TAXATION

Chapter 20. PROPERTY TAX

Section

- 60.20.010. Levy of Tax; Nature; Limitation.
- 60.20.020. Exemptions from Tax.
- 60.20.030. Classification of Boats and Vessels.
- 60.20.040. Returns.
- 60.20.045. Failure to Submit Return.
- 60.20.050. Contents of Returns; Additional Information.
- 60.20.060. Assessor Not Bound by Valuation of Returns.
- 60.20.070. Assessor's Right to Inspect and Examine.
- 60.20.080. Determination of True Value.
- 60.20.090. Manner of Listing Property.
- 60.20.100. Preparation; Contents of Assessment Roll.
- 60.20.120. Assessment Notice.
- 60.20.130. Publication of Notice of Equalization Hearings.
- 60.20.140. Corrections by Assessor.
- 60.20.150. Appeal by Person Assessed.
- 60.20.160. Notice of Errors or Changes in Assessment Roll by Board to Person.
- 60.20.170. Filing of Appeal by Person Assessed.
- 60.20.180. Appeal Record.
- 60.20.190. Notice of Hearing.
- 60.20.200. Hearing of Appeal.
- 60.20.210. Entry of Decisions.
- 60.20.220. Appeal to Court.
- 60.20.230. Record of Proceedings.
- 60.20.240. Entry of Changes by Assessor.
- 60.20.250. Completion of Assessment Roll.
- 60.20.260. Basis of Computation.
- 60.20.270. Validity of Assessment Rolls.
- 60.20.280. Delivery of Assessment Rolls to Council.
- 60.20.290. Council Fixes Rate of Tax Levy.
- 60.20.300. Time for Mailing of Tax Statements.
- 60.20.310. Delinquent Date for Payment of Taxes.
- 60.20.320. Penalties, Interest and Discounts.

## Chapter 20. Taxation in General

Sec. 60.20.010. Levy of Tax; Nature; Limitation. There shall be assessed, levied and collected a general tax for school and municipal purposes upon all real property and upon all inventory, business machines and equipment, and commercial personal property of every kind and nature, and boats and vessels within the City. The levies for school and municipal purposes shall be separately made and fixed, and the aggregate levy shall not exceed three per cent (3%) of the assessed value of the property assessed.

Sec. 60.20.020. Exemption from Tax. All property belonging to the City, State, and to the United States of America, and the residential personal property, household goods and furniture, and motor vehicles and all property used exclusively for religious, educational, charitable purposes, and the property of any organization not organized for business purposes whose membership is composed entirely of the veterans of any wars of the United States, etc., etc. A basic exemption of two hundred dollars (\$200.00) shall be applicable to the imposition of the personal property tax on inventories, business machines and equipment, and other commercial personal property of any nature, but shall not apply to boats and vessels within the City.

Sec. 60.20.030. Classification of Boats and Vessels. Boats and vessels of every kind and description, including boats and vessels powered or designed to be powered by detachable outboard motors, within the City and subject to taxation therein, are hereby classified according to tonnage into three (3) categories, and shall be assessed and taxed as follows:

1. Under five (5) net tons, five dollars (\$5.00).
2. Five (5) net tons and over and under ten (10) net tons, ten dollars (\$10.00).
3. Ten (10) net tons and over, fifteen dollars (\$15.00).

Section 60.20.040. Returns. On or before February 1 of each year the Assessor shall mail blank assessment forms to every owner and holder of boats, vessels, and personal property described in Section 60.20.010 preceding, and to the agents of nonresident property owners, if known. Every person prior to February 21 shall submit to the Assessor a return of any property owned by him, or in which he has an interest, and of the property held or controlled by him in a representative capacity, in the manner prescribed by this Ordinance, which return shall be based on property values existing as of January 1 of the same year.

Sec. 60.20.045. Failure to Submit Return. A person duly receiving a blank assessment form and who shall fail or refuse to complete and timely submit said return shall be subject to independent investigation by the City Assessor or his designate, at a reasonable time and upon sufficient notice. The Clerk may thereafter compute such person's tax, less exemption, on that reported by the Assessor plus any real property properly listed on the assessment tax role.

Sec. 60.20.050. Contents of Returns; Additional Information. The person making the return shall in every case state an address

CITY OF WRANGELL, ALASKA  
Ordinance No. 266

AN ORDINANCE AMENDING THE TRAFFIC CODE  
PERTAINING TO NOTICE OF SNOW REMOVAL  
OPERATIONS BY PERMITTING NOTICE BY  
BROADCASTING OVER PUBLICATION MEDIA,  
AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This emergency ordinance shall become effective immediately upon passage.

Sec. 4. Repealer and Adoption of Amending Provisions. Wrangell Code Section 63.30.030 formerly existing is hereby repealed and superseded by the annexed amendment, identified by reference in Section 63.30.030, which is adopted as a part of this ordinance and Title 63 of the Wrangell Code of Ordinances.

PASSED AND APPROVED: January 12, 1972

Forney J. Howe  
Mayor

ATTEST: Jayne Parker  
Clerk

Sec. 63.30.020. Prohibited Parking on Sidewalk. It shall be unlawful for the owner or operator of any motor or other vehicle at any time, to leave, place or park the same on any sidewalk or part thereof. No sign shall be required to designate this prohibition.

Sec. 63.30.025. Prohibited Parking on Licensed Vehicle Stand. It shall be unlawful for the owner or operator of any motor or other vehicle, other than the licensee or permittees of the licensee, at any time to leave, place or park the same within the boundary or area, or any part thereof, of any licensed taxi, bus or other licensed vehicle stand.

Sec. 63.30.030. Vehicles Impeding Snow Removal Operations: Impounding. It shall be unlawful for the owner or operator of any motor or other vehicle to leave, place or park the same on any public street, highway, alley, or other public thoroughfare within the City of Wrangell, at any time when snow removal operations are being conducted on or in the vicinity of such street, highway, alley, or other public thoroughfare, provided that the thoroughfare is marked by an appropriate sign or posted indicating no parking permitted, or reasonable advance notice is otherwise given by radio or television broadcasting or by publication in a newspaper of local circulation. In addition to the penalties prescribed for violation of any provision of the Traffic Code of Wrangell, every vehicle so found parked impeding snow removal operations on any posted or otherwise noticed or broadcast "No Parking" street, highway, alley, or other public thoroughfare, may be summarily removed and impounded without notice, by any police officer of the City or by any person engaged by the City in snow removal operations, and the removal and impounding costs shall be charged against the offending vehicle and paid before release of such vehicle.

Sec. 63.30.035. Other Related Parking Prohibitions and Restrictions.

- (a) Except when necessary in obedience to traffic regulations or traffic signs or signals, it shall be unlawful for the owner or operator of any motor or other vehicle, whether same is or is not attended or occupied by any person, to stop, stand, leave or park the same in a roadway other than parallel with the curb or edge of the roadway, headed in the direction of traffic, with the curb side or edge of the roadway wheels more than twelve (12) inches from the curb or edge of the roadway or closer than three (3) feet to any motor or other vehicle stopped or parked immediately in front thereof, excepting as provided in the following two sub-paragraphs:
1. Upon those streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks or signs; and
  2. If the privilege is reasonably necessary in the conduct of the owner's business, and will not seriously



**ORIGINAL**

CITY OF WRANGELL, ALASKA

Ordinance No. 295

AN ORDINANCE AMENDING WRANGELL ORDINANCE  
NO. 259 TO REPEAL THE PRESCRIBED PENALTY  
AND METHOD OF REMITTITUR.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of WRANGELL, Alaska.

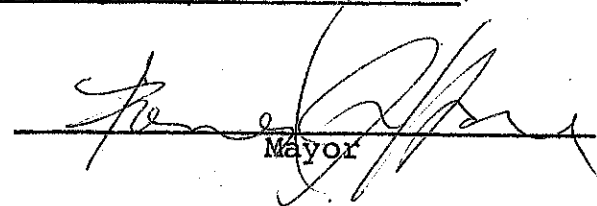
Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective 30 days after final passage and publication.

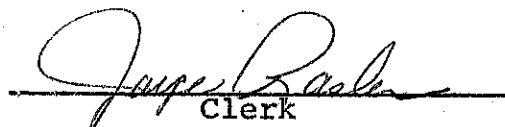
Sec. 4. Repealer. Sec. 63.30.018 of Ordinance No. 259, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed section, bearing code number Sec. 63.30.018 is hereby adopted as a part of this ordinance and Title 63 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: December 11, 1973.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Clerk

Published December 19, 1973

Sec. 63.30.017. Two-Hour Parking. It shall be unlawful for the owner or operator of any motor or other vehicle, to leave, place or park the same for longer than two hours continuously on any public thoroughfare within the City limits which is so posted as the Council may from time to time direct by resolution.

Sec. 63.30.018. Overtime Parking Penalty. Any person, firm or corporation violating overtime parking provisions of this chapter or Sec. 63.40.025, in addition to specific penalties therein prescribed, shall pay such fine not exceeding Fifty Dollars (\$50.00) as the Court shall, in its discretion, impose. The time for payment and method of payment of the penalty shall be prescribed by the Court.

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 294

AN ORDINANCE AMENDING WRANGELL ORDINANCE NO. 273 BY PROVIDING FOR NEWLY ELECTED PORT COMMISSION MEMBERS TO TAKE OFFICE ON THE FIRST MONDAY FOLLOWING THE GENERAL MUNICIPAL ELECTION, NOT TO AFFECT PRESENT TERMS OF OFFICE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

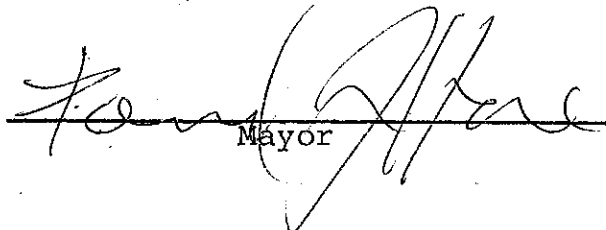
Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Ordinances and shall be effective thirty (30) days after final passage and publication.

Sec. 4. Repealer. Sec. 15.20.010 of Ordinance No. 273, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed section, bearing code number 15.20.010 is hereby adopted as a part of this ordinance and Title 15 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: November 27, 1973.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Clerk

Published December 5, 1973

## Chapter 20. Port of Wrangell

Sec. 15.20.010. Port Commission Generally - Membership. There is established the Wrangell Port Commission which shall consist of five (5) members who shall each hold office for a period of five (5) years ending on the first monday following the annual municipal general election, or until their successors have been appointed and have qualified. The effective termination date of Port Commission members shall apply prospectively only, commencing with the respective terms of members hereafter elected. Members of the commission, who shall have the same qualifications as councilmen, shall serve without pay. One member shall be initially elected for a period of five (5) years, one member for a period of four (4) years, one member for a period of three (3) years, one member for a period of two (2) years and one member for a period of one (1) year, excluding the period of time between the 1972 general election and January 1, 1973. Filing shall be by declaration of candidacy filed with the City Clerk not more than 30 days and at least 14 days prior to the election; no petition is necessary. Vacancies shall be filled by appointment by the mayor until the next annual election at which time candidates may file for the remainder of the vacant term.

Sec. 15.20.020. Jurisdiction of Wrangell Harbor. Subject to the paramount authority of the City Council, the Port Commission shall have jurisdiction, supervision and control of Wrangell Harbor, herein also referred to as the Port of Wrangell, including all the tide and submerged lands, whether filled or unfilled, below the line of mean high tide, and including small boat harbors and the Wrangell Wharf and related facilities, but shall not extend to include the State Ferry Terminal or Wrangell Lumber Dock or operations undertaken at either. In the exercise of its police power by the City of Wrangell as delegated to the Port Commission, the provisions of this title shall be construed to supplement Federal Laws and Regulations, in cases of concurrent jurisdiction.

Sec. 15.30.030. Power to Acquire and Own Property, Enter Contracts. The Port Commission shall have the power to acquire and own, in the name of the City, real and personal property and all rights incident thereto; enter into contracts; disburse monies collected from service charges of any nature and to take all necessary action in the furtherance of any of the powers expressly set out. Service charges established by the Commission Or fees or payments collected shall be disbursed in accordance with Port Commission account procedures established by Council resolution,

ORIGINAL

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 293

AN ORDINANCE PROPOSING THE MODIFICATION OF THE MUNICIPAL BOUNDARIES OF THE CITY OF WRANGELL BY ANNEXATION OF AN AREA FROM THE PAT'S CREEK WATERSHED TO THE NORTHERLY TIP OF WRANGELL ISLAND INCLUDING ADJACENT WATERS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of an impermanent nature and is not to be codified in the Wrangell Code of Ordinances.

Sec. 2. Declaration of Intent. The City of Wrangell proposes to modify and extend its municipal corporate boundaries and jurisdiction by annexation of continuous and adjoining lands and waters at the northerly portion of Wrangell Island, Alaska.

Sec. 3. Description. The territory proposed to be annexed to the City of Wrangell, Wrangell Recording District, First Judicial District, State of Alaska, is described as follows:

An area encompassing all those islands bounded on the West by Zimovia Strait, on the North and East by Eastern Passage and on the South by the Section Line extending from the center line of Eastern Passage west along the Southern Boundary of Section 24 of Township 63 South and Range 84, East, thence South along the Eastern Section Line Boundary of Sections 26 and 35 of Township 63 South and Range 84 East and continuing along the Eastern Section Line Boundary of Sections 2 and 11 of Township 64 South and Range 84 East, thence West along the Southern Boundary Line of Sections 11, 10, 9, 8, and 7 of Township 64 South, Range 84 East to the Center Line of Zimovia Strait. The designated boundaries extend to and along the Center Line of Zimovia Strait and Eastern Passage.

Sec. 4. Standards. It is verily believed that the territory proposed for annexation described in the preceding paragraph does and will comply with the annexation standards prescribed in 19AAC 05.010. The proposed annexation of an area including the whole of Wrangell Island, Woronkofski Island, Etolin Island, Vank Island, Sokolof Island, Sergief Island, Rynda Island, Kadin Island, Deer Island, Brownson Island, Onslow Island, and extending from the Stikine River to the middle of the Cleveland Peninsula up to the United States boundary with Canada as heretofore considered by the Council is rejected as being non-urban

in character and in substantial non-compliance with 19ACC 05.020.

Sec. 5. Procedure. The City of Wrangell shall forthwith petition for a local government boundary change pursuant to Chap. 10, Title 19, Alaska Administrative Code.

Sec. 6. Purpose of Annexation. The purpose of the proposed annexation is to extend the municipal boundaries and jurisdiction of the City of Wrangell, Alaska to comport with the essentially urban character of the territory for which annexation is proposed, and accordingly enunciates the following considerations:

(1) There exists a substantial population in the territory for which annexation is proposed,

(2) The City of Wrangell currently provides limited municipal services to the territory,

(3) The City of Wrangell owns several properties in the territory which are outside the existing municipal boundary,

(4) The City of Wrangell serves as the commercial and industrial center of the territory,

(5) The City of Wrangell currently asserts extra territorial jurisdiction with respect to parks, roads, trails, a cemetery, and airport, and its water supply in the territory proposed for annexation,

(6) Recreational usages by municipal residents of the area proposed for annexation, and

(7) An extension of municipal services to the territory proposed for annexation is logical and foreseeable, and the extension of municipal boundaries will enable the City of Wrangell to control and provide for the organized development of likely future growth.

Sec. 7. Authorization. The City Manager, Mayor, City Clerk, City Attorney, and such other municipal officials as are deemed appropriate are authorized to initiate, petition, and implement such procedures as may be necessary to complete this annexation proposal and as may be modified by the Local Boundary Commission and Alaska State Legislature.

Sec. 8. Effective Date. This ordinance shall be published as provided in the City Ordinance and shall be effective thirty (30) days after final passage and publication. However, the official map and zoning map of the City of Wrangell shall not be modified except by subsequent ordinance enactment following consideration, hearing, and determination by the Local Boundary Commission and the Alaska State Legislature.

Sec. 9. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

PASSED AND APPROVED: October 30, 1973.

*Tomis [Signature]*  
Mayor

ATTEST: *Jaye Rask*  
Clerk

Published November 2, 1973

ORDINANCE NO. 292

AN ORDINANCE of the City of Wrangell, Alaska, confirming the result of a special election held on October 3, 1972, within the city for the submission to the qualified voters of the city of a proposition of whether or not the city should issue its bonds in the principal amount of \$50,000 to pay part of the cost of designing, constructing and equipping a public library; providing for the issuance and sale of the general obligation bonds approved at said special election; fixing the date, form, terms, maturities and covenants thereof; pledging the levy of general taxes to pay the principal thereof and interest thereon; creating a special fund for the payment of such principal and interest; creating a construction fund; approving the sale of said bonds; and declaring an emergency.

WHEREAS, at a special election held in the City of Wrangell, Alaska (hereinafter called the "city") on October 3, 1972, pursuant to its Charter and to Resolution No. 8-72-1 adopted August 29, 1972, and other resolutions and ordinances of the council of the city, the qualified electors thereof authorized the issuance of general obligation bonds of the city in the principal amount of \$50,000 for designing, constructing and equipping a new public library; and

WHEREAS, it is necessary and to the best interests of the city and its inhabitants that the issuance of said \$50,000 of general obligation library bonds be now provided for, and that the date, form, terms, maturities and



covenants thereof now be fixed.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Wrangell, Alaska, as follows:

Section 1. That the adoption by the qualified electors of the city at a special election held therein on October 3, 1972, of the following proposition:

PROPOSITION NO. 2

LIBRARY PROJECT - GENERAL OBLIGATION BONDS

SHALL THE CITY OF WRANGELL, ALASKA ISSUE ITS GENERAL OBLIGATION BONDS IN THE PRINCIPAL SUM OF NOT TO EXCEED \$50,000 BEARING INTEREST NOT TO EXCEED SEVEN PERCENT PER ANNUM, AND MATURING NOT TO EXCEED TWENTY-FIVE YEARS FROM DATE OF ISSUE AND TO BE ISSUED AS NEEDED FOR THE PURPOSE OF PROVIDING FUNDS, BUT CONTINGENT UPON PLANS AND SPECIFICATIONS RECEIVING THE ENDORSEMENT AND APPROVAL OF STATE AND/OR FEDERAL AUTHORITIES WITHIN ONE YEAR FROM DATE OF THIS ELECTION FOR EXTENSION OF GRANT-IN-AID FUNDS OF APPROXIMATELY \$66,000.00 TO APPLY ON THE ESTIMATED TOTAL COST OF THE PROJECT IN THE SUM OF \$116,000.00 TO PAY THE COST OF DESIGNING, CONSTRUCTING, AND EQUIPPING A NEW PUBLIC LIBRARY CAPITAL IMPROVEMENT PROJECT DESCRIBED IN THE PRELIMINARY PLANS AND SPECIFICATIONS OF THE ARCHITECTS OF ARMCO METAL BUILDINGS DIVISION?

YES

NO

be and the same is hereby in all respects ratified and confirmed.

Section 2. That for the purpose of providing funds to pay the cost of the design, construction, and equipment of that certain public library capital improvement project of the city authorized by Resolution No. 8-72-1 of the

City Council adopted August 29, 1972, and by the qualified electors of the city at the above-mentioned special election, the city shall issue and sell all the \$50,000 of said bonds so authorized.

Said bonds shall be known as "City of Wrangell, Alaska, General Obligation Library Bonds, 1973" (hereinafter called the "bonds"), shall be dated October 1, 1973, shall be numbered from 1 to 10 inclusive, shall be in the denomination of \$5,000 each, shall bear interest payable semiannually on the first days of January and July of each year from date of issue commencing July 1, 1974, as evidenced by coupons to be attached thereto, and shall be numbered and mature in order of their number on January 1 in years and amounts as follows:

<u>Bond Nos.</u>	<u>Maturity Year</u>	<u>Amount</u>	<u>Interest Rate</u>
1	1975	\$5,000	6 1/2%
2	1976	5,000	6 1/2%
3	1977	5,000	6 1/2%
4	1978	5,000	6 1/2%
5	1979	5,000	6 1/2%
6	1980	5,000	6 1/2%
7	1981	5,000	6 1/2%
8	1982	5,000	6 1/2%
9	1983	5,000	6 1/2%
10	1984	5,000	6 1/2%

Both principal of and interest on the bonds shall be payable in lawful money of the United States of America at the Wrangell Branch, National Bank of Alaska, Wrangell, Alaska.

Section 3. The city hereby reserves the right to redeem the outstanding bonds of this issue in whole at any time on or after January 1, 1979, or in part in inverse numerical order on January 1, 1979, or on any interest payment date thereafter. In the event of any such redemption of any of the bonds, the redemption price shall be 102 1/2% of the principal amount of the bonds redeemed, plus accrued interest to the date of redemption.

Notice of any such intended redemption shall be given by one publication in a newspaper of general circulation in the City of Anchorage, Alaska, each such publication to be not more than forty nor less than thirty days prior to said redemption date, and by mailing a like notice at the same time to National Bank of Alaska, Anchorage, Alaska.

Interest on any bond or bonds so called for redemption shall cease on such redemption date unless the same are not redeemed upon presentation made pursuant to such call.

Section 4. There is hereby created a special fund of the city to be known as "City of Wrangell, 1973 General Obligation Library Bond Redemption Fund" (hereinafter called the "Bond Redemption Fund"), which fund shall be drawn upon for the sole purpose of paying the principal of and interest on the bonds as the same shall become due. All accrued interest received from the sale of the bonds shall be paid into the Bond Redemption Fund.

Section 5. From and after the date of issue of the bonds and for as long as any of the same remain outstanding and unpaid, the city further covenants and obligates itself to levy and collect ad valorem taxes upon all the taxable property within the city without limitation as to rate or amount and in an amount or amounts sufficient, together with other moneys legally available therefor, to pay the principal of and interest on the bonds as the same shall become due. All of said ad valorem taxes so collected shall be paid promptly into said Bond Redemption Fund at least thirty days prior to the dates on which any installment of interest on, or principal of and interest on, the bonds outstanding shall become due and payable. For the levy and collection of such taxes and for the prompt payment of such principal and interest the full faith, credit and resources of the city are hereby irrevocably pledged.

Section 6. There is hereby created a special fund of the city to be known as the "City of Wrangell Library Construction Fund, 1973" (hereinafter called the "Library Construction Fund"). All of the proceeds of the sale of the bonds (except for accrued interest which shall be paid into the Bond Redemption Fund) shall be paid into such Fund and shall be used only for the purpose of paying part of the cost of designing, constructing and equipping a public library with all necessary appurtenances, as

more fully provided in Resolution No. 8-72-1 of the City Council.

Section 7. If the funds available will not permit the construction and installation of all the improvements set forth in Section 6, or if anticipated government grants for the construction of said improvements are not obtained, or are reduced, then such portion thereof as may be found most necessary under all the circumstances by the city government shall be acquired, constructed and installed.

Section 8. The bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. \_\_\_\_\_

\$5,000

STATE OF ALASKA  
CITY OF WRANGELL

GENERAL OBLIGATION LIBRARY BOND, 1973

The City of Wrangell, a municipal corporation of the State of Alaska, for value received hereby promises to pay to bearer on the first day of January, 19\_\_\_, the principal sum of

FIVE THOUSAND DOLLARS

together with interest thereon at the rate of 6 1/2% per annum payable semiannually on the first days of January and July of each year from date hereof, commencing July 1, 1974, as evidenced by

and upon presentation and surrender of the attached interest coupons as they severally become due, or until such sum shall have been paid or duly provided for. Both principal and interest are payable in lawful money of the United States of America at the Wrangell Branch of the National Bank of Alaska, Wrangell, Alaska.

The city has reserved the right to redeem the outstanding bonds of this issue in whole at any time on or after January 1, 1979, or in part in inverse numerical order on January 1, 1979, or on any interest payment date thereafter. The redemption price of any bonds so redeemed shall be 102 1/2% of the principal amount of the bonds redeemed, plus accrued interest to the date of redemption.

Notice of any such intended redemption shall be given by one publication thereof in a newspaper of general circulation in the City of Anchorage, Alaska, not more than forty nor less than thirty days prior to said redemption date and by mailing a like notice at the same time to the National Bank of Alaska, Anchorage, Alaska. Interest on any bond or bonds so called for redemption shall cease on such redemption date unless the same are not redeemed upon presentation made pursuant to

such call.

This bond is one of an issue of ten bonds of like amount, date and tenor except as to number and date of maturity aggregating the principal sum of \$50,000 and is issued pursuant to the Constitution and laws of the State of Alaska, the Charter of the City of Wrangell, a vote of the qualified electors of the city and duly adopted ordinances and resolutions for the purpose of providing funds to pay part of the cost of designing, constructing and equipping a new public library for the city.

This bond and the bonds of this issue are payable both principal and interest out of the special fund of the city entitled "City of Wrangell 1973 General Obligation Library Bond Redemption Fund" created by Ordinance No. \_\_\_\_\_ of the city.

The city has obligated and bound itself to levy and collect ad valorem taxes on all the taxable property within the city without limitation as to rate or amount in amounts sufficient, together with all other funds available therefor, to pay the principal of and interest on the bonds of this issue as the same shall become due. For the levy and collection of such taxes and for the prompt

payment of such principal and interest the full faith, credit and resources of the city are hereby irrevocably pledged.

It is hereby certified that all acts, conditions and things required by the Constitution and laws of the State of Alaska, the Charter of the City of Wrangell and ordinances and resolutions of said city to have been done precedent to and in the issuance of this bond have happened, been done and performed and that the total indebtedness of the City of Wrangell, including this bond and the bonds of this issue, does not exceed any debt limitation prescribed by such charter.

IN WITNESS WHEREOF, the City of Wrangell, Alaska, has caused this bond to be signed by its Mayor, to be attested by its Clerk, the official seal of the city to be impressed hereon and the interest coupons attached hereto to be signed with the facsimile signatures of said officials this 1st day of October, 1973.

CITY OF WRANGELL, ALASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



The interest coupons attached to said bonds shall be in substantially the following form:

NO. \_\_\_\_\_ \$ \_\_\_\_\_

On the first day of \_\_\_\_\_, 19\_\_\_\_, the City of Wrangell, Alaska, will pay to bearer at the Wrangell Branch, National Bank of Alaska, Wrangell, Alaska, the sum shown hereon in lawful money of the United States of America, said sum being the semiannual interest due that date on its General Obligation Library Bond dated October 1, 1973, and numbered \_\_\_\_\_.

CITY OF WRANGELL, ALASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

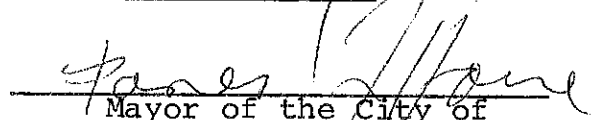
Section 11. Said bonds shall be signed on behalf of the city by its mayor, shall be attested by its clerk and shall have the official seal of the city impressed thereon. Each of the interest coupons attached thereto shall be signed with the facsimile signatures of said officials.

Section 12. The sale of the bonds to National Bank of Alaska, Anchorage, Alaska, at par and accrued interest and under the terms therein set forth is hereby in all respects confirmed. The proper officials of the city are


hereby authorized and directed to execute said bonds and to do all things necessary for the prompt issuance, execution and delivery thereof and for the proper application and use of the proceeds of such sale.

Section 13. An emergency is hereby declared to exist affecting the public peace, health and safety in that the rapid growth of the city makes necessary the construction of the public library as soon as possible. The rules governing the introduction, reading, passage, and approval of this ordinance are hereby suspended and this ordinance shall be effective immediately upon its passage and approval.

PASSED AND APPROVED by the Council of the City of Wrangell, Alaska, this 9th day of October, 1973.

  
\_\_\_\_\_  
Mayor of the City of  
Wrangell, Alaska

ATTEST:

  
\_\_\_\_\_  
City Clerk of the City of  
Wrangell, Alaska

**CITY OF WRANGELL, ALASKA**

No. 291

Ordinance assigned No. 291, Snowmobile Ordinance, was not adopted.

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 290

AN ORDINANCE AMENDING THE PENALTY PROVISIONS APPLICABLE FOR VIOLATIONS OF VARIOUS SECTIONS OF THE WRANGELL CITY CODE, SPECIFICALLY DIVIDING THE PENALTIES INTO THOSE PUNISHABLE EXCLUSIVELY BY FINE AND THOSE PUNISHABLE EXCLUSIVELY BY FINE AND-OR IMPRISONMENT UPON CONVICTION, AND PROVIDING FOR THE NON-FORFEITURE OR REVOCATION OF LICENSES AND PERMITS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of WRANGELL, Alaska.

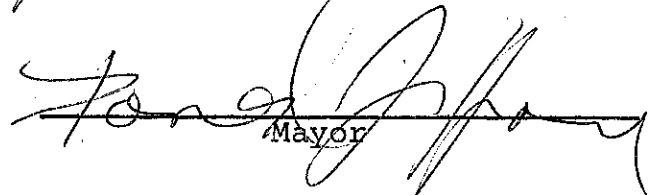
Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. Sec. 06.10.050 of Ordinance No. 213, Sec. 30.10.010 of Ordinance No. 204, Sec. 42.10.090 of Ordinance No. 225, Sec. 42.40.10 of Ordinance No. 200, Sec. 42.70.100 of Ordinance No. 228, Sec. 60.10.130 of Ordinance No. 248, Sec. 63.55.010 of Ordinance No. 209 and Sec. 95.85.120 of Ordinance No. 276 are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed sections, bearing code numbers Sec. 06.10.050, Sec. 30.10.010, Sec. 42.10.090, Sec. 42.40.10, Sec. 42.70.100, Sec. 60.10.130, Sec. 63.55.010, and Sec. 95.85.120 are hereby adopted as a part of this ordinance of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: September 25, 1973.

  
Mayor

ATTEST:   
City Clerk

Published October 5, 1973

intoxicating liquor to or allows the person to remain on a licensed premises where intoxicating liquor is sold, shall be guilty of a misdemeanor.

Sec. 06.10.045. Sales not on the Premises Prohibited. It shall be unlawful for any licensee or any other person to barter, sell, or deliver any intoxicating liquor upon any public street, alley, or any place not within the premises covered by their license.

Sec. 06.10.050. Penalties. Violation of all sections of this chapter excepting Sec. 06.10.035 shall constitute a misdemeanor punishable as generally provided in Title 30 of this Code. Upon conviction of violation of Sec. 06.10.035, the person shall be punished by imposition of a fine not exceeding \$300.00 or by imprisonment not exceeding thirty (30) days or by both such fine and imprisonment.

## Chapter 10. Penalties

Sec. 30.10.010. Penalty. (a) Unless specifically provided to the contrary, violation of any ordinance or charter provision of the City by doing any act prohibited or declared to be unlawful thereby or declared to be an offense or a misdemeanor thereby or who shall fail to do any act required by any such provision shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding three hundred dollars.

The application of the preceding subsection is intended to broadly apply to violations of all regulatory provisions of the Wrangell City Code and in the sense "regulatory offense" is to connote an offense or conduct other than one traditionally regarded as a crime. Considering the factors of lesser maximum punishment, the social and moral reproach or infamy attaching to offense, the extent to which it may be deemed anti-social behavior, and the consequences to a violator upon conviction, the penalty prescribed in subsection "a" preceding--not involving the possibility of imprisonment or incarceration upon conviction and not having the right to trial by jury--shall apply to each provision of the Wrangell City Code unless expressly stated otherwise.

(b) Serious misdemeanors traditionally regarded as criminal in nature or inherently involving a high degree of moral or social opprobrium, or which are to a large degree regarded as anti-social behavior which shall upon conviction be punishable by a fine not exceeding three hundred dollars or imprisonment not more than 30 days, or both, are to be found in the following Wrangell Code provisions: Sec. 06.10.035; all of Title 30, Ch. 20 - Crimes; Traffic Code Secs. 63.35.010, -.020, -.030 and -.070; Zoning Sec. 95.55.040.

(c) No forfeiture or revocation of a license, permit or property or implements of livelihood shall be imposed for any Wrangell Code violations.

Sec. 30.10.015. Attempts to Commit a Misdemeanor. Any person who attempts to commit a misdemeanor and in such attempt does any act toward the commission of such misdemeanor but fails or is prevented or intercepted in the perpetration thereof is guilty of that misdemeanor and shall be punished in the manner prescribed for the attempted misdemeanor itself.

Sec. 30.10.020. Aiding in a Misdemeanor. Every person who counsels, abets or aids another in the commission of a particular misdemeanor as expressly prescribed by ordinance is guilty of a misdemeanor and is punishable in the same manner as the principal offender.

Sec. 42.10.060. Health Officer to Quarantine. The health officer shall have charge of the enforcement of the quarantine rules. Whenever a case of small pox, cholera, yellow fever, diphtheria or scarlet fever or other contagious, infectious, or communicable disease shall be found to exist, the health officer shall have the power and authority to place any premises within which a contagious or epidemic disease occurs under quarantine; and he shall cause suitable notice setting forth the facts to be posted in appropriate places and shall determine the time when the quarantine ends.

Sec. 42.10.070. Quarantine Regulations. No person or persons except a physician, clergyman, undertaker, or those having written permits from the health officer shall enter or depart from any house where small pox, yellow fever, cholera, diphtheria, or scarlet fever exists or while the corpse of any person who has died of such disease remains within the house, nor within ten days thereafter; or until said building and its contents shall have been disinfected, or otherwise disposed of to the satisfaction of the health officer.

Sec. 42.10.080. Health Officer to Disinfect Premises. The health officer shall have power during the prevalence of an epidemic to fumigate and disinfect any premises which, in his judgment requires disinfection.

Sec. 42.10.090. Penalty. Any person who shall resist or attempt to resist the entrance of the health officer into any boat, vessel, building, room, lot, or other place in this City or waterfront adjacent thereto while in the performance of his duty, or any person who shall neglect to comply with the lawful orders of the health officer, or resist such health officer in the discharge of his duty, or who shall violate any of the provisions of this ordinance, shall be guilty of a misdemeanor, and upon conviction thereof before the Municipal Magistrate of the City of Wrangell be punished by a fine of not less than fifty dollars nor more than two hundred dollars, in the discretion of the Court.

Sec. 42.40.050. Sanitation Department. The Sanitation Department shall collect and dispose of refuse accumulated and make occasional inspections for compliance with this ordinance. It shall acquire such equipment and hire such employees as may be necessary to fulfill effectively its duties. No person shall operate any other public refuse collection system without permission of the council.

Sec. 42.40.060. Refuse Collection Fees. The council of the City may set by resolution, and alter from time to time, refuse collection fees. Occupants or persons in charge, possession or control of any place within the City of Wrangell where refuse is created or accumulated shall pay the refuse collection fees for the collection service.

Sec. 42.40.070. Time of Collection. Refuse shall be collected at such frequent intervals as to prevent health or fire hazards or unsightly conditions; provided that collections shall be made not less than once a week from each residence, shop, store or other establishment, and not less than twice a week from restaurants, boarding houses or other places where conditions require more frequent collections. The council may set and alter by resolution the intervals between collections.

Sec. 42.40.080. Notification for Collection. All occupants, persons in possession, charge or control of premises and places in or upon which refuse is created or accumulated shall notify the authorized garbage collection service of the City that collection of refuse from such place is required.

Sec. 42.40.090. Disposal of Refuse. The Sanitation Department shall dispose of refuse by conveying it to a garbage dump or other places designated by the council. Such garbage dump shall be kept in as sanitary condition as circumstances permit, using every reasonable means to destroy or cover the refuse and prevent it from becoming a refuge or breeding place for rats or other pests, or otherwise endangering public health and safety.

Sec. 42.40.100. Violations. Any person keeping refuse in containers other than authorized by this chapter, or who keeps upon any premises in the City refuse which is offensive, or who fails to perform any act required by this chapter, shall have committed a violation which upon conviction is punishable by fine not exceeding one hundred fifty dollars per violation. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues after the violator has been given actual or constructive notice of the violation.



Sec. 42.70.080. Service Lines. The service lines of the building sewer system, that run from the user's building to the sewer main laid by the user line, shall be maintained and repaired by the user or owner, and by the City is in no wise responsible for said construction, maintenance or repair; nor is the City in anywise responsible for freezing, stoppage or breakage in the service line or for any other claim or action arising from the existence, operation or condition of said sewer service line.

Sec. 42.70.090. Sewer Mains. The City shall not be held responsible or liable for any claim or action due to or arising from any suspension of operation, breakage, unavoidable accident or injury of any kind occurring to, or caused by the sewer mains by an act of God, beyond the City's control, or caused by the elements, strikes, riots or a public enemy.

Sec. 42.70.100. Protection from Damage. It shall be unlawful for any unauthorized person to maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the municipal sewer works, and any such person shall be subject to immediate arrest, and upon conviction shall be punishable by fine not exceeding three hundred dollars or imprisonment not in excess of thirty (30) days or by both such fine and imprisonment in the discretion of the Court.

Sec. 42.70.110. Power and Authority of Inspectors. The Department of Public Works Inspector and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter upon all properties, at reasonable hours, for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this Chapter.

Sec. 42.70.120. Schedule of Rates and Charges; Adoption.  
(a) On and after the effective date of this Chapter, the rates and charges shown on the adopted and hereunto annexed Schedule of Rates and Charges are hereby established for public sewer facilities furnished within and without the City by the municipally-owned sewer utility systems; provided that such Schedule of Rates and Charges, at the discretion of the Council, shall be subject to revisions from time to time by resolution of the Council adopting and establishing such revised and/or changed Schedule of Rates and Charges; and the revised and/or changed Schedule of Rates and Charges shall, on the effective date herein expressed, become of full force and effect and subject to all the provisions of this Chapter.

(b) In the event the charges for sewerage service are not paid within thirty (30) days after rendition to the bill for such service such charges shall be deemed and are hereby declared to be delinquent and thereafter such delinquency shall constitute a lien upon the real estate for which such service is supplied, and the City Clerk is hereby authorized and directed to file sworn statements showing such delinquencies in the office of the Recorder of the Wrangell Recording District, and the filing of such statements shall be deemed notice of the lien of such charges for such service.

Sec. 60.10.130. Violations - Misdemeanors - Penalties. Any person, firm or corporation violating any of the provisions of this ordinance or any duty imposed hereunder or who fails to file a return of taxes due as provided herein or to pay the tax herein provided shall be guilty of a misdemeanor and, in addition to other penal sanctions imposed by this Chapter in the form of penalty and interest, shall upon conviction thereof be punished by a fine not to exceed three hundred dollars.

Sec. 60.10.140. Effective Date. This ordinance shall become effective, after passage and approval and publication of notice thereof, on July 1, 1970.

Sec. 60.10.150. Severability. It is the intention of the Council that each separate provision of this ordinance shall be deemed independent of all other provisions herein and it is the further intention of the council that if any provision of this ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable. In the event Sec. 60.10.020 herein, shall be declared invalid, the City shall automatically revert, both prospectively and for the period of invalidity, to Sec. 60.10.020 of Ordinance No. 248 which imposes a 3% consumers' sales tax.

## Chapter 55. Penalties

Sec. 63.55.010. Penalties. Any person, firm or corporation who shall violate or fail to comply with any of the provisions of the Traffic Code of Wrangell, as embodied in Title 63, or who shall counsel, aid or abet any such violation or failure to comply, shall, for each offense, be punishable as provided in Sec. 30.10.010 (a) of the Wrangell City Code; Excepting Secs. 63.35.010, -.020, -.030 and -.070 which shall be punishable as serious misdemeanors as provided in Sec. 30.10.010 (b) of the Wrangell City Code.

Sec. 63.55.015. State Traffic Laws - Adopted by Reference. Title 28. (Motor Vehicles) of the Alaska Statutes, together with all amendments which are now or hereafter enacted, is hereby adopted by reference and made part of this Chapter.

Sec. 63.55.020. State Traffic Laws - Violations Constitute Offenses. All acts which are made unlawful by the sections of the state motor vehicle laws adopted by the preceding section shall be and are hereby declared to be offenses against the City when committed within its boundaries and shall be punished by the penalties provided in Title 30 of the Code.

Sec. 95.85.120. Penalties. The owner or agent of the owner of land located within a subdivision who transfers, sells, or agrees or enters into a contract to sell land in a subdivision before a plat of the subdivision has been prepared, approved, and recorded in compliance with this ordinance is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than three hundred dollars (\$300.00) for each such violation. In default of payment of such fines and penalties those convicted shall be imprisoned until payment thereof, but not exceeding thirty (30) days. The City may enjoin a transfer by appropriate legal action. The transfer, sale, assignment, or other conveyance of land located within a subdivision before a plat of the subdivision has been prepared, approved, and recorded in compliance with the provisions of this chapter is void.

Sec. 95.85.130. Compliance. No building permit shall be issued for a new building on a lot which did not exist as a described and recorded parcel prior to the date of this ordinance, or was not created by recorded subdivision pursuant to State statute, or by a recorded plat pursuant to provisions of this ordinance.

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 289

AN ORDINANCE PRESCRIBING THE FUNCTIONS,  
QUALIFICATIONS AND PROCEDURES FOR THE  
SCHOOL BOARD.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of WRANGELL, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed sections, bearing code numbers 33.20.010 through and including Sec. 33.20.040 are hereby adopted as a part of this ordinance and Title 33 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: September 11, 1973.

James J. Jones  
Mayor

ATTEST:

Jayne Pauls  
Clerk

Published September 21, 1973

## Chapter 20. School Board

Sec. 33.20.010. Functions. The duties of the School Board shall be the administration, management, and policy formulation pertaining to educational, fiscal, and other affairs of the school district within the limitations prescribed by statute and charter.

Sec. 33.20.020. Membership; Qualifications. The School Board shall be comprised of five members. The term for each member shall be three years and until a successor takes office. A newly elected School Board Member shall take his respective office on the first Monday after the election from which day their term of office shall be deemed to run. A candidate for the School Board must have the same qualifications as are necessary to be a municipal voter; see Code Sec. 36.10.020.

Sec. 33.20.030. Vacancies. If a vacancy occurs on the School Board, the remaining members shall within thirty (30) days fill the vacancy by such procedure as they shall among themselves agree. The person selected shall serve until the next regular election when a successor shall be elected to serve the balance of the term.

Sec. 33.20.040. Policy Manual. The procedures for governing the public and internal affairs of the School Board, including meetings, notices, executive sessions, shall be as promulgated by the School Board and published as a separate section in the Policy Manual and by-laws.

CITY OF WRANGELL, ALASKA

Ordinance No. 288

AN ORDINANCE PROMULGATING CITY PARK REGULATIONS AND POLICY, AND ADOPTING A PENALTY FOR VIOLATIONS BY REFERENCE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed sections, bearing code numbers Sec. 47.30.010 through and including Sec. 47.30.050 are hereby adopted as a part of this ordinance and Title 47, of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Penalty Adopted by Reference. Violations of the sections herein enumerated shall be punishable as specified in Title 30 Chapter 10 of the Wrangell City Code.

PASSED AND APPROVED: August 28, 1973.

[Signature]  
Mayor

ATTEST: [Signature]  
Clerk

## Chapter 30. Park Regulations and Policy

Sec. 47.30.010. Preference and Policy. It shall be the policy of Park Management to give persons wishing to use the city parks for picnicking or other short-term activities a preference over campers with regard to the use of sheltered facilities. Reservations for use of park facilities for picnics and other short-term usages may be made by applications submitted to the Director of Parks, Recreation and Youth Services. Such reservation shall accord the grantee the privilege of securing advance usage of the sheltered facilities, but confer no privilege to require the removal of campers or other non-reserved users actually using the premises at the time the application is made.

Sec. 47.30.020. Camper Limitation. Campers in city parks shall be limited to a period of 72 consecutive hours with periods of usage not to occur more frequently than once every two weeks. For the purposes of this section, campers shall include persons (a) erecting tents or other temporary shelter facilities, (b) vehicles pulling mobile homes, and (c) self-contained camper vans or other vehicles.

Sec. 47.30.030. Vehicle Restrictions. No motor vehicles, including motor cycles, will be permitted inside the confines of city parks except on and along streets or clearly defined parking areas.

Sec. 47.30.040. Permit and Reservation Fees. No charge shall be levied for the use of city park facilities or reservations therefore. Formal permits for use of city parks shall not be required, but if requested, a written notice of reservation will be issued to picnickers desiring to use sheltered facilities.

Sec. 47.30.050. Additional Regulations. The Director of Parks may promulgate such additional and other park regulations as is deemed necessary and advisable, submit them to the City Manager for discussion and drafting into acceptable resolution form. Such regulations shall become effective upon adoption of council resolution incorporating said regulations and posting of notice thereof at park areas.



ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 287

AN ORDINANCE AMENDING WRANGELL ORDINANCE NO. 204 BY REDEFINING AND IMPOSING CRIMINAL SANCTIONS FOR DISORDERLY CONDUCT AND PUBLIC INTOXICATION; AND ADOPTING A PENALTY FOR VIOLATIONS BY REFERENCE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

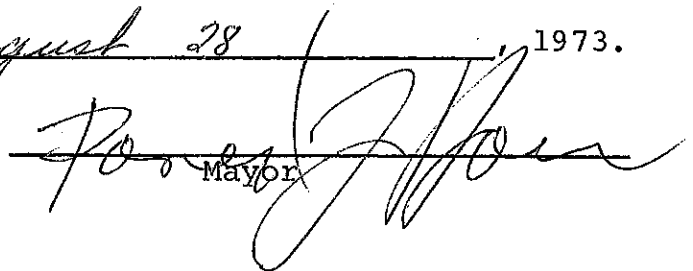
Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals Sec. 30.20.010 of Wrangell Ordinance No. 204 and all other ordinances or parts of ordinances inconsistent herewith.

Sec. 5. Adoption of Sections. The following annexed sections, bearing code numbers Sec. 30.20.010 and Sec. 30.20.110 are hereby adopted as a part of this ordinance and Title 30 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Penalty Adopted by Reference. Violations of the sections herein enumerated shall be punishable as specified in Title 30, Chapter 10 of the Wrangell City Code.

PASSED AND APPROVED: August 28, 1973.

  
Mayor

ATTEST: Jayne Basla  
Clerk

Published September 7, 1973

Sec. 30.20.010. Disorderly Conduct. (a) A person who does any of the following while within the corporate limits of the City of Wrangell, Alaska, is guilty of disorderly conduct:

(1) In a public place repeatedly or continuously shouts, blows the horn, plays a musical or recording or amplifying instrument, or otherwise generates loud noises intending to disturb or acting with reckless disregard, having been informed by another that the conduct is disturbing the reasonable peace and privacy of others not in the same place.

(2) In a public place when a criminal offense has occurred, there is a fire, peace officers are effecting an arrest or a peace officer is performing any authorized act, knowingly resists or obstructs the performance by the peace officer, or refuses to comply with a lawful order of a peace officer to disperse, or in a private place refuses to comply with an order of the peace officer to leave the premises in which he has neither a right of occupancy nor the expressed invitation to remain of the person having the right of possession.

(3) In a public or private place challenges or intends to provoke another to fight, uses abusive epithets personally to another which would likely cause an average addressee to fight, or engages in fighting other than in self-defense.

(4) In a public or private place knowingly or recklessly engages in a course of conduct or repeatedly commits acts, or creates a condition dangerous to the person or property of another and such conduct or actions have no legal justification or excuse.

(5) In a public place follows and repeatedly accosts any person for the purpose of obtaining money or other property from the person.

(6) In a public or private place boisterously or brawlingly interferes with the quiet and good order of any assembly, including schools, churches, libraries, council meetings and reading rooms when intending only to disrupt others in the exercise of their rights and impede the business or purpose of the assembly and has no bona fide intention to exercise a constitutional right of his own.

(7) In a public or private place, strikes, shoves, kicks, or otherwise subjects another to offensive physical contact.

(8) In a public place, is under the influence of alcohol, narcotics, or other drugs to the degree that he may endanger other persons or property.

(9) In a public or private place comes together with three or more persons with a common design or intent or thereafter such design or intent is conceived to accomplish an unlawful end or use unlawful means to accomplish an end.

(10) In a public place utters such expressions as to conjure up erotic stimuli or expressions which the jury shall determine have no artistic, technological, political or social value and were uttered without substantial intent to exercise a constitutional right.

(b) In a prosecution under (a) (1) of this section:

(1) If the loud noise constitutes speech, the content of speech or evidence of specific works used by the defendant is admissible in evidence against him only as permitted by court rule.

(2) "Loud noise" in a public place means noise which is loud enough to inhibit the ability of the average person in the same place to speak freely without leaving the public place.

(3) "Loud noise" in a private place means noise which is loud enough to awaken the average person sleeping in a place other than the private place.

(c) In this section a "public place" is a street, sidewalk, wharf, road, park, or other publicly owned area where the public is permitted to assemble, enter or pass through, or is a privately owned area so dedicated to public use that exclusive possession or restricted access is not and has not been exercised either during the day or night for a reasonable period of time.

Sec. 30.20.110. Public Intoxication. (a) A person is guilty of public intoxication:

(1) When he appears in a public place under the influence of alcohol, narcotics, or other drugs to the degree that he may endanger himself or other persons or property; or

(2) He is drinking intoxicating liquor on a public street or sidewalk, or on the premises of a public business establishment offering goods or services to the public, which is not licensed to dispense intoxicating liquor.

(b) The definition of "public place" is a street, sidewalk, wharf, road, park or other publicly owned area where the public is permitted to assemble, enter or pass through, or is a privately owned area so dedicated to public use that exclusive possession or restricted access is not and has not been exercised either during the day or night for a reasonable period of time.

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 286

AN ORDINANCE RATIFYING AND ADOPTING THE SCHEDULE OF FEES PERTAINING TO THE WRANGELL SMALL BOAT HARBORS AND WRANGELL WHARF AS PROMULGATED BY THE WRANGELL PORT COMMISSION PURSUANT TO PUBLIC NOTICE AND HEARING; AND ADOPTING A PENALTY FOR VIOLATIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall become effective on July 1, 1973.

Sec. 4. Repealer. Sec. 15.40.010 and Sec. 15.40.020 of Ordinance No. ~~2134283~~, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed sections, bearing code numbers Sec. 15.40.010 through and including Sec. 15.40.020 are hereby adopted as a part of this ordinance and Title 15 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Penalty. To the extent a specific penalty is not provided in Title 15 for violations pertaining to the two above referenced code sections which are adopted by this ordinance, violation of the sections herein enumerated shall be punishable as specified in Title 30, Chapter 10, of the Wrangell City Code.

PASSED AND APPROVED: June 26, 1973.

[Signature]  
Mayor

ATTEST: [Signature]  
Clerk

Chapter 40. Fees and Payment

Sec. 15.40.010. Small Boat Harbors; Mooring and Stall Rentals; Grid Iron Fee. All mooring and stall rentals and other charges herein provided shall be paid to the Port of Wrangell in advance by delivery or mail to the Port Director at the City Hall, Wrangell, Alaska, in accordance with the following schedule:

(see following page)

SCHEDULE A

Part I

- (a) \$2.50 per foot annually for the length of the vessel or length of the stall, whichever is greater.
- (b) \$1.50 per foot if the criteria of paragraph 9 of Rules and Regulations are met.

Part II

<u>Length of Vessel</u>	<u>Charge Per Day</u>
under 36 feet	\$1.50
37 - 60 feet	2.00
over 60 feet	3.00

On 15 October of each year, the above rate will be modified to the extent that the owners of vessels desiring to winter in the Wrangell Small Craft Harbor may obtain a mooring permit for a three-month period in accordance with the following: such permits shall be renewable for a second three-month period provided that the termination date does not exceed 15 April of each year.

<u>Length of Vessel</u>	<u>Charge Per 3-Month Period</u>
under 36 feet	\$30.00
37 - 60 feet	40.00
over 60 feet	50.00

Part III - Gridiron

Three days free time, \$10.00 per day thereafter.

Sec. 15.40.020. Wrangell Wharf Fees. All wharf fees and other charges pertaining to usage of the Wrangell Wharf premises and facilities as hereinafter provided shall be paid to the Port of Wrangell in advance by delivery or mail to the Port Director at the City Hall, Wrangell, Alaska, according to the following schedule and notations:

(see following pages)



SCHEDULE B

Part I

Wharfage

- |  |                                 |
|--|---------------------------------|
| 1. Container vans, net weight  | \$1.25 per ton<br>of 2,000 lbs. |
| 2. Bulk commodities, palletized  | \$1.25 per ton<br>of 2,000 lbs. |
| 3. Freight, other  | \$1.75 per ton<br>of 2,000 lbs. |
| 4. Vehicles and similar items, on own<br>wheels or treds or with separate<br>wheels or treads. |                                 |
| (a) less than 10,000 lbs.  | \$2.50 per ton<br>of 2,000 lbs. |
| (b) Over 10,000 lbs. but less<br>than 30,000 lbs.  | \$2.00 per ton<br>of 2,000 lbs. |
| (c) Over 30,000 lbs. but less<br>than 40,000 lbs.  | \$1.75 per ton<br>of 2,000 lbs. |
| (d) Over 40,000 lbs.   | \$1.50 per ton<br>of 2,000 lbs. |
| 5. Explosives, powder, etc.<br>(with written permission of<br>Port Director required)          | \$5.00 per ton                  |
| 6. Lumber<br>(2,240 lbs. shall be considered<br>1,000 board feet)                              | \$1.75 per 1,000<br>board feet  |
| 7. Vans, empty unless charge was<br>assessed when loaded inbound, each                         | \$3.00                          |
| 8. Carrier, empty, liquid petroleum<br>gas, each   | \$1.50                          |

Part II - Wharfage, Demurrage

(Charge Assessed After Free Period)

	<u>Per day per 100 lbs. or fraction thereof</u>	
	<u>First 3 days</u>	<u>After 3 Days</u>
Inbound Traffic	0.03	0.06
Outbound Traffic	0.06	0.06

Part III - Dockage

Shall be assessed upon gross registered of vessel as follows: Rates are stated for 24-hour period. Portions less than 24 hours shall be prorated on an hourly basis.

Vessels of Gross Registered Tons			<u>Rate</u>
<u>From</u>	-	<u>To</u>	
10		250	\$ 7.50
251		500	15.00
501		1000	19.80
1001		1500	24.60
1501		2000	30.00
2001		2500	39.60
2501		3000	90.00
3001		6000	120.00
6001		10000	200.00

Note 1: The minimum Dockage charge shall be \$7.50

Note 2: Vessels over 10,000 gross registered tons shall be charged, in addition to the rates for vessels of 10,000 gross registered tons, an additional amount of \$20.00 for each additional 1000 gross tons or fraction thereof.

Note 3: The Port Director may waive regular dockage charges for vessels of the United States Government, the State of Alaska, or the vessels of a foreign government.

Part IV

Storage

<u>Type</u>	<u>Monthly Rate</u>
1. Warehouse and Office Space	0.12 per sq. ft.
2. Exterior Storage Space	0.10 per sq. ft.
3. Boat and Vehicle Storage, Inside	1.00 per lineal ft.
4. Vehicle Storage, Outside	0.50 per lineal ft.

Note 1: Warehouse and office space shall be rented in increments of 100 sq. ft.

Note 2: The Port Director shall assign vehicle and boat storage space and post an identifying sign indicating to whom space is assigned.

Note 3: Vans, freight or other articles for which no prior arrangements have been made occupying space on the wharf for periods longer than the free time allowed in the Rules and Regulations shall be charged a flat storage fee equivalent to that charged for warehouse and office space prorated on a daily basis or fraction thereof.

Note 4: A person desiring to rent a complete storage area may negotiate with the Port Commission for an appropriate rate for such area.

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 285

AN ORDINANCE AMENDING WRANGELL ORDINANCE NO. 213 BY AMENDING THE HOURS OF SALE FOR LIQUOR BEVERAGE DISPENSARY ESTABLISHMENTS AND RETAIL LIQUOR SALES ESTABLISHMENTS; REJECTING STATUTORILY CONFERRED LOCAL OPTION TO MAINTAIN REGULAR HOURS OF SALE DURING MUNICIPAL ELECTIONS; AND AMENDING THE PERIOD OF TIME AFTER CLOSING IN WHICH THE PREMISES MUST BE CLEARED; AND ADOPTING A PENALTY FOR VIOLATIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided by the ordinances of the City and shall become effective one month after final passage and publication.

Sec. 4. Repealer. Sec. 06.20.010 and Sec. 06.20.015 of Wrangell Ordinance No. 213, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers Sec. 06.20.010, -.012, and -.015 are hereby adopted as a part of this ordinance and Title 06 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Penalty Adopted by Reference. Violations of the sections herein enumerated shall be punishable as specified in Title 30, Chapter 10, of the Wrangell City Code.

PASSED AND APPROVED: June 12, 1973.

*[Signature]*  
Mayor

ATTEST *[Signature]*  
Clerk

CITY OF WRANGELL CODE

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TITLE 06. ALCOHOLIC BEVERAGES

Chapter	-	Section
10		Alcoholic Beverages
		06.10.010. License Required
		06.10.015. Recommendation by Council; Application
		06.10.020. Place of Sale
		06.10.025. Partitions
		06.10.030. Entry of Minors Prohibited
		06.10.035. Sale to Intoxicated Persons Prohibited
		06.10.040. Purchase by Minors
		06.10.045. Sales Not on the Premises Prohibited
20		Hours of Sale
		06.20.010. Hours of Sale
		06.20.012. Election Days
		06.20.015. Clearing the Premises
		06.20.020. Penalty

## Chapter 20. Hours of Sale

Sec. 06.20.010. Hours of Sale. It shall be unlawful for any beverage dispensary, restaurant, cafe, beer parlor, package liquor store, or other place, situated within the corporate limits of the City of Wrangell, Alaska, where intoxicating liquors of any kind whatsoever are sold or kept for sale or to be served or consumed on the premises, to sell, offer for sale, or permit to be sold, or delivered or served for consumption on the premises, any whisky, brandy, rum, gin, wine, ale, porter, beer, and any and all other spiritous, vinous, malt and other fermented or distilled liquors intended for human consumption and containing more than 1% alcohol by volume, at any time or times between the lawful opening and closing times which are hereby established as follows:

(a) Opening Hours. Such establishments and premises shall not be open prior to 10:00 a.m. of every day in the calendar year.

(b) Closing Hours. Beverage dispensary establishments and premises shall be closed no later than the hour of 2:00 a.m. of every day in the calendar year except when such closing hours would fall on Sundays and legal holidays; and retail liquor sales establishments (package liquor sales) and premises shall be closed no later than the hour of 3:00 a.m. of every day in the calendar year except when such closing hours would fall on Sundays and legal holidays. The closing hour for nights prior to Sundays and legal holidays shall be no later than 3:00 a.m. for beverage dispensary establishments, and 4:00 a.m. for retail liquor sales establishments of said Sundays and holidays.

Sec. 06.20.012. Election Days. All licensees shall be prohibited to sell, give, barter, or exchange upon license premises any intoxicating liquor, or to permit the consumption or removal of any intoxicating liquors upon or from a licensed premises during the hours of holding a (1) national election, or (2) state and municipal elections where a candidate for office appears on the ballot. The City rejects its right of local option conferred pursuant to Sec. 04.15.120 of the codified Alaska Statutes; liquor establishments shall not be allowed to remain open in accordance with the preceding code section during municipal elections whenever candidates are running for office.

Sec. 06.20.015. Clearing the Premises. Beverage dispensary establishments and premises shall be cleared of customers and patrons no later than 30 minutes after closing time; a 15 minute period shall similarly apply to retail liquor sales establishments. No intoxicating liquors shall be sold or dispensed during the respective clearing periods.

Sec. 06.20.020. Penalty. Violation of any section of this chapter shall constitute a misdemeanor and shall be punishable as provided in Title 30 of this Code.

CITY OF WRANGELL, ALASKA

Ordinance No. 284

AN ORDINANCE APPROVING AND RATIFYING THE EXCHANGE OF RECIPROCAL CONVEYANCE OF TIDE- LANDS EASEMENTS BETWEEN THE CITY OF WRANGELL AND MR. AND MRS. CHARLES JENKINS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of an imper- manent nature and not to be codified in the Wrangell Code of Ordinances.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the applica- tion to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. Any ordinance or part of any ordinance inconsistent herewith is hereby repealed.

Sec. 5. Easement Exchange Ratification. The exchange of Tideland interest by conveyance of reciprocal easements by that certain indenture<sup>to be</sup> dated April 10 or 11, 1973, between the City of Wrangell, Alaska, by its Mayor and attested to by the City Clerk, and Charles and Christine Jenkins, a copy of which appears annexed hereto as Exhibit "A", is hereby approved and ratified by the Council of the City of Wrangell, Alaska.

PASSED AND APPROVED: April 24, 1973.

[Signature]  
Mayor

ATTEST: [Signature]  
City Clerk



EASEMENT

This indenture made this \_\_\_\_\_ day of April, 1973 between the City of Wrangell, Alaska, and Charles and Christine Jenkins, husband and wife, of Wrangell, Alaska;

WHEREAS the City of Wrangell represents and warrants that it is the owner in fee simple of Lot 10, Block 24A, Wrangell Tidelands Addition, and Charles Jenkins and Christine Jenkins represent and warrant that they are the owners in fee simple as tenants by the entirety of a certain hereinafter described portion of Lot 11A, Block 24A, Wrangell Tidelands Addition; and

WHEREAS the owners desire for their mutual convenience to exchange interests in their respective properties by conveying an exclusive easement to the other, subject to reservations;

NOW THEREFORE in consideration for the respective conveyances and covenants contained herein:

I

The grantor City of Wrangell, Alaska conveys an exclusive easement to Charles Jenkins and Christine Jenkins as tenants by the entirety to the following described real property situated in the Wrangell Recording District, First Judicial District, State of Alaska, to wit:

Lot 10, Block 24A, Wrangell Tidelands Addition.

II

The grantors Charles Jenkins and Christine Jenkins as tenants by the entirety convey an exclusive easement to the City of Wrangell, Alaska to the following described real property situated in the Wrangell Recording District, First Judicial District, State of Alaska, to wit:

That portion of Lot 11A, Block 24A, Wrangell  
Tidelands Addition, more particularly described  
as follows:

Beginning at the Southwest corner of Lot 11A,  
Block 24A, Wrangell Tidelands Addition, thence N  
23° 40' W a distance of 55.71 feet, thence N 75°  
28' E a distance of 128.49 feet, thence S 50° 46'  
54" W a distance of 131.68 feet, more or less to  
the point of beginning. This area to include 0.08  
Acres, more or less.

Both of the easement conveyances hereinabove recited  
are intended by the respective grantors to allow full use,  
occupancy and development by the grantee, subject only to a  
reservation in the grantors for the right of ingress and  
egress. The duration of the easement hereinabove exchanged  
are to be perpetual.

CITY OF WRANGELL

By \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Charles Jenkins

\_\_\_\_\_  
Christine Jenkins

STATE OF ALASKA )  
 : SS.  
FIRST JUDICIAL DISTRICT )

THIS IS TO CERTIFY THAT ON THIS \_\_\_\_\_ day of April, 1973, in Wrangell, Alaska, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Donald House, Mayor, and Joyce Rasler, Clerk of the City of Wrangell, Alaska, to me known and known to me to be the persons they each represent themselves to be and the same persons who executed the above and foregoing instrument, being duly authorized by the Council of the CITY OF WRANGELL, and who each individually and severally for himself and not one for the other acknowledged to me that he had full power and authority to and did execute the above and foregoing instrument on behalf of the CITY OF WRANGELL, ALASKA, and as a free and voluntary act and deed of said corporation for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day, month and year herein first above written.

\_\_\_\_\_  
Notary Public, State of Alaska  
My commission expires: \_\_\_\_\_

STATE OF ALASKA )  
 : SS.  
FIRST JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on this \_\_\_\_\_ day of April, 1973, in Wrangell, Alaska, before me the undersigned a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared CHARLES JENKINS AND CHRISTINE JENKINS, to me known and known to me to be the persons they represent themselves to be, and the same identical persons who executed the above and foregoing Agreement and who acknowledged to me that they executed the same as their own individual, free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal at Wrangell, Alaska the day, month and year in this certificate first above written.

\_\_\_\_\_  
Notary Public, State of Alaska  
My commission expires: \_\_\_\_\_

Original

CITY OF WRANGELL, ALASKA

Ordinance No. 283

AN ORDINANCE AMENDING THE MOORING AND STALL RENTAL RATES FOR THE WRANGELL SMALL BOAT HARBORS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the city ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. Section 15.40.010 of Wrangell Ordinance No. 273 is hereby repealed, as is the last sentence of Section 15.20.110 to the extent inconsistent herewith.

Sec. 5. Adoption of Sections. The following annexed section bearing code number Sec. 15.40.010 is hereby adopted as a part of this ordinance and Title 15 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Penalty Adopted by Reference. Violations of the sections herein enumerated shall be punishable as specified in Title 30, Chapter 10, of the Wrangell City Code.

PASSED AND APPROVED: April 24, 1973.

[Signature]  
Mayor

ATTEST: [Signature]  
Clerk

## Chapter 40. Fees and Payment

Sec. 15.40.010. Small Boat Harbors; Mooring and Stall Rentals. All mooring and stall rentals and other charges herein provided shall be paid to the Port of Wrangell in advance by delivery or mail to the Port Director at the City Hall, Wrangell, Alaska, as follows:

- (a) Rates: Moorage rate for boats shall be \$2.50 (two dollars and fifty cents) per lineal foot per year with a minimum yearly fee of \$50.00.
- (b) House Boats, Barges and Scows: Boat houses, etc. shall be charged according to designated area they are in, in ratio to the space or spaces they occupy.
- (c) The rate shall be effective for the calendar year 1973. Rental will not be pro-rated according to actual occupancy, but subleasing shall be permitted upon giving notice thereof to the Port Director.

Sec. 15.40.020. Wrangell Wharf Fees. (Reserved).

Sec. 15.40.030. Payment of Rentals. Assignment to exclusive use of designated and numbered space, either stall, side mooring, or bow mooring, shall be evidenced by the Harbormaster or Port Director giving the boat owner a duplicate of the space assignment record. Presentation of this duplicate to the Port Director and payment of the fee indicated thereon shall entitle such owner to the exclusive use of such designated space.

Sec. 15.40.040. Lien for Unpaid Rentals and Fees. The City of Wrangell shall have a lien, under the provisions of Alaska Statute 34.35.220 for any unpaid mooring rentals, and a lien, under the provisions of Alaska Statute 34.35.175 for any unpaid fees for services provided by the Harbormaster or Port Director; and, should any of such rentals and fees be unpaid nor secured for ninety (90) consecutive days after which due, any boat, vessel or other floating structure upon which such rentals or fees have accrued, shall be sold by the Port Commission for such unpaid charges and fees in accordance with the provisions of Title 34, Chapter 35 of Alaska Statutes (1962).

Original

CITY OF WRANGELL, ALASKA

Ordinance No. 282

AN ORDINANCE AMENDING THE DEPOSIT PROVISION OF THE ELECTRIC UTILITY RATES TO PROVIDE FOR THE PAYMENT OF INTEREST ON SUCH DEPOSITS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided by the ordinances of the City, and shall take effect one month after final passage and publication.

Sec. 4. Repealer. Section 54.20.050(d) of ordinance no. 230 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed sections, bearing code number Sec. 54.20.050(d) is hereby adopted as a part of this ordinance and Title 54 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: April 10., 1973.

Foster J. Howe  
Mayor

ATTEST: Jayne Quaker  
Clerk

Published April 20, 1973

(c) Service Charges: A service is hereby defined as the labor and material necessary to connect a customer's premises to the City's distribution system.

For a new service the City will make a charge based on the length of said service. With the exception of the necessary metering equipment, which will be furnished by the City, the customer will pay for all materials required and the City will furnish without charge the labor necessary for the first 100 feet. Service runs exceeding 100 feet will be charged for on the basis of all the material required and for labor on that portion of the service in excess of 100 feet. These charges are to be computed on the basis of the City's actual cost of labor and material.

When a customer requests a change in an existing service, said work will be performed by the City and all costs incidental thereto shall be paid by the customer. The foregoing covers overhead services only. Underground services must be paid for by the customer and the work performed under the supervision of the City. All underground services must be properly maintained by the customer.

(d) Meter Deposits: All domestic customers must make a deposit with the City in the amount of \$25.00 with the exception of those owning property or when the account is guaranteed by the property owner. Said deposit must be made before the service will be connected. All other customers shall make credit arrangements satisfactory to the City of Wrangell to insure prompt payment of monthly bills. Deposits shall bear simple interest at five (5) percent per annum but shall not apply to any part of less than a full month; said interest credit or payment to be given no less frequently than semi-annually. When service is discontinued, said deposits and accumulated interest thereon will be refunded less any amount due the City for service.

(e) Resale of Services: The customer shall not resell the electric energy furnished under these tariffs for use on the premises occupied by the customer ordering such service.

CITY OF WRANGELL, ALASKA  
Ordinance No. 281

AN ORDINANCE IMPOSING AND DEFINING CONSTRUCTION COMPLETION REQUIREMENTS IN CONJUNCTION WITH THE SALE OR OTHER DISPOSITION OF CERTAIN CITY-OWNED REAL PROPERTIES, AND PROVIDING FOR REMEDIES UPON DEFAULT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

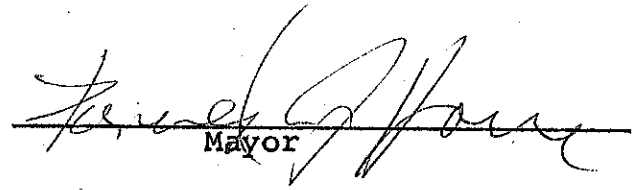
Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.


Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication, and shall have prospective application only, not applying to contracts, agreements or conveyances currently requiring construction conditions.

Sec. 4. Repealer. This ordinance repeals any ordinance or parts of ordinances in conflict herewith.

Sec. 5. Adoption of Section. The following annexed section bearing code number Sec. 45.20.070 is hereby adopted as a part of this ordinance and Title 45 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: April 10, 1973.

  
Mayor

ATTEST:   
Clerk



Sec. 45.20.070. Construction as Condition of Sale.

(a) The Council or its agents may require the construction of certain improvements within a specified period of time as a condition to the conveyance of any City-owned real property by sale or other disposition. Whenever the contract of sale, installment agreement, and/or instrument of conveyance recites "construction" or "construction conditions" or similar language or if the notice of sale pertaining or relating to the subject property recites the aforementioned terminology or similar language pertaining to construction requirements, all of the provisions of this section shall be applicable thereto and become incorporated by reference to said transaction as if fully set forth.

(b) Real property sold or otherwise disposed of by the City with the stipulation that construction shall be undertaken or otherwise subject to construction requirements or construction as a condition subsequent to vesting shall mean that construction shall occur within two (2) years from the date of sale. The date of sale for the purposes of this section shall mean the effective date of the ordinance authorizing or ratifying the conveyance of the subject property, or the date on which the down payment is received by the City pursuant to terms of payment recited in a contract of sale, installment purchase agreement, lease agreement, or other agreement evidencing the conveyance and requiring initial payment, whichever of the foregoing first occurs.

(c) "Construction" within the meaning of this section shall require 80% completion of a residential or commercial structure. Eighty percent completed is intended to infer greater progress than mere substantial completion. Standards for minimum acceptable completion shall include the following in compliance with Title 18 of the Wrangell City Code: Earthwork site preparation; foundation completion; structural completion of the building, including all exterior walls and the completed roof; installation and connection of electrical, water and sewer utilities; installation of all plumbing including internal fixtures; and installation of all electrical wiring completed through the point of installing boxes and connections thereto from the primary power source; and installation of all insulation materials. Completion shall not require

installation of the following: Finished flooring; dry wall; sheet rock or other interior wall board or ceiling material; installation of internal lighting fixtures, switches, outlets and box covers; interior walls or partitions not containing plumbing or electrical wiring; paint; drain gutters; nor finished landscaping.

(d) No extensions of time for construction completion will be granted. In the event of assignment or subsequent conveyance by the initial purchaser or lessee, the original completion requirements shall remain in effect and be binding upon the subsequent grantee or lessee.

(e) In the event of the acquiring party's failure to strictly comply with the aforementioned completion requirements, the following default provisions shall apply automatically at the expiration of the two-year period without requirements of notice being sent by the City of Wrangell:

(1) In the event there has been no foundation or site of preparation work, the contract shall terminate and the real property or interest therein shall revert to the City. The City may require that the defaulting party or parties execute a quitclaim deed to the City conveying all of their interest in the subject property to the City of Wrangell. The City shall refund to the defaulting party or parties the amounts paid toward the purchase of the subject property except the greater of 25% of the total purchase price or \$500.00, whichever is greater, which shall be retained by the City as liquidated damages. In the event of a lease, the City shall retain all sums paid to the date of default as liquidated damages;

(2) In the event of default after completion of substantial earth work and site preparation but before installation of a foundation, the contract shall terminate and the real property shall revert to the City of Wrangell. The City may require the defaulting party or parties to execute a quitclaim deed conveying all of their interest in the subject property to the City of Wrangell. The City shall refund 25% of the total purchase price to the defaulting party or parties and retain all other amounts paid to that date as liquidated damages; in the event of default under a lease, the City shall retain all rental amounts theretofore paid the City as liquidated damages.

(3) In the event of default, after the foundation is substantially complete, whether the foundation be of piling, poured concrete or other recognized and acceptable foundation material, the defaulting party shall have the option of removing the foundation and restoring the lot to its original condition within thirty (30) days and relinquishing all of his right, title, and interest therein by quitclaim conveyance to the City of Wrangell and be refunded 50% of the total purchase price, or, to retain the real property and pay the City liquidated damages for breach of conditions in the amount of the original lot purchase price within thirty (30) days after default, and in the event of failure to timely make such remittance, the real property and all improvements thereon shall revert to the City of Wrangell, which shall also retain all amounts theretofore paid for the purchase of said property as liquidated damages. A lessee in default shall have the option of terminating the lease and relinquishing the real property and all improvements thereon to the City and forfeiting all rental payments theretofore paid as liquidated damages, or, may retain the property and continue the lease and pay the City the amount of \$2,000.00 in liquidated damages within thirty (30) days after the default.

(f) A quorum of the Planning and Zoning Commission shall have the duty of inspecting all properties subject to the construction conditions at or about the date constituting expiration of the term for construction completion, and shall determine whether or not there has been compliance with the construction requirements according to the standards hereinabove contained. They shall immediately prepare a report of their findings and submit it promptly to the City Manager who shall take whatever action is appropriate in the circumstances. The Commission shall also mail or otherwise forward a copy of the report to the purchaser or lessee of the subject property. An aggrieved party wishing to challenge or controvert the findings of the Planning and Zoning Commission may appeal to the City Council by giving and delivering written notice of appeal to the City Manager or City Clerk within five (5) days after receipt of notice of the Commission's determination. Thereafter, the Council shall conduct a hearing on the appeal at a special or regular meeting or Council within ten (10) days after receipt of notice of appeal. The Council may enter its findings at the hearing or may take the matter under advisement and thereafter collectively inspect the subject property, disregarding any work on the building occurring

between their inspection, and shall enter its decision within two (2) days after the hearing without necessity for formal reconvention at special or regular meeting.

CITY OF WRANGELL, ALASKA  
Ordinance No. 280

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL  
PROPERTY BY THE CITY OF WRANGELL BY CONDITIONAL  
SALES CONTRACT TO ARTHUR B. AND LUANNA F. NELSON.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of imper-  
manent nature and not to be codified in the Wrangell Code of  
Ordinances.

Sec. 2. Severability. If any provision of this ordinance  
or any application thereof to any person or circumstance is  
held invalid, the remainder of this ordinance and the appli-  
cation to other persons or circumstances shall not be affected  
thereby.

Sec. 3. Effective Date. This ordinance shall be pub-  
lished as provided in the City ordinances and shall be effective  
one month after final passage and publication.

Sec. 4. Conveyance. Pursuant to authority contained in  
Title 45, Chapter 20 of the Wrangell Municipal Code, the City  
of Wrangell, Alaska authorized the conveyance by warranty deed  
of Lot 10, Block 49, Townsite of Wrangell, located in the  
Wrangell Recording District, Wrangell, Alaska to Arthur B. and  
Luanna F. Nelson upon the terms and conditions recited in the  
contract of sale agreement and upon the further condition that  
the grantees conform in all respects with that certain Council-  
Administrative policy governing the sale and disposition of  
City owned real property promulgated by the Wrangell City  
Council at its meeting on March 10, 1970.

PASSED AND APPROVED: April 10, 1973.

Donald J. Jones  
Mayor

ATTEST: Jaime Rasch  
Clerk

## CITY OF WRANGELL, ALASKA

Ordinance No. 279

AN ORDINANCE AMENDING THE DELINQUENT DATE FOR PAYMENT OF TAXES FROM NOVEMBER 15 OF THE ASSESSMENT YEAR AND MAY 15 OF THE FOLLOWING YEAR TO AUGUST 15 AND DECEMBER 15 OF THE ASSESSMENT YEAR, AND ADOPTING A PENALTY BY REFERENCE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. Section 60.20.310 of ordinance no. 255 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 5. Adoption of Section. The following annexed section bearing code number Sec. 60.20.310 is hereby adopted as a part of this ordinance and Title 60 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Penalty Adopted by Reference. Violation of the section herein enumerated shall be punishable as specified in Title 30, Chapter 10, of the Wrangell City Code.

PASSED AND APPROVED: April 10, 1973.

Frank J. Stone  
Mayor

ATTEST: Jay R. Cook  
Clerk

Published April 20, 1973

a statement and valuation of all personal property owned by the person, and proceedings thereafter shall be in accordance with this Ordinance.

Sec. 60.20.270. Validity of Assessment Rolls. Every assessment roll as completed and certified by the Assessor, and as corrected and amended by him from time to time in conformity with this Ordinance and the decisions of the Board shall, except insofar as the same may be further amended as a result of an appeal to the Board, as provided by this Ordinance, be valid and binding on all persons, notwithstanding any defect, error, omission or invalidity existing in the assessment roll or any part thereof, and notwithstanding any proceedings pertaining thereto.

Sec. 60.20.280. Delivery of Assessment Roll to Council. When the final assessment records have been completed by the Assessor as herein provided, the Assessor shall deliver to the Council on or before June 1 of each year a statement of the total assessed valuation of all real and personal property within the City.

Sec. 60.20.290. Council Fixes Rate of Tax Levy. The Council shall thereupon fix a rate of tax levy and designate the number of mills upon each dollar of value assessed taxable real and personal property that shall be levied in accordance with the provisions of Section 60.20.010 of this ordinance.

Sec. 60.20.300. Time for Mailing of Tax Statements. The City Clerk shall then prepare and mail tax statements to the person listed as the owner of the tax rolls prior to July 15 of each year.

Sec. 60.20.310. Delinquent Date for Payment of Taxes. All taxes levied in accordance with this ordinance shall be due and payable on or before August 15 of the assessment year, and shall become delinquent after 5:00 p.m. on said date; provided, however, that the taxpayer shall have the right to pay such taxes in two (2) installments. If the first one-half (1/2) is not paid before delinquent date the entire tax becomes delinquent and penalty and interest accrue as hereinafer provided. If the first one-half (1/2) is paid before delinquency the second one-half (1/2) of such taxes shall accrue and be payable on or before December 15 of the same year and if not paid shall be delinquent after 5:00 p.m. on said date.

Sec. 60.20.320. Penalties, Interest and Discounts. When the general tax herein provided for is not paid on or before the due date, penalties and interest will accrue as follows: (a) If the first one-half (1/2) installment is not paid when due, a penalty of eight percent (8%) per annum together with interest at the rate of eight percent (8%) per annum on the whole of the unpaid taxes, not including penalty, from due date until paid in full, shall be added thereto.

(b) After the due date for the payment of the second one-half (1/2) installment a total penalty of not to exceed ten percent (10%) shall be added to all delinquent taxes, and interest at the rate of eight percent (8%) per annum shall accrue, as herein provided, upon all unpaid taxes, not including the penalty, from

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 218

AN ORDINANCE ADOPTING NEW WATER SERVICE CONNECTION CHARGES AND MONTHLY WATER RATES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. Sections 54.10.055 and 54.10.225 of ordinance no. 217, passed September 24, 1968, and schedules A and B appended to the end of the Water Utility Regulations codified in Chapter 10 of Title 54 of the Wrangell Municipal Code, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 5. Adoption of Sections. Sections 54.10.055 and 54.10.225 are adopted as a part of this code, and Schedules A and B appended hereto are adopted as a part of this ordinance and are to be inserted at the end of the Water Utility Regulations contained in Chapter 10 of Title 54, superseding the repealed aforementioned schedules. Schedules A and B annexed hereto are adopted in reference to existing Wrangell Code Sections 54.10.070 and 54.10.160.

PASSED AND APPROVED: March 26, 1973.

[Signature]  
Mayor

ATTEST: [Signature]  
Clerk

Published March 30, 1973



Sec. 54.10.040. Application Form. Each applicant for water service shall sign an application form provided by the City giving date of application, location of premises, whether they have been served before, the date on which applicant desires to have service begin, purpose for which service is to be used, the address for mailing or delivery of bills, the applicant's address (owner, tenant, or agent), the class and size of service, and such other information as the City may reasonably require. In signing the application, the customer agrees to abide by the City Code. The application is merely a written request for service and does not bind the City to serve.

Sec. 54.10.045. Deposits and Establishment of Credit. At the time application for service is made, the applicant shall establish his credit with the City.

Sec. 54.10.050. Establishment of Credit. The credit of the applicant will be deemed established:

a. If the applicant makes a cash deposit with the City to secure payment of bills for service. The deposit shall be a sum equal to the estimated bill for two billing periods but not less than Ten Dollars (\$10.00).

b. If the applicant has promptly paid all accounts due the City for a period of twelve (12) consecutive billing periods.

c. If the applicant can otherwise convince the City that all bills will be paid when due.

✓ Sec. 54.10.055. Deposits. At the time the deposit is given to the City the applicant will be given a receipt for the same. The deposit is not to be considered as a payment on account. The deposit will be returned to the customer when service to the customer is discontinued, provided all outstanding bills have been paid. The City may, at its option, return the deposit without application, provided all bills have been paid promptly for twelve (12) consecutive billing periods. Deposits shall bear simple interest at the rate of five (5) percent per annum but shall not apply to any part of less than a full month; said interest credit or payment to be given no less frequently than semi-annually. When service is discontinued, said deposits and accumulated interest thereon will be refunded less any amount due the City for service.

Sec. 54.10.060. Forfeiture of Deposit. If an account becomes delinquent and it is necessary to turn off the service,

a delivery to the customer. If there is no person present at the address served, then the notice may be left on the premises stating that water service will be discontinued on the following morning. If delinquent bills are not paid by the following morning, the meter reader shall return to the premises, shut off the water service, and leave a notice that the water service has been turned off until all delinquent accounts have been paid.

✓  
Sec. 54.10.225. Service Charge. In all instances where water has been turned off because of account delinquency, a Five Dollar (\$5.00) disconnect service charge shall be imposed; a reconnect service charge of Five Dollars (\$5.00) shall be made for the restoration of service, in which case replacement of the cash deposit, as stated in this chapter, will be required.

Sec. 54.10.230. Installment Payments of Delinquent Accounts. In cases of extreme hardship, the Superintendent shall have the discretion of renewing service to a delinquent account upon receipt of a satisfactory installment plan for the payment of the overdue amount.

Sec. 54.10.235. Meter Accuracy. All meters will be tested prior to installation. No meter will be placed in service or allowed to remain in service which is known to have an error in registration in excess of five (5) percent under conditions of normal operation.

Sec. 54.10.240. Meter Test on Customer Request. A customer may, giving not less than seven (7) days' notice, request the City to test the meter serving his premises. The City will require the customer to deposit the testing fee. This fee shall be Four Dollars (\$4.00) for meters 1 inch and smaller and for meters larger than 1 inch shall be an estimate of the cost of testing the meter as determined by the Superintendent. The deposit will be returned to the customer if the test reveals the meter to overregister more than five (5) percent under conditions of normal operation. If the meter is operating satisfactorily or if the meter underregisters more than five (5) percent under the standard test conditions, the deposit shall be forfeited to the City. Customers may, at their option, witness any meter tests which they request.

Sec. 54.10.245. Meter Test on City Request. If, upon comparison of past water usage, it appears that a meter is not registering properly, the District may, at its option, test the meter and adjust the charges accordingly if the meter either overregisters or underregisters. No charge for meter testing will be made to the customer for the meter test under these conditions.

Sec. 54.10.250. Adjustment of Bills for Meter Error - Fast Meters. When, upon test, a meter is found to be registering

SCHEDULE A  
SERVICE CONNECTION CHARGES

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<u>Size of Service</u>	<u>Charges</u>
3/4"	\$250.00
1"	\$290.00
2"	\$425.00

Note 1: All service connections to customers outside City limits shall be 100% higher than the designated service connection charge within City limits.

Note 2: Any additional charges including service connection charges for services larger than those stated will be based on the actual cost of materials and installation plus 15%.

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SCHEDULE B  
MONTHLY WATER RATES

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Class A

Residential - Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>
1. Inside City limits, per family unit	\$ 8.00
2. Outside City Limits, per family unit	\$14.00

Note 1: The residential schedule is restricted to service used exclusively for general domestic purposes.

Note 2: Where central laundry facilities are furnished for the exclusive use of tenants in apartment buildings or trailer courts, no charge in addition to above will be made.

Class B

Commercial and Industrial - Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>
1. Bakery	\$30.00
2. Bar	\$30.00
3. Barber shop - 1 chair	7.50
per each additional chair	6.00
4. Beauty shop - 1 basin	7.50
per each additional basin	6.00
5. Canneries	
Shell fish canneries (hand pick)	150.00 (a)
Fish processing	160.00 (a)
6. Churches	7.50
7. Cleaners and cleaning plants	15.00
8. Clubs, Lodges - without bar or restaurant facilities	7.50
9. Cold Storage plant	160.00
10. Docks	37.50
11. Docks or marinas for small boats, inc. oil docks	25.00
12. Garages, service stations, car lots without washrack	15.00
with washrack	22.50
13. Hospitals	60.00
14. Grocery Store without meat market	11.25
with meat market	23.25

Schedule B  
 Monthly Water Rates  
 Page 2

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<u>Designation</u>	<u>Monthly Rate</u>
15. Hydrants, fire, each	\$ 4.75
16. Hotels and motels	
10 rooms or less	22.50
over 10 rooms, per room	1.75
17. Laundromat, self service	
under 30 lb. capacity, per machine	8.00
30 lb. or over capacity, per machine	16.00
18. Meat Market	12.00
19. Ocean going freight vessels taking water	150.00
20. Office building, first office	7.50
each additional plumbed office	7.50
each additional unplumbed office	1.75
21. Offices, medical and dental	
with laboratory and/or x-ray unit	25.50
without laboratory and/or x-ray unit	7.50
22. Plane floats	15.00
23. Public showers	
first two stalls	8.00
per each additional stall	2.00
24. Restaurants, lunch counters, etc.	
up to and including 30 seats	22.50
over 30 seats	30.00
fountain only	7.50
25. Sawmills	500.00
26. Schools, per classroom	5.00
27. Shops, miscellaneous	7.50
28. Stores - dry goods, gift, etc.	8.00
29. Theaters, seating 500 people or less	15.00

(a) Rates herein apply to the average monthly usage. No adjustments will be made for seasonal work.

Note 1: A commercial enterprise consisting of more than one facility shall be charged the sum of the applicable rates for each facility.

Note 2: All commercial and industrial rates to customers outside City limits shall be 75% higher than the designated rate within City limits.

Note 3: The monthly rate for any establishment not herein designated shall be determined by the City Council. Until such rate may be established, the rate deemed most applicable shall apply, subject to adjustment.

CITY OF WRANGELL, ALASKA

Ordinance No. 211

AN ORDINANCE AMENDING THE COMPOSITION, TERM OF MEMBERSHIP, AND RELATING TO CERTAIN PROCEDURES OF THE ZONING AND PLANNING COMMISSION.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. Code Sections 03.61.020, -.030, -.060, -.070, -.080, -.110, -.120 of Ordinance No. 251 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 5. Adoption of Amending Sections. The following annexed sections bearing code numbers Sec. 03.61.020, -.030, -.060, -.070, -.080, -.110 amending those certain code sections of the identical designation are hereby adopted as a part of this ordinance and Title 03 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: February 27, 1973.

Forrest J. Jore  
Mayor

ATTEST: Janis G. Gault  
Clerk

Published March 9, 1973

## Chapter 61. Zoning and Planning Commission

Sec. 03.61.010. Commission Established. There is hereby created a Zoning and Planning Commission, hereinafter referred to as the "Commission" in accordance with Sec. 95.05.030.

Sec. 03.61.020. Composition. The Commission shall consist of the Mayor, City Manager or Administrator, the City Attorney, The City Engineer as ex-officio members and nine members from the general public, nominated by the Mayor and confirmed by the Council.

Sec. 03.61.030. Term of Membership. At the first meeting of the Commission, the nine appointed members shall choose their term of office by lot as follows: Three (3) members for a term of one (1) year; three (3) members for a term of two (2) years; three (3) members for a term of three (3) years. Immediately thereafter the Commission shall notify the Mayor and Council in writing of the terms of office drawn for each public member. Their successors shall serve for a term of three (3) years. Any vacancy shall be filled by mayoralty appointment for the unexpired portion of the term. Members appointed to the Commission shall serve respective terms expiring ten (10) days after the general municipal election, and new appointments to the Commission shall be made within ten (10) days after said election.

Sec. 03.61.040. Election of President and Vice-President. The Commission, at its first meeting, shall elect a president and vice-president, who shall be members appointed by the Mayor, and who shall hold office during the pleasure of the Commission.

Sec. 03.61.050. Compensation. Members of the Commission shall receive no compensation.

Sec. 03.61.060. Secretary. The Commission shall request the City to furnish secretarial assistance. The Secretary provided shall keep an accurate record of all proceedings of the Commission.

Sec. 03.61.070. Annual Report. The Commission shall on the first day of July file a prepared report of all transactions of the Commission for the past twelve month period with the City Council.

Sec. 03.61.080. Quorum. Five members of the Commission shall constitute a quorum; provided, however, that at least four (4) of the public members appointed by the Mayor shall at all times constitute a portion of that quorum.

Sec. 03.61.090. Rules and Regulations; Meetings. The Commission may make and alter rules and regulations for its government and procedure consistent with the laws of the State and with the City Charter and ordinances. It shall meet at least once a month.

Sec. 03.61.110. Special and Professional Services. Whenever the Commission finds that the advice and information available from the City staff is insufficient for them to fulfill their functions they are empowered to request the City, through the City Manager's office, to provide special and/or professional services for that purpose.

Sec. 03.61.120. Powers and Duties Generally. It shall be the duty of the Commission, and it shall have the power, except as otherwise provided by law, to recommend and make suggestions to the City Council and to all other public authorities concerning laying out, widening, extending, parking and locating of streets, sidewalks and boulevards, relief of traffic congestion, betterment of housing and sanitation conditions and establishment of zones or districts limiting the use, height, area and bulk of buildings and structures in conformance with Title 95 of this Code concerning zoning and planning; to recommend to the City Council and all other public authorities plans for the regulation of future growth, development and beautification of the City in order to secure to the City and its inhabitants, sanitation, proper service of all public utilities, harbor, shipping and transportation facilities; to do and perform any and all other acts and things necessary or proper to carry out the provisions of this chapter; and in general to study and to propose such measures as may be advisable for the promotion of the public interest, health, morals, safety, comfort, convenience and welfare of the City, and of the area for six (6) miles adjacent thereto. Proposals and recommendations to the City Council required under this section shall be submitted in the form of Planning and Zoning Commission Resolutions.



CITY OF WRANGELL, ALASKA

Ordinance No. 276

AN ORDINANCE ADOPTING ZONING REGULATIONS FOR SUBDIVISIONS BY PROVIDING DEFINITIONS, PLATTING REQUIREMENTS, AND PROVIDING PENALTIES FOR NON-COMPLIANCE, AND PRESCRIBING THE PROCEDURE FOR THE VACATION OF PLATS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the city ordinances and shall be effective one month after final passage and publication.

Sec. 4. Adoption of Sections. The following annexed sections, bearing code numbers Sec. 95.85.010 through and including 95.90.050 are hereby adopted as a part of this ordinance and Title 95 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: January 23, <sup>1973</sup> ~~1972~~.

[Signature]  
Mayor

ATTEST: [Signature]  
Clerk

Published February 2, 1973

- 65           Variances and Appeals (Board of Adjustment)  
95.65.010. Appeals from Decisions of the  
                    Zoning Administrator and Planning  
                    Commission  
95.65.020. Procedure  
95.65.030. Variances
- 70           Appeal to Superior Court  
95.70.010. Appeal to Superior Court. An  
                    Appeal
- 75           Amendments  
95.75.010. Amendments  
95.75.020. Procedure
- 80           Definitions  
95.80.010. General Interpretation  
95.80.020. Specific Definitions
- 85           Subdivisions  
95.85.010. Purpose  
95.85.020. General  
95.85.030. Definitions  
95.85.040. Procedure  
95.85.050. General Requirements and Design  
                    Standards  
95.85.060. Plats and Data  
95.85.070. Public Sites and Open Spaces  
95.85.080. Subdivisions Created by  
                    Successive Divisions  
95.85.090. Existing Substandard Lots  
95.85.100. Monuments  
95.85.120. Penalties  
95.85.130. Compliance
- 90           Vacation of Plats  
95.90.010. Petition  
95.90.020. Time, Place and Notice of  
                    Hearing  
95.90.030. Hearing and Determination  
95.90.040. New Plat to be Filed  
95.90.050. Title to Vacated Area

## Chapter 85. Subdivisions

Sec. 95.85.010. Purpose. The purpose of this ordinance is to promote and improve the health, safety and general welfare of the citizens of the City of Wrangell. These regulations are designed to further the orderly layout and use of land; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to assure adequate open land space; and to facilitate the further subdivision of larger tracts into smaller parcels of land.

Sec. 95.85.020. General. A. Platting of Subdivision Required: Any division of land within the City which results in a subdivision as defined herein shall be surveyed and a plat thereof approved and recorded, pursuant to the provisions of this ordinance and Title 40, Chapter 15, Alaska Statutes, as amended from time to time.

B. Exceptions: The provisions of this ordinance shall not apply to:

1. Transfers of interests in land pursuant to Court order.

2. Leases for a total term not to exceed 10 years, including possible renewal terms, mortgages or easements.

3. The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by this ordinance or other applicable laws or ordinances.

Sec. 95.85.030. Definitions. A. Subdivision: The division of a tract or parcel of land into two or more lots, sites, or other divisions for the purpose, whether immediate or future, of sale or building development, and includes re-subdivision, and, when appropriate to the context, relates to the process of subdividing or to the land or area being subdivided."

B. Alley: A minor way, dedicated to public use, which is used primarily for vehicular access to the back or the side of properties otherwise abutting on a street.

C. Block: A piece or parcel of land entirely surrounded by public highways, street, streams, railroads, rights-of-way, or a combination thereof.

D. City: The City of Wrangell.

E. Cul-de-Sac: A street having one end open to traffic and terminated at the other end by a vehicle turnaround.

F. Easement: A grant by the property owner to the public of the use of a strip of land for specific purposes.

G. Lot: A portion of a subdivision, or other parcel of land, intended as a unit for transfer of ownership.

H. Plat: As used in this ordinance, refers to the map prepared, as required by Sec. 95.85.020 A. of this ordinance, for the purpose of recording "subdivisions" of land as provided herein.

I. Street: A way for vehicular traffic other than an alley, dedicated to public use,

1. Major streets and highways are those which serve as the principal arteries for through traffic movement or collect traffic from minor streets.

2. Minor streets are those which are used primarily for access to the abutting properties.

3. Half Street - any street less than the prescribed right-of-way widths found in this section or as established by the Planning Commission.

J. Subdivider: The owner or owners of land which is being divided pursuant to Section 95.85.020 A. of this ordinance.

Sec. 95.85.040. Procedure.

A. Subdivisions.

1. Preliminary Plat.

a. Required: Before submitting a final plat for approval, for recording under Title 40, Chapter 15, Alaska Statutes, as amended from time to time, the subdivider shall submit a preliminary plat to the Planning Commission in order that general agreement may be reached on layout and arrangement of streets and lots before a final plat is prepared.

b. Planning Commission action:

(1) If the preliminary plat is acceptable for processing, the Commission may grant preliminary approval of the plat subject to and effective upon certification of no objection from agencies authorized to object.

(2) Approval of the preliminary plat shall entitle the subdivider to approval of the final plat if it conforms substantially to the preliminary plat and any conditions of approval that have been made.

(3) If the Planning Commission does not approve, disapprove or return the plat to the applicant within 30 days, the preliminary plat is considered approved and the final plat may be submitted for approval.

(4) The applicant for plat approval may consent to the extension of the period for action by the Planning Commission. The Commission shall state on its record and in writing to the applicant its reason(s) for disapproval of a plat.

## 2. Engineering Data.

a. Following approval of the preliminary plat and prior to submittal of a final plat the subdivider shall furnish to the Planning Commission the following engineering data pertaining to utilities and improvements in the preliminary plat:

(1) Plan and profiles showing existing and established grades for all streets, alleys, and public rights-of-way.

(2) Plan and profiles of all storm sewers, culverts, and surface water drainage facilities.

(3) Plan and profiles of all sanitary sewers.

(4) Plan and profiles of all water distribution lines.

(5) Power and telephone poles.

(6) Gas lines.

(7) Easements.

b. Approval: All such engineering data shall be approved by the City Council, Superintendent of Public Works, as to conformance with all relevant ordinances, statutes and regulations before the final plat shall be filed.

## 3. Final Plat.

a. When Filed: The final plat and copies thereof required shall be submitted to the City Clerk within six months of approval of the preliminary plat. However, if approval of the preliminary plat must be obtained from another governmental body after approval by the Planning Commission, the final plat shall be submitted within six months of such other approval. The Planning Commission may waive failure to comply with this requirement to avoid injustice or when waiver is in the public interest.

b. Forwarding: Upon official filing, the City Clerk shall forthwith forward the plat to the Planning Commission.

c. Approval: The Planning Commission shall approve or reject the final plat within 30 days of its submission unless the time is extended by agreement with the subdivider. Reasons for rejection shall be stated in the minutes of the meeting and a copy thereof or a written statement of such reasons shall be supplied the subdivider.

d. Recording: Following approval of the final plat the certified survey map and a duplicate tracing shall be filed by the subdivider with the City of Wrangell.

e. Optional True Copy: If the original of the final plat has been filed with another approving authority, the subdivider may file a true copy of such plat in lieu of the original. However, before approval by the City may be inscribed on the true copy of the final plat, the surveyor or the subdivider shall certify the respects in which the original of the final plat differs from the true copy, and all modifications must first be approved.

f. Filing Fee: The processing fee for filing the final plat shall be twenty-five dollars (\$25.00), plus one dollar (\$1.00) each for the first ten (10) lots, plus 50 cents for each lot thereafter, the maximum fee not to exceed fifty dollars (\$50.00).

Sec. 95.85.050. General Requirements and Design Standards.

A. General: The proposed subdivision shall conform to:

1. The provisions of Title 40, Chapter 15, Alaska Statutes, as amended from time to time and all other relevant laws and regulations.
2. All applicable ordinances of the city.
3. The master plan of the city.
4. The regulations of the Department of Health and Welfare relating to lot size and lot elevation if the subdivision is not served by a public sewer and provision for such service has not been made.
5. The regulations of the State Department of Highways relating to safety or access and the preservation of the public interest and investment in streets and highways if the subdivision or any lot contained therein abuts on a state highway or street.

B. Dedications: All streets, alleys and easements shown on the plat not previously dedicated to public use shall be so dedicated.

C. Streets:

1. General Considerations.

a. Design Criteria: The streets shall be designed and located in relation (1) to existing and planned streets, (2) to topographical conditions and natural terrain features such as streams and existing tree growth, (3) to public convenience and safety, and (4) to the proposed uses of the land to be served by such streets.

b. Construction Standards: Construction standards of all streets shall conform to the current standards as established by this ordinance.



## 2. Arrangement.

a. Major streets shall be properly integrated with the existing and proposed system of major streets and highways.

b. Minor streets shall be laid out to conform as much as possible to topography, to permit efficient drainage and sewer systems, and to require the minimum amount of street necessary to provide convenient, safe access to property.

## 3. Railroads.

Where a subdivision borders on or contains a railroad right-of-way, the Planning Commission may require a street approximately parallel to such right-of-way, at a distance suitable for the appropriate use of the intervening land as for park purposes in residential districts or for commercial or industrial purposes in other districts.

## 4. Width.

The right-of-way of all streets shall be at least the width specified below, unless prohibited by unusual topographic, physical, or design features:

	<u>Right-of-Way</u>
a. Major streets and highways	80 feet
b. Minor streets	60 feet

## 5. Grades.

The grade of major streets shall not exceed 6%, and the grade of other streets shall not exceed 10%, unless a steeper grade is necessitated by exceptional topography and approved by the Planning Commission. The minimum grade of all streets shall be 1/2%.

## 6. Street Names.

New street names shall not be so similar to the names of existing streets so as to cause

confusion, but streets that are continuations of others already in existence and named shall bear the name of existing streets.

7. Cul-de-Sac or Dead End Streets.

Streets designed to have one end permanently closed shall not exceed 500 feet in length, and shall terminate with a turnaround having at least 100 feet in diameter of right-of-way and a roadway at least 75 feet in diameter.

8. Half-streets.

Where a half-street is adjacent to the subdivision, the other half of the street within the proposed subdivision shall be dedicated by the subdivider.

D. Intersections:

1. Right Angle: Streets shall intersect as nearly as possible at right angles and not more than two streets shall intersect at one point.

2. Rounded: Property lines at street intersections shall be rounded with a radius of 15 feet.

3. Jogs: Street jogs with center line offsets of less than 125 feet shall be avoided. Where streets intersect major streets, their alignment shall be continuous.

E. Alleys:

1. Commercial and Industrial: Alleys shall be provided in all commercial and industrial districts. The Planning Commission may waive this requirement where other definite and assured provision is made for service access such as off-street loading and parking consistent with and adequate for the uses proposed.

2. Residential: Alleys shall not be approved in residential areas unless necessary because of topography or other exceptional circumstances.

3. Width: The width of alleys shall be at least 20 feet.

4. Dead End: Dead end alleys are prohibited.

F. Easements:

1. Utilities: Easements across lots or centered on rear or side lot lines shall be provided for utilities and shall be at least 10 feet wide.

2. Drainage: Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width or construction, or both, as will be adequate for the purpose.

G. Blocks: Shape and Size: The lengths, widths, and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated.

H. Lots:

1. In General: The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

2. Lot Dimensions:

a. Lot dimensions shall comply with the zoning ordinance.

b. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

c. Residential lots abutting on major streets and highways shall be platted with sufficient depth to permit adequate separation between the buildings and such traffic ways.

d. Lots should be designed with a suitable proportion between width and depth. Normal depth should not exceed 2-1/2 times the width, nor less than 100 feet.

3. Corner Lots; Corner lots should be designed to permit setback on both streets as required by the zoning ordinance.

4. Access to Public Streets: Every lot shall front or abut on a dedicated public right-of-way. Lots with an access only to private drives shall not be permitted unless a permanent easement has been granted and properly recorded.

5. Lots at Right Angles: Lots at right angles to each other should be avoided wherever possible, especially in residential areas.

6. Lot Lines: Side lot lines shall be substantially at right angles or radial to street lines.

7. Large Lots: Where lots are created of a size larger than normal for the area, the Planning Commission may require that the plat be so designed as to allow for the possible future resubdivision of such lots into sizes normal for the area.

8. Municipal Boundaries: Lots shall follow municipal boundary lines wherever practicable, rather than cross them.

9. Double Frontage: Lots abutting a street at both front and rear shall be avoided except where necessary to provide separation of residential development from traffic or to overcome specific disadvantages of topography and orientation.

I. Improvements:

1. Utilities:

a. Water: The subdivider shall prove that connections to public water mains may be obtained. If no such connections are available, the subdivider shall show that a safe water source is readily available.

b. Sanitary Sewers: The subdivider shall prove that connections to public sanitary sewers may be obtained, or if any of the lots are not

to be served by a sanitary sewer system, percolation tests shall be submitted showing that septic tanks may be used without endangering the health, safety and general welfare of any person or persons.

c. All regulations of the State Department of Health and Welfare pertaining to water and sewage disposal shall apply when no public or other sanitary sewer and water service is available.

2. Streets:

a. The subdivider shall, at his own expense and along a dedicated street, grade and surface with gravel and oil, asphalt, or concrete, a roadway at least 36 feet in width to provide access to any property he wishes to sell or otherwise convey to another person where the intent is to develop the property, before such property may be sold or otherwise conveyed.

b. Sufficient and adequate drainage shall be provided for all streets.

Sec. 95.85.060. Plats and Data.

A. Preliminary Consultation Data: The following information shall be provided to the Planning Commission by the subdivider at the time of the preliminary consultation:

1. General: Information including data on existing covenants, land characteristics and available community facilities and utilities, and information describing the subdivision proposal such as number of residential lots, typical lot width and depth, business areas, playgrounds, park areas, and other public areas, tree planting, proposed protective covenants and proposed utilities and street improvements.

2. Location Map: A location map showing the relationship of the proposed subdivision to existing community facilities which serve or would be influenced by it, and including the development name and location, main traffic arteries, churches, title, scale, north arrow and date.

3. Proposed Layout: A sketch plan showing in simple sketch form the proposed layout of streets, lots and other features in relation to existing conditions. The sketch plan may be a free-hand pencil sketch made directly on a print of the topographic survey.

B. Preliminary Plat:

1. The preliminary plat shall be drawn with waterproof non-fading black ink or legibly drawn with pencil on tracing cloth, or tracing paper of good quality at scale of 100 feet to an inch and shall show accurately on its face:

a. The date, scale and northpoint.

b. The proposed subdivision name, which shall not be so similar to the name of any plat previously recorded in the area as to cause confusion.

c. The name, and address of the owner, the subdivider, and the engineer, planner or surveyor preparing the plat.

d. The exact length and bearing of the exterior boundaries of the subdivision; the legal description and location to include latitude and longitude to the nearest minute at one corner of the survey, and the total acres.

e. Location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land.

f. Zoning on and adjacent to the subdivision.

g. Location, widths and names of all existing and platted streets, alleys, or other public ways and easements railroad and utility rights-of-way, parks, cemeteries, water courses, drainage ditches, permanent buildings, bridges, and other pertinent data required by the Planning Commission.

h. The water elevations and adjoining lakes or streams at the date of the survey and the approximate high and low water elevations of such lakes or streams.

i. If the subdivision borders a lake or stream, the distances and bearing on a meander line established not less than 20 feet from the ordinary high water mark of the lake or stream.

j. Layout, width and approximate grades of all new streets and rights-of-way, such as alleys, highways, easements for sewers, water mains and other public utilities.

k. Direction and distance to nearest water and sewer mains.

l. Approximate dimensions and areas of lots.

m. Proposed building lines.

n. Approximate radii of all curves and length of tangents.

o. Contours at two (2) feet intervals or at more frequent intervals if required by the Planning Commission for land of unusual terrain characteristics. All pertinent elevations should be shown.

2. The area for which such data is to be shown shall extend beyond the boundaries of the actual property being platted a distance which will adequately relate the plat to its surroundings.

C. Final Plat:

1. Compliance with Title 40, Chapter 15: A final plat of subdivided land shall comply with the requirements and administrative regulations of Title 40, Chapter 15, Alaska Statutes, as amended from time to time, which are incorporated by reference herein.

2. Certificates and affidavits:

a. Owners and Surveyors: A certificate of ownership and the affidavit of the surveyor who surveyed and mapped the parcel shall be submitted with the final plat giving a clear and concise description of the land surveyed by bearings and distances, commencing with some corner marked and established in the U. S. Public land survey or some corner providing reference to a corner marked and established in the U. S. Public land survey. Such affidavit shall include the statement of the surveyor to the effect that he has fully complied with the requirements of this section.

b. The final plat must represent an actual survey made by a person who has been qualified by the State of Alaska, Board of Engineers and Architects examiners to practice land surveying in the State of Alaska.

3. Engineering Standards: The final plat shall be drawn on drafting linen 18 x 24 inches in size. All lines and printing shall be made with non-fading black ink at a scale of 100 feet to an inch. The final plat shall show accurately on its face:

a. The date, scale, and northpoint.

b. The final plat must represent an actual survey made by a person who has been qualified by the State of Alaska, Board of Engineers and Architects Examiners to practice land surveying in the State of Alaska.



c. The Dimensions of all lots.

d. The layout, width and bearing of all streets and rights-of-way, such as alleys, highways, easements for sewers, watermains, and other public uses.

e. The length of all arcs, radii, internal angles, points of survature, length and bearing of tangents.

f. An identification system for all lots and blocks and a legal description of all property being subdivided.

g. A certificate of approval of the Planning Commission.

h. The name of the subdivision and names and address of the subdivider.

i. All easements as required by the State of Alaska Division of Lands.

j. A properly labeled legend showing monuments as found or established.

k. No name for a geographic feature shall be shown on the final plat unless said name has been approved by the U.S. Board of Geographic Names.

Sec. 95.85.070. Public Sites and Open Spaces. In order that adequate open spaces and sites for public uses may be properly located and preserved as the community develops; and in order that the cost of providing the public facilities necessary to serve the additional families brought into the community by subdivision development may be most equitably apportioned; the following provisions are established:

Reservation of Potential Sites:

1. Design Consideration: In the design of the plat, consideration shall be given to the adequate provision of and correlation with such public sites or open areas.

2. Reservation May be Required: Where it is determined by the Planning Commission that a portion of the plat is required for such public sites or open spaces, the subdivider may be required to reserve such area for a period not to exceed three years, after which the City shall either acquire the property or release the reservation.

Sec. 95.85.080. Subdivisions Created by Successive Divisions.

Successive Divisions:

1. Assessor's Plat: Where it is not practical to require that a final plat of a subdivision created by successive division be filed in accordance with this ordinance, the City may in lieu thereof order an assessor's plat to be made and may assess the cost thereof to the subdivider.

2. Reasonable Compliance: Regardless of the type of plat filed, any such subdivision shall comply with all provisions of this ordinance to the extent that they may be reasonably applied.

Sec. 95.85.090. Existing Substandard Lots.

A. Conveyance Restricted. In the case of a lot of record at the time of the passage of this ordinance which does not conform to the zoning regulations of the City, and which adjoins along a side lot line property held in the same ownership, no such lot shall be conveyed to another owner nor shall a building permit be issued for a structure on such a lot except in conformity with the following:

1. Petition for Determination. The owner of such substandard lot may at any time prior to the proposed conveyance of such lot or request for building permit, petition the City for determination as to the status of such lot.

2. Referral to the Planning Commission. Such petition shall be referred to the Planning Commission for study to determine the practical possibility of a redivision of such ownership to provide lots which will be in conformity to the zoning regulations of the City and shall act within forty (40) days to give the petitioner a determination.

3. Criteria. The Planning Commission in making its decision and determination shall give consideration, among others, to the following factors:

a. Compatibility. The size, quality and character of existing lots and building development in the immediate area with a view to maintaining compatibility and protecting existing values.

b. Sewage Disposal. Where public sewer is not available, a lot size necessary to insure safe sewage disposal.

c. Practicability. The economic and engineering practicability of any possible redivision.

d. Hardship. The degree of practical hardship which may be imposed upon the owner.

4. Method of Redivision: Such redivision may be accomplished as is most appropriate by:

a. Vacation and replatting of all or a part of a recorded plat.

b. Combining of lots or parts of lots.

c. Redefining of lot lines by a plat.

B. Determination of Ownership: For the purpose of this section property shall be considered in the same ownership when owned by:

1. The same individual or corporation.

2. Tenants-in-the-entirety or tenants-in-common, and either of said tenants-in-the-entirety or tenants-in-common owns other contiguous property individually or as tenants-in-common with another.

3. An individual; and other contiguous property is owned by any relative by blood or marriage within the second degree of kindred.

4. An individual; and other contiguous property is owned by a corporation of which he is a director, officer or controlling stockholder.

Sec. 95.85.100. Monuments. All exterior corners of the subdivision shall be marked by permanent monuments set in the ground.

A. Minimum requirements: Monuments shall consist of a one and one-half (1-1/2) inch galvanized iron pipe, thirty (30) or more inches long and shall have a four (4) inch flange across the bottom. Permanently fixed thereto shall be a minimum of a two (2) inch brass or bronze cap. Each cap shall be marked in a professional manner and shall also show the registration number of the engineer and year of the survey.

B. Three (3) bearing objects or bearing trees shall be taken for all primary monuments set on the exterior angle points of the survey, and shown on the final plat.

C. Where impracticable to set an iron pipe monument, a concrete slab not less than 2' x 2' x 6" thick and a brass or bronze cap marking the actual corner point may be used. In the case of bedrock, boulders, etc., a bronze or brass cap may be grouted into the rock.

D. Should the point for a corner be in a place which would be impracticable to monument, witness corners shall be set and referenced to the true point.

E. Unless otherwise approved by the Planning Commission, every survey shall have at least four (4) monuments each fully described in the plat survey. The line of sight between adjacent monuments shall be unobstructed. The distance and bearing between monuments shall be shown. The distance between adjacent monuments shall not exceed thirteen hundred and twenty feet (1320').

F. Bearings of all lines shall be referred to the true meridian. Bearings shall be obtained by deflection from existing official surveys of G.L.O., B.L.M., USC and GS, U.S.G.S., the Alaska Division of Lands, or monuments with proper identification which are delineated on recorded plats, unless otherwise specified in subsection "G" of this section.

G. If no such monuments or surveys exist within two (2) miles of the project, the latitude and longitude may be scaled, as near as possible, from the best available maps of the area.

H. Unit of measure: All lengths of lines shall be shown as their true horizontal equivalents in the foot unit carried out to the nearest 100th. If needed in order to secure true distance a spring balance shall be used and temperature corrections applied.

I. A true copy or original of all field notes shall be submitted with the plat of survey and shall remain with the platting authority as documented record.

Sec. 95.85.120. Penalties. The owner or agent of the owner of land located within a subdivision who transfers, sells, or agrees or enters into a contract to sell land in a subdivision before a plat of the subdivision has been prepared, approved, and recorded in compliance with this ordinance is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than five hundred dollars (\$500.00) and the cost of prosecution for each lot or parcel transferred or sold or agreed or included in a contract to be sold. In default of payment of such fines and penalties those convicted shall be imprisoned until payment thereof, but not exceeding thirty (30) days. The City may enjoin a transfer by appropriate legal action. The transfer, sale, assignment, or other conveyance of land located within a subdivision before a plat of the subdivision has been prepared, approved, and recorded in compliance with the provisions of this chapter is void.

Sec. 95.85.130. Compliance. No building permit shall be issued for a new building on a lot which did not exist as a described and recorded parcel prior to the date of this ordinance, or was not created by recorded subdivision pursuant to State statute, or by a recorded plat pursuant to provisions of this ordinance.

## Chapter 90. Vacation of Plats

Sec. 95.90.010. Petition. No plat may be altered, amended or otherwise changed or vacated except upon petition of the owners of a majority of the land affected by the alteration, amendment, change or vacation showing the changes contemplated. Except as otherwise provided by law, no street, alley or public thoroughfare or any part of one may be vacated, except upon petition of the owners of the majority of the front feet of the land fronting upon the part of the street, alley or public thoroughfare sought to be vacated. The petition shall be filed with the city clerk, requesting that the plat, addition or subdivision be amended, replatted or vacated, or that the street, alley or public thoroughfare be vacated. The petition shall be accompanied by a plat, draft or a copy of the existing plat, showing the proposed amendment, replat or vacation.

Sec. 95.90.020. Time, Place and Notice of Hearing. Upon the payment of the costs, the clerk shall fix a time for the hearing of the petition which shall not be less than 30 nor more than 60 days after the filing, and shall issue a notice stating when and by whom the petition was filed, the object of it, and the time and place of the hearing. The notice shall generally describe the plat, addition or subdivision sought to be amended, replatted or vacated, or the street, alley or public thoroughfare or part sought to be vacated. This notice shall be published once a week for three consecutive weeks in a newspaper of general circulation published within the largest governing district in which the land is located. The clerk shall also mail by registered mail a copy of the notice to each of the owners of the affected property not joining in the petition as shown by the records in the property-taxing of the City Recorder's Office, First Judicial District, at the addresses there shown.

Sec. 95.90.030. Hearing and Determination. At the hearing, the city planning commission shall inquire into and determine the merits of the relief prayed for and make such order as justice and the public welfare require.

Sec. 95.90.040. New Plat to be Filed. If the amended plat or replat is approved, it shall be filed and recorded with the recorder of the Wrangell Recording District, First Judicial District, Wrangell, Alaska, and thereafter is the lawful plat. If the plat, addition, subdivision, street, alley or public thoroughfare or part of it is vacated and not otherwise altered or replatted, it is only necessary to file with the recorder the order or resolution vacating it and the recorder shall note upon the original plat the part vacated.

Sec. 95.90.050. Title to Vacated Area. Except as otherwise provided by law, the title to the street or other public area vacated attaches to the lots or lands bordering on the area in equal proportions, except that where the area was originally dedicated by different persons, original boundary lines shall be adhered to so that the street area which lies on one side of the boundary line shall attach to the property on that side. The portion of a vacated street which lies within the limits of a platted addition bordering on the area. If a public square is vacated, the title to it vests in the City of Wrangell for the use of the City, to be used and disposed of as other public lands.



CITY OF WRANGELL, ALASKA

Ordinance No. 324

AN ORDINANCE CREATING THE THOMAS BAY POWER COMMISSION AND PRESCRIBING ITS POWERS AND DUTIES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

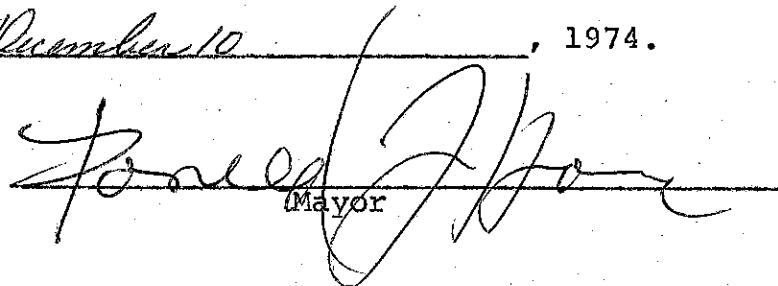
Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals all ordinances and parts thereof inconsistent herewith.

Sec. 5. Adoption of Sections. The following annexed sections bearing code number Sec. 03.90.010 through 03.90.040 all inclusive, are hereby adopted as a part of this ordinance and Title 3 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED December 10, 1974.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Clerk

## Chapter 90. Thomas Bay Power Commission

Sec. 03.90.010. Creation of Commission; Members and Composition. There is hereby created by this ordinance identical to an ordinance introduced by the Council of the City of Petersburg, Alaska, a Thomas Bay Power Commission which shall consist of five members. Two of said members shall be appointed by the Council of the City of Petersburg; two of said members shall be appointed by the Council of the City of Wrangell; and one member shall be appointed by the four members heretofore designated. A president, vice-president, secretary and treasurer of the Commission shall be selected from and by the members.

Sec. 03.90.020. Terms, Vacancies and Compensation. (a) The term of a Commission member shall be for a period of three years. Provided, however, that the terms of the first members shall be as follows: One member from each city for a term of two years; one member from each city for a term of three years; the one member selected by the other members for a term of one year.

(b) Vacancies on the Commission, by death, resignation, removal or other cause, shall be filled by the appointment by the respective city council or by the other Commission members depending on the position that has been vacated. A member may be removed for cause upon a majority vote of the members present at a regularly scheduled meeting.

(c) Members shall serve without compensation, except that travel and miscellaneous out-of-pocket expenses previously authorized or subsequently ratified shall be reimbursed.

Sec. 03.90.030. Meetings; Quorum; Rules of Procedure; Records. (a) The Commission shall establish rules of procedure and in the absence of any such rules, meetings shall be conducted pursuant to Robert's Rules of Order, Revised 1972. There shall be two regular meetings of the Commission each month which shall be open to the public. The president, in his discretion, is authorized to call special meetings, or a majority of the members may require a special meeting to be called. Meetings may be conducted by long distance conference telephone communication audible to the public. Place of meetings shall be posted at least five (5) days in advance in three (3) public places in each city.

(b) A majority of the Commission shall constitute a quorum for the transaction of business, and a minimum majority of three affirmative votes shall be necessary to carry any question, including removal of a member from office for cause.

(c) Permanent records, or minutes, shall record the vote of every member of each question. Every decision or finding shall be promptly filed in the offices of the Commission and shall be open to inspection by any person.

Sec. 03.90.040. 040. Powers and Duties. (a) The Commission shall have the following powers and duties:

1. Generally to have full and complete supervision, management and control of the study, design, construction, maintenance, operation and improvement of the hydroelectric project known as "The Thomas Bay Project" together with any other hydroelectric project proposed by the Commission within the area of Petersburg/Wrangell or such area which can reasonably and feasibly serve the hydroelectric power needs of the Petersburg and Wrangell communities;

2. That the board shall prepare and file with the city council copies of all budget estimates, including any budget amendment which may subsequently be proposed to be made upon final adoption by the Commission; and shall upon request of the council furnish such further details as may be necessary to a reasonable understanding of any such budget estimate or proposed budget amendment. The Commission shall adopt the annual budget estimate no later than April first in each year and shall immediately forward the estimate to the city manager for inclusion in the annual budget estimate of the city;

3. That the Commission shall file with the city council copies of all audits and all monthly financial and operating reports and such other reports as may come up from time to time and requested by the city, the State of Alaska, the Federal government or such other agencies or institutions that may fund the Commission;

4. That the annual budget for operation of the Authority shall, if necessary, make provision for payments to become due on account of interest and principal for any bonds, issued by the city to pay the costs of economically sound hydroelectric generation, transmission and distribution improvements;

5. To employ consulting engineers, auditors, environmental specialists, financial specialists, attorneys or other special, professional or skilled services;

6. To employ a general manager in the discretion of the Commission who shall serve at the pleasure of the Commission at a salary to be so fixed. Said manager may also be a member of the Commission;

7. To act in its own name or in the name of the city in any revenue bond ordinance for the purpose of financing all, or in part, the construction or acquisition of the proposed hydroelectric project at Thomas Bay or such other hydroelectric project as is feasible to be operated by the Commission from the revenues derived from the consumers of electric power;

8. The Commission shall account for all of the Commission's accounts arising out of operations in the manner and form known as the Uniform System of Accounts prescribed by the Federal Power Commission, or such other form as employed by the Alaska Public Utilities Commission, together with the accounting for all disbursements or expenditures. The Commission shall select a depository bank at which the accounts of the Thomas Bay Power Authority shall be maintained, and by resolution designate signatures authorized for disbursements; and

9. To review and fix from time to time all of the rates, charges for use of services and facilities furnished and policies for the generation, distribution, transmission and consumption of electric power and when deemed necessary and proper, to prepare new or adjusted rates, charges and policies such as are fair and non-discriminatory and sufficient to meet the obligations of the Commission, including a reasonable profit after payment in lieu of taxes, but which rates shall not exceed a fair rate of return on those facilities devoted to public use at a cost set out by the Alaska Public Utilities Commission for like facilities.

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 323

AN ORDINANCE AMENDING THE ZONING REGULATIONS  
TO PROVIDE ADDITIONAL REQUIREMENTS FOR APART-  
MENT RESIDENTIAL ZONE DEVELOPMENTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals all ordinances and parts of ordinances inconsistent herewith.

Sec. 5. Adoption of Sections. The following annexed subsections 5, 6, 7, and 8 to Sec. 95.32.050 are hereby adopted as a part of this ordinance and Title 95 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: December 10, 1974.

James R. [Signature]  
Mayor

ATTEST:

James R. [Signature]  
Clerk

Published December 18, 1974

Sec. 95.32.050. Apartment Residential. (Continued)

(5) Maximum coverage - 50% - provided that where public water and sewer service are not available the maximum lot coverage shall be 30%.

(6) Maximum height - 3 stories (excluding gable which is included in and considered part of the top story) or 35 feet, whichever is less. (Note: Also see Fire Warning Device, Title 39, Chapter 50.)

(7) Off-street parking shall be as stated in Chapter 95.50.

(8) Other development requirements shall be as stated in Chapter 95.40.

WRANGELL

Serial No. 74-598

~~BOOK 17 PAGE 454~~  
Wrangell Recording District

CITY OF WRANGELL, ALASKA

Plat # 74-15

Ordinance No. 322

AN ORDINANCE DEDICATING LOT 6, BLOCK 25,  
WRANGELL TOWNSITE AS A PUBLIC RIGHT-OF-  
WAY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a limited nature pertaining to public property management and shall not be codified in the Code of Ordinances of the City of Wrangell.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage and publication.

Sec. 4. Repealer. This ordinance repeals all ordinances inconsistent herewith.

Sec. 5. Dedication. All of that portion of Lot 6, Block 25, Wrangell Townsite between the Case Avenue right-of-way and Zimovia Highway right-of-way owned by the City of Wrangell as obtained from a Clerk's tax foreclosure deed dated March 23, 1971, recorded as serial number 71-88, recorded in Deed Book 17 at page 303, Wrangell Recording District, is hereby dedicated to public use as a public right-of-way.

PASSED AND APPROVED: December 10, 1974.

[Signature]  
Mayor

ATTEST:

[Signature]  
Clerk

<del>RECORDED</del> - FILED 5.00
Wrangell REC. DIST.
DATE <u>12/16</u> 19 <u>74</u>
TIME <u>8:01</u> <u>A</u> M
Requested by <u>City of Wng</u>
Address <u>Bx 551 - Wng</u>
<u># 160365</u>

CITY OF WRANGELL, ALASKA

Ordinance No. 321

AN ORDINANCE ADOPTING PERSONNEL POLICIES AND PROCEDURES FOR MUNICIPAL EMPLOYEES OF THE CITY OF WRANGELL, ALASKA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and shall become part of the Code for the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals all ordinances and parts thereof inconsistent herewith.

Sec. 5. Adoption of Sections. The following annexed Section bearing code number Sec. 03.80.010 through 03.80.170 is hereby adopted as a part of this ordinance and Title 03 of the Code of ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: December 16, 1974.

[Signature]  
Mayor

ATTEST: [Signature]  
City Clerk



Chapter

Section

80

- Officers and Employees
- 03.80.010. Introduction.
  - 03.80.020. Definitions.
  - 03.80.030. General Provisions and Prohibitions.
  - 03.80.040. Recruitment of Personnel.
  - 03.80.050. Selection of Personnel.
  - 03.80.060. Appointment to the Classified Service.
  - 03.80.070. Probationary Period and Permanent Appointment.
  - 03.80.080. Disciplinary Action.
  - 03.80.090. Grievance Procedures.
  - 03.80.100. Lay Off - Re-Employment - Dismissal.
  - 03.80.110. Sick Leave.
  - 03.80.120. Working Week.
  - 03.80.130. Pay.
  - 03.80.140. Leave of Absence.
  - 03.80.150. Holidays.
  - 03.80.160. Fringe Benefits.
  - 03.80.170. Miscellaneous Provisions.

## Chapter 80. Officers and Employees

Sec. 03.80.010. Introduction. The home rule charter of the City of Wrangell is the basis for all appointments and promotions in the administrative service of the City. All appointments and promotions in the service of the City shall be made according to merit and fitness. In the preparation of these rules, every effort has been made to draft them in such a manner as to secure for the citizens of Wrangell the maximum in honest, efficient and meritorious service by public employees who are entirely fitted and qualified to discharge the obligations and duties of their offices.

It is conceived that security in office must for employees be a secondary, although desirable goal, so that the law and the rules shall not be subverted to shield the dishonest or inefficient. Job security will naturally follow and depend upon efficient and meritorious service.

It is intended that these rules will outline personnel policies and set up administrative procedures which will accomplish the primary objectives. It is also intended by these rules to provide a flexible working policy of personnel administration within which both employees in the classified service and the City can cooperate on a friendly basis with assurance the personnel problems will be settled upon their merits and that all interested parties will receive just and equitable treatment.

These rules may be amended from time to time by the Common Council of the City of Wrangell, Alaska.

Insofar as they are not in conflict with the Charter, State or Federal laws, or the contents of the personnel manual, Departments may adopt further rules and regulations to obtain a more efficient standard. Such rules must be in writing and submitted to the City Manager.

Each and every employee shall be provided with a copy of the personnel manual and other rules and regulations pertaining to his department to read. It shall be mandatory that each employee familiarize themselves with the manual and rules and regulations. Due to the high cost of reproductions, personal copies will not be provided to each employee, however, at least two copies shall be maintained within his department for his or her use.

Sec. 03.80.020. Definitions. Classify. This term means to assign to a specific class of positions.

Application of Definitions. For the purpose of these rules and regulations, the words and phrases defined in this chapter shall have the meanings ascribed to them, unless it is apparent from the content that a different meaning is attended.

Appointing Authority. The term means the City Manager of the City of Wrangell, except when he has delegated this authority to a department head, in which instance, it shall mean the head of a department or office.

Appointment. The term means the hiring or promotion of a person, by due authority, to an authorized position in the City service.

Charter. The term means the Home Rule Charter of the City of Wrangell.

Class. The term means a group of positions which are sufficiently similar in respect to duties and responsibilities that the same descriptive title may be used to designate the position and that the same entrance qualifications and examinations may be required for individuals applying for employment, and that the same schedule of pay may be made to apply with equity under substantially the same employment conditions.

Class Specification. The term refers to a written statement describing the duties, responsibilities, and entrance qualification standards of a class of positions.

Class Title. The term means the designation given a group of similar positions under these rules and to each position authorized to the class.

Classification Plan. The term means the plan of classification and grading of all positions in the classified service, as may from time to time be amended.

Demotion. The term means a change in employment status from one class to another having a lower range of pay.

Disciplinary Probation. The term means a condition in which an employee with permanent or regular status is placed on probation for disciplinary reasons.

Employee. The term means a person who is a legal incumbent of a position or who is on authorized leave of absence and whose position is held for him pending his return.

**Examination.** The term means an oral and/or written test and the evaluation of the results thereof, used to determine the eligibility and fitness of candidates for appointment to a position in the classified service.

**Position.** The term means a group of current duties and responsibilities assigned by competent authority requiring the full time or part-time employment of one person.

**Probationary Period.** The term shall mean a working test period of six months during which an officer or employee is required to demonstrate his fitness, for the position to which he was appointed, by actual performance of duties of the position, before he shall be deemed a permanent or regular employee. In the Police Division the probationary period shall be one year.

**Probationary Status.** The term means the status of an employee appointed to an authorized position but not having completed his probationary period.

**Promotion.** The term promotion shall mean a change in employment status from one class to another with a higher range of pay.

**Reclassification.** The term means a change of a specific position by raising it to a higher class, reducing it to a lower class, or moving it to another class at the same level on the basis of a change in the type, difficulty or responsibility of duties assigned the position. Reclassification is neither a promotion or demotion.

**Regular Employee.** The term means an employee having regular status under these rules.

**Regular Status.** The term means the status of an employee filling an authorized position in the classified service for which he has successfully completed the required probationary period.

**Rules.** The term refers to the Rules and Regulations of the City of Wrangell.

**Suspension.** The term means the temporary separation from the service, without pay, of an employee under serious charges.

**Temporary Employee.** The term means an employee performing work for the City of limited duration or while awaiting the vacation of a position by a permanent employee or to perform a task for which there is no current authorized position.

Sec. 03.80.030. General Provisions and Prohibitions.

Objective. The objective of these rules is to establish, in compliance with applicable law, a system of administrative policy and procedures by which appointment, promotion, discipline and employment within the classified service of the City of Wrangell shall depend upon honest, efficient, loyal, energetic and generally meritorious service in accordance with standards of public ethics, morality and workmanship. It is intended to protect the honest and efficient public employee from adverse discriminatory action, whatever the motive, and thus to secure for the public the services of honest, efficient and experienced employees. At the same time, it is intended that administrative officers will have ample authority to correct where possible, and to remove when necessary, dishonest or inefficient employees. The objective and intent, in essence, is to assure that the City of Wrangell attracts and retain the best employees available.

Application of Rules. These rules shall apply to all employees of the City of Wrangell unless otherwise specifically exempted.

Obligation. All employees in the City service shall render honest, efficient, and economical service in the performance of their duties subject to the penalties of these rules.

Conditions of Employment. No person will be required, as a condition of employment, appointment, transfer, promotion, or retention in the service, to join any organization or association of employees.

Basis for Appointment, Promotion, Transfer, Retention, Dismissal. Appointment, promotion, demotion, transfer, retention in or termination of services with the classified service will be made on the basis of merit and efficiency.

Administrative Rules to be Equitable. The administration of the classification plan and the pay plan and administrative rules and regulations with respect to hours of work, vacation, attendance regulations, leaves of absence, the order and manner of layoffs shall be effected and similar matters of personnel administration shall be fair and equitable and shall have general application to all employees in a given class insofar as equal application is practicable.

Tests. The term means and includes:

a. Assembled Test. A written, oral, and/or performance test at a specified time and place as may be stated in the job announcement.

b. Unassembled Test. A test consisting of an appraisal of training, experience, work history, or any other means of evaluating qualifications of applicants.

Transfer. The term shall mean a change of an employee from one position to another position in the same class or to another class having similar duties, the same range of pay and similar employment standards.

Political Activity. No employee of the City may work for or against, or attempt to influence, the election or defeat of any candidate for Mayor or Councilman, or the recall of the Mayor or Councilman, provided that this shall not prohibit the ordinary exercise of the right to express an opinion and to vote.

Grievance Between Employees and Management. Disputes arising out of interpretation of application of these rules and regulations, governing standards, classification, hours of work, employment conditions, and any other matter shall be handled by the employee through established grievance procedures as hereafter established.

Personnel Records. The City Clerk shall maintain a personnel file for each employee, showing name, title of position held, the department to which assigned, salary, changes in employment status, and such other information as may be required.

Destruction of Records. Personnel records, not required to be kept as public records, may be destroyed after five years subject to Council approval or other statutory requirements.

Confidentiality of Personnel Records. A personnel file on each employee will be confidential insofar as possible under existing laws.

Notification of Address. All employees, including those on leave of absence, are required to keep the City informed as to their current home address or location at all times.

Restriction on Outside Work. Employees are expected at all times to be able to perform their duties. There is no intention on the part of the City to unnecessarily interfere with the off-time activities of employees. No employee should become engaged in off-time activity which will create a conflict of interest between the City and the outside activity or create demands on the time of the employee which make it impossible to devote a full work day and/or shift to his job.

Retirement Benefits. All City employees are covered under the State of Alaska Pension Plan by means of a contract between the State of Alaska and the City of Wrangell, retroactive to January 1, 1966.

Separability of Provisions. If for any reason any rule, subdivision, sentence, clause, or phrase of these rules are held to be invalid, such decision shall not affect the remaining rules, subdivision, sentences, clauses, or phrases.

Health. Employees may be required to present at their own expense, evidence of physical and/or mental fitness to perform the duties of any position. This will be a mandatory requirement for persons seeking appointment in the Public Safety positions of the Police and Fire Departments.

Leave of Absence. Leaves of absence, without pay, may be granted up to thirty (30) days in any fiscal year. Requests for leaves of absence must be approved by the individuals' immediate supervisor prior to approval by the City Manager.

Classification and Pay Plan. The City Council shall adopt the classification and schedule of salaries and wages by resolution. Reference to the classification and schedule of salaries and wages in the personnel manual shall be determined to mean the most current resolution adopted by the City Council.

Sec. 03.80.040. Recruitment of Personnel. Recruitment - Publicizing. The City shall give notice of each vacancy in the classified service to the end that the best qualified person shall be attracted to the service of the City. Vacancies may be filled by regular employees or temporary employees.

Content of Announcements. Each job announcement shall specify the class title, the nature of the work to be performed, the payrate, or range, for the class, the minimum or desirable qualifications and the place and manner filing an application. The City may add other information as may be deemed advisable.

Application Forms. Applications for employment will be made on forms provided by the City. The application, in conformance with existing law, shall require such information as deemed pertinent. All applications must be signed by the person applying. Every applicant for a position may be required to submit to polygraphing and finger printing for purposes of City identification. Any false statement in the application shall be grounds for rejection of the application or immediate discharge after employment.

Sec. 03.80.050. Selection of Personnel. Objective. It shall be the objective to establish procedures which are impartial, practical and related to matters which fairly test the relative merit, fitness and ability of the persons examined to discharge the duties and responsibilities of the duties of the position to which they seek appointment. No question in any examination shall relate to political or religious opinion or affiliation.



Subjects and Types of Tests. As stipulated by the hiring authority, examinations may consist of written, oral, performance, or physical tests, or any combination thereof, or any other method which will test the qualifications or the applicant.

Written Tests. A written test may be used to measure the knowledge, ability, judgment, personality, emotional stability, aptitude and/or alertness of prospective employees insofar as such traits are related to the duties of the position.

Oral Tests. An oral test may be used to evaluate the personal fitness, experience and training, knowledge, capacity, and judgment of candidates. It shall be appropriate to evaluate pertinent traits insofar as duty requirements are concerned. Such judgment shall be solely on an objective basis.

Performance Tests. Such tests may be administered to obtain samples of a candidate's work as it pertains to the duties of the position being applied for.

Physical Tests. A physical test may be given, and may consist of competitive exercises or events designed to measure agility, strength, coordination or fitness.

Experience and Training. A competitive analysis may be made of the relevance, level, recency, progression, and quality of experience and education submitted by the candidates. This may be done in an oral or an unassembled manner.

Promotional Tests. As the needs of the City require, promotional tests may be conducted from time to time and shall include evaluations of performance of duty for the City in lower positions as a major portion of criteria on which a judgment will be based.

Sec. 03.80.060. Appointment to the Classified Service. Filling Vacancies. Except as may be otherwise provided, all vacancies in the classified service shall be filled by re-employment, transfer, or appointment from eligible list of applicants.

Temporary Appointments. A temporary appointment to a temporary position for a term of not more than nine (9) months may be made of a person meeting the position requirements. This shall not apply to Public Safety Personnel.

Emergency Appointments. In the event of an emergency threatening public life or property, persons may be appointed for duration of the emergency.

Seasonal Employees. Persons may be appointed to the City service for seasonal work. No right to re-employment or seniority shall occur by reason of such appointment. Employees so appointed shall receive no fringe benefits except as may be required by law. The examination for such appointments shall be simple, brief and may consist only of an interview.

Sec. 03.80.070. Probationary Period and Permanent Appointment. Objective. The probationary or working test period shall be regarded as an integral part of the examination process and shall be utilized to assess the abilities of the new employee and for the rejection of any employee failing to meet the required work standards.

Probationary Period. All original and promotional appointments shall be tentative and subject to a probationary period. The probationary period shall be not less than thirty days nor more than six months. If at any time during the probational period the services of the probationer are unsatisfactory to his immediate supervisor, he shall be so notified in writing. The supervisor shall include in the written notification the date of the termination. This probationary period shall not preclude personnel of the Police Department from successfully completing the additional six months probation to become certified with the State of Alaska as required.

Completion of Probationary Period. Once a probationary employee has completed the probationary period with a satisfactory performance of duty, he shall become a permanent employee of the City, effective on the first or sixteenth day of the month, whichever comes first.

Fringe Benefits. Fringe benefits shall not be available to probationary employees. The original date of hire shall be used in determining vacation leave and sick leave for employees successfully completing their probationary period. All other fringe benefits, including, but not limited to paid holidays, group medical insurance and enrollment into the retirement system shall become available to the employee from the date of successful completion of the probationary period.

Probation on Promotion or Transfer. A permanent employee in the classified service of the City who may be promoted to a higher classified position shall serve a probationary period in his new position. If, in his new position, the performance of duty is not satisfactory during the probationary period the employee shall revert back to his former status and be re-instated in his former position provided a vacancy exists. An employee transferred to another department failing to satisfactorily complete his probationary period shall revert to his previous position provided a vacancy exists. An employee transferred to another department failing to satisfactorily complete his probationary period shall revert to his previous position provided a vacancy exists. If no vacancy exists in the pre-promotional or pre-transfer department, the employee shall be placed on the re-employment list.

Sec. 03.80.080. Disciplinary Action. Objective. It shall be the objective of this section to provide the guidelines whereby disciplinary action may be taken.

Grounds for Disciplinary Action. The following may be grounds for suspension, disciplinary probation or other disciplinary action. Disciplinary action shall be applied equitably to all employees without reference to national origin, creed, sex or political beliefs.

- a. A chargeable accident. This is defined as an accident wherein the employee was clearly at fault in exposing the City to a situation of liability.
- b. Using profane or blasphemous language.
- c. Displaying bad or ungovernable temper.
- d. Lack of promptness in execution of duties.
- e. Neglect of duty or absence from port or place of duty without proper authorization.
- f. Uncivil or discourteous attitude toward citizens or superiors.
- g. Lounging or idling while on duty.
- h. Habitual tardiness.
- i. Lack of neatness in person or dress reasonably compatible with position held.

- j. Lack of promptness in meeting financial or other obligations.
- k. Violation of City ordinances or other obligations.
- l. Untruthfulness or dishonesty.
- m. Failure to observe applicable administrative rules and regulations.
- n. Unauthorized use or misuse of City property or equipment.
- o. Using or uttering disrespectful language about or concerning a fellow employee or official to the City; making derogatory remarks about other members of his department either to other members of his department or anyone outside the department, except that he may do so to his supervisor, the City Manager, or as an official charge as stipulated in the grievance procedure.
- p. For receiving or accepting money or anything of value for special favors to persons or firms in connection with official duties.
- q. Willful disobedience of orders of a superior or supervisor.
- r. Any other misconduct, inefficiency or dereliction of duty reflecting adversely upon the City.

Demotion. The appointing authority may for cause reduce the salary within the range provided in the Salary Plan or demote the employee to a lesser range in the same class. Such cause shall be based upon the facts justifying disciplinary actions, on ineptness, inefficient performance of duties or other facts which disclose that such action is for the good of the City's service. A written statement of the reasons for such action shall be furnished the employee and a copy placed in the employee's personnel file. No demotion shall be made as a disciplinary measure, unless the employee being demoted is eligible for employment in a lower position class and shall not be made if any regular employee in the lower class would be laid off by reason of the action. Any employee who is demoted may appeal the action in accordance with the grievance procedures.

Disciplinary Probation. An appointing authority may, for disciplinary purpose, place an employee on probation for an infraction of City rules and regulations or for misconduct as enumerated herein, subject to an appeal or provided in the Grievance Procedures. The City Manager shall be furnished a written statement setting forth the reasons for such probation. A copy shall be furnished the employee. The term of such probation shall not exceed six (6) months, during which time the employee shall perform his duties and receive his pay. Failure of an employee to improve his work performance during the term of the probationary period shall be grounds for immediate dismissal.

Suspension. An employee may be suspended without pay for a period of not to exceed thirty (30) days pending the investigation or trial or any serious charges against him. If the employee so suspended is found not guilty of the charges filed against him, he shall be paid for the time he was under suspension.

Warning Slips. Warning slips may be served on an employee with a copy to be directed to the payroll division for the personnel files. The warning slips shall contain the incident causing the action. A warning slip may be used to suspend an employee without pay as disciplinary action. The first suspension for disciplinary action shall be five days, without pay. In the event the suspension without pay falls upon a paid holiday, the employee shall forfeit that paid holiday.

Damage to City Equipment. In the event City equipment is damaged through neglect or abuse by any regular or temporary employee that employee shall be directly responsible for payment of repairs or replacement in the event it cannot be repaired. A recommendation from the Department Head of the offending employee shall cause the matter to be referred to the City Attorney for action.

Sec. 03.80.090. Grievance Procedures. Objective. It shall be the objective of this section to clearly state the procedures to be followed by an employee of the City who feels he has received unjust treatment or disciplinary action by the City, and/or its officials.

Step I. An employee who feels that he has been the recipient of unjust treatment, unwarranted disciplinary action or was subjected to other actions by City officials or officers shall within five (5) working days of the incident file a protest in writing with his department head. The protest shall set forth the employees grounds for feeling that the action was unjustified, also stating the action referred to. Within a period of two (2) days from the date the employee has filed his written protest, the Department Head shall reply in writing to the aggrieved employee.

Step II. Within five (5) working days after receiving a reply from the Department Head, an employee who remains dissatisfied with the action taken may appeal the decision in writing to the City Manager. The City Manager shall investigate the facts of the incident and reply in writing to the employee within five (5) working days from the date the employee has filed his appeal, with a copy to the Department Head. The reply shall sustain, reverse, or reduce the action taken by the Department Head.

Step III. If the employee or Department Head is dissatisfied with the action taken by the City Manager, an appeal to the City Council shall be made within five (5) working days after receiving the reply from the City Manager. The City Council shall, within fifteen (15) calendar days, meet as a board of review. All available information, written and verbal, shall be reviewed. The Council shall, after review of all information, make their decision by a majority vote of all members. Such decision to sustain, revoke or reduce previous actions shall be made directly to the City Manager, in writing, signed by the Mayor. The City Manager shall advise the Department Head and employee of the Council's action immediately.

Finality of Action. The action taken by the City Council shall be final and subject to no further administrative appeals.

In the event the Department Head or employee involved, the City Manager or the majority of the Council are absent from the City during the time they are to file written reports as above stated, the specified time shall be extended to allow filing.

Sec. 03.80.100. Lay Off - Re-Employment - Dismissal.  
General. The City Manager with Council approval may direct the layoff of employees in the classified service when he deems it necessary by reason of a shortage of work or funds, the abolition of the position, other material changes in the duties or organization, or other related reasons which are outside the employee's control and which do not reflect discredit upon the service of the employee. No regular employee shall be laid off while another person is employed by the City on a temporary and seasonal basis in the same department, or another department, wherein the work is such that the employee can perform satisfactorily. Any person laid off shall have his name placed on a re-employment list. Persons on the re-employment list shall maintain their status for two years. If the Council deems it possible, consideration will be made to reduce the hours worked to assure employment during the shortage of work or funds.

Order of Lay Off. The lay off of employees shall be made in reverse order of date of appointment in the current class or position. No probationary or regular employee shall be laid off from any position while a temporary or seasonal employee is still employed in the same class in the Department.

Notice of Lay Off. The appointing authority shall give written notice to the employee(s) affected by any proposed lay off and the reasons for such action, providing a reasonable time before the effective date thereof. In the case of temporary, part-time or other occasional employees, no such notice shall be required.

Dismissals. Dismissals are discharges or separations for misconduct, inefficiency, failure to observe properly applicable administrative rules, or other just cause. "Just cause" in the preceding context shall mean any act or omission to act by an employee, not otherwise privileged by law, which indicates unfitness for the service for which the employee was engaged or which is contrary to the faithful and diligent performance thereof. A Department Head may dismiss any employee in his department at any time, provided that the employee shall have the right to appeal as provided in Sec. 03.80.090 of these rules.

Order of Dismissal. The head of a department shall make, issue, and file a written order discharging the offending employee or officer and state therein the misconduct or reason for which the discharge was made and when the discharge is effective to the payroll division with instructions to remove the employee from the payroll on the effective date.

Serving and Filing the Order of Dismissal. The Department Head shall serve by certified mail, or personally deliver, a written statement of the cause or causes for the dismissal, with the effective date.

Resignation. To resign in good standing, an employee must give the appointing authority a minimum of fourteen (14) days prior notice unless the appointing authority, because of extenuating circumstances, agrees to a shorter period of notice. The resignation shall be furnished the Payroll Division, together with a statement of the employee's performance of duties.

Absence Without Leave. No employee in the classified service shall absent himself from duty without leave, except in case of an emergency. Failure to report for duty as scheduled, failure to notify the Department Head or appointing authority of inability to report, or failure to report after a leave of absence has expired or has been revoked or cancelled by the appointing authority shall be deemed an automatic resignation, and the position shall be declared vacant, unless the employee shall show, to the satisfaction of the appropriate department head or appointing authority that such failure to report was due to sickness or an emergency which made reporting impossible.

Sec. 03.80.110. Sick Leave. Authorization. Permanent employees in the classified service shall be entitled to sick leave at the rate of one day per month.

Probationary Employees. Probationary employees shall not be entitled to sick leave credit during their period of probation. Upon satisfactory completion of the probationary period, sick leave will be credited from the original date of employment.

Purpose. An employee in the classified service may be granted sick leave when they are incapacitated by sickness, injury, or for medical reasons. Sick leave may also be granted for dental or optical appointments. In the event of death in the immediate family of an employee in the classified service, sick leave not to exceed five days may be granted. Immediate family is defined as meaning wife, husband, children by marriage or by law, mother, father, mother-in-law, father-in-law or any other person residing in the household of the employee.

Accumulation of Sick Leave. Employees in the classified service whose anniversary date of employment precedes 1 July, 1968 shall have their sick leave computed from that date. Unused sick leave may be accumulated from year to year, provided, however, that the balance due the employee shall not exceed ninety (90) days.

Restrictions. In the event of sickness which exceeds three (3) working days (72 hours), an employee shall present his/her supervisor with a signed physician's statement certifying as to the illness or disability. Failure to comply with this provision will result in all time in excess of 72 hours being deducted from the employee's next pay check.

Employee Responsibility. It is the employee's responsibility to insure that his/her supervisor is informed of sickness or disability which precludes reporting for work. Except as noted in the preceding paragraphs, sick leave is for the use of an employee only.



Advance of Sick Leave. The City Manager may grant advance sick leave for a period not in excess of thirty (30) days in cases of service disability of emergencies. In such an eventuality, the employee shall have first exhausted all of his accrued sick leave. In case of termination of an employee who is indebted to the City for advanced sick leave, the employee shall reimburse the City for the number of days of indebtedness deducted from his final salary check.

Sick Leave. Sick leave is for the benefit of employees who are actually ill or disabled and shall not be abused in connection with holidays. Other instructions notwithstanding, any sick time taken immediately preceding or following a paid holiday must be supported by a physician's certificate. Failure to comply with this provision will result in the employee NOT being paid for the day of absence and the otherwise paid holiday.

Sec. 03.80.120. Working Week. The working week for non-supervisory personnel in the classified service, as defined in the Wage and Salary Resolution shall be as follows:

- |                            |   |
|----------------------------|---|
| A. City Hall Staff         | Monday through Friday                       |
| B. Library                 | As scheduled by the Librarian               |
| C. Senior Citizen's Center | As scheduled by the director                |
| D. Shift Work              | As assigned by the Heads of the departments |
| E. All Other Personnel     | Monday through Friday                       |

Due to unusual circumstances, Department Heads may establish different hours of work within their department, to increase efficiency.

Overtime. All employees in the classified service available for regular work are expected to be available for overtime work unless they have made prior arrangements with their Department Head. Regular non-supervisory employees, working supervisors, (as defined by the Fair Labor Standards Act of 1974) and employees on call who must remain in the immediate vicinity of their homes and be immediately available for duty (as defined by the Fair Labor Standards Act of 1974) are eligible for overtime pay. Pay for overtime shall be earned for all time worked in excess of forty (40) hours per week. Overtime pay shall be at the rate of one and one-half times the employee's regular rate of pay. A paid sick leave day or a paid holiday shall not be counted as a day worked nor in the forty hour work week. Holidays worked shall be paid at regular time, plus the holiday pay.

Work Week. The work week is defined as being a seven day period beginning at 12:01 a.m. on Monday and ending at 12:00 midnight on the following Sunday. (This does not apply to shift employees.)

Breaks. All employees shall be entitled to a 15 minute break in the first half of their work day and a 15 minute break in the second half of their work day. The specified time of the work day for breaks shall be defined by the employee's immediate supervisor. All breaks shall be taken in the area of the employee's work. If an employee is in the immediate vicinity of a coffee shop, he may avail himself of the shop during his break, but it is prohibited to travel from one location to another for the express purpose of an employee taking his break in a particular coffee shop.

Failure to Work Overtime. In the event of an emergency occurring outside the normal working hours, an employee shall be required to respond to a request by a supervisor of the City for assistance. An employee who fails to respond, or refuses to respond to a request for assistance on an emergency is subject to disciplinary action or dismissal. If an employee refuses to respond by reason of illness, it will be necessary to provide the supervisor with a doctor's or nurse's certificate to that effect.

Sec. 03.80.130. Pay. Pay Periods. Pay for time worked shall be made to employees on the 5th and 20th of each month. In the event such dates fall on Saturday, Sunday, or a holiday, checks will be issued on the last preceding working day. Pay checks issued on the 20th shall be for the hours worked between the 1st and 15th, both dates inclusive; checks issued on the 5th shall be for hours worked between the 16th and the last day of the month, both dates inclusive.

Exception. Employees being terminated shall be paid for all time due within forty-eight hours of the date of termination.

Sec. 03.80.140. Leave of Absence. Vacation. Regular employees in the classified service are entitled to two (2) weeks vacation pay after having completed one (1) year of service. After one year of service and having received payment for vacation time, an employee may take two weeks of vacation without pay at any time during the following one year period. Vacation time must be arranged with the Head of the Department prior to it being taken. After two (2) years of service the entitlement shall be three (3) weeks of pay and three (3) weeks of vacation and after five (5) years of service the entitlement shall be four (4) weeks of pay and four (4) weeks of vacation under the same conditions as heretofore noted. During the first year of service no vacation time will accrue to the employee; one year of service is mandatory before becoming eligible for vacation pay and vacation.

Unauthorized Absence. An unauthorized leave of absence is defined as an employee being absent from his place of work without having made arrangements with the Department Head, or failing to notify in the event of sickness. In the event of an unauthorized leave of absence the employee will not be compensated for the time off the job, unless he can furnish evidence of circumstances which prevented him from making the necessary arrangements or the giving of notice. Successive occurrences of unauthorized absence will be grounds for disciplinary action. The first occurrence shall result in a written warning and a full explanation of an employee's duties and responsibilities. The second occurrence shall result in a suspension from duties without pay for three (3) working days. A third occurrence shall result in dismissal from the City Service.

Absence for Jury Duty. A regular employee in the classified service of the City may be excused from his regular duties for jury duty. Employees called for jury duty shall be compensated at their regular rate of pay less any compensation received for jury service from the court system. The employee must provide proof of payment from the court system prior to receiving payment from the City.

Maternity Leave. Maternity leave may be granted a female employee in the classified service of the City. Maternity leave will be without pay. Leave for maternity purpose may commence thirty days prior to delivery as determined by the attending physician by written notice. In the event of extenuating medical complications, and upon advice of the attending physician, additional leave prior to delivery may be granted up to thirty days. Maternity leave shall not extend beyond thirty days following the date of delivery, unless by the advice of the attending physician an additional fifteen days may be granted. In no event can maternity leave be granted in excess of sixty days prior to delivery as determined by the attending physician by written notice and forty-five days following the date of delivery.

Sec. 03.80.150. Holidays. Paid Holidays. The following are holidays designated as paid holidays for permanent employees, the exact date of observance of which may be modified by Council resolution.

New Year's Day  
Washington's Birthday  
Seward's Day  
Memorial Day  
Independence Day  
Labor Day  
Alaska Day  
Veteran's Day  
Thanksgiving Day  
Christmas Day

Employees on probation or suspension shall not be paid for holidays. Permanent employees who are required to be on duty on any of the above days shall receive straight time for the number of hours worked in addition to their holiday pay.

Inclusion in Work Week. A paid holiday falling within the hours of work shall not be counted as an eight hour day of the regular 40 hour work week for pay purposes. A paid holiday is an added benefit to employees and shall not count as a day worked unless the employee has been required to work on that day.

Payment for Holidays. Payment for holidays shall be made only if the employee works on the work day immediately prior to the holiday and the work day immediately following the holiday, unless excused by the Department Head.

Sec. 03.80.160. Fringe Benefits. City Paid Benefits. The following fringe benefits are provided by the City for all permanent employees in the classified service of the City.

Group Medical & Life Insurance: The City pays the entire cost for the employee. The cost for family members is borne by the employee by means of payroll deduction and is an optional benefit.

Workmen's Compensation: The entire cost for each employee is borne by the City and is calculated as a percentage of the total payroll.

FICA: Otherwise known as Social Security. The City contributes, according to law, an amount equal to the portion paid by each employee.

Retirement: The City contracts with the State of Alaska Public Employees' Retirement System for this benefit, for which there is a joint contribution. All permanent employees are required to join the Public Employees' Retirement System.

Sec. 03.80.170. Miscellaneous Provisions. Financial Responsibility. Employees of the City are expected to maintain a good credit rating. Failure to do so is not only a reflection upon the individual but also casts a shadow upon the City and fellow employees. Whenever it is brought to the attention of City officials that an employee has failed to honor his credit obligations or has failed to make arrangements with his creditors for the satisfaction of his indebtedness, he shall be given a written warning for a first offense, a two day suspension for a second offense and shall be discharged following a third offense. The written warning shall spell out the disciplinary action to be taken if subsequent offenses occur. Attachment of wages by a creditor may be cause for dismissal.

Political Activities. Employees are encouraged to participate in the electoral process. No employee shall, however, take an active part in the campaign of a candidate for political office in the City. An active part shall be defined as the solicitation of funds, the distribution of cards, leaflets, other political literature, or any other activities of like nature. No employee shall seek in any manner to influence the vote of any individual for a candidate seeking a City elected position.

Training Course. The City encourages employees to seek increased knowledge which contributes to bettering their performance of duties. Consequently, consistent with the availability of funds, the City will reimburse an employee for the cost of training, or course(s) which have been successfully completed and which enhance the employees knowledge of his job responsibilities. The employee shall, however, clear such training with the City Manager in order to be entitled to reimbursement. Financial assistance to employees for training is made possible for the direct benefit of the City. In the event an employee leaves the employment of the City within one year from the date of financial assistance, the employee shall refund the amount paid by the City, except in case of sickness or accident, documented by a qualified Medical Doctor, or dismissal.

No Strikes Against City Government. Employees of the City are under obligation to serve the whole people, whose interests and welfare require orderliness and continuity in the conduct of the government activities. Under no circumstances shall any employee, group or organization of employees of the City engage in or support strikes against the City of Wrangell. Failure to comply with this provision shall be just cause for immediate dismissal.

Supervisors and Officers. The employment or dismissal of supervisors and officers shall be governed by the City of Wrangell Charter provisions.

CITY OF WRANGELL, ALASKA

Ordinance No. 321

AN ORDINANCE ADOPTING PERSONNEL POLICIES AND PROCEDURES FOR MUNICIPAL EMPLOYEES OF THE CITY OF WRANGELL, ALASKA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and shall become part of the Code for the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals all ordinances and parts thereof inconsistent herewith.

Sec. 5. Adoption of Sections. The following annexed Section bearing code number Sec. 03.80.010 through 03.80.170 is hereby adopted as a part of this ordinance and Title 03 of the Code of ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: December 16, 1974.

[Signature]  
Mayor

ATTEST: [Signature]  
City Clerk

Chapter

Section

80

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## Chapter 80. Officers and Employees

Sec. 03.80.010. Introduction. The home rule charter of the City of Wrangell is the basis for all appointments and promotions in the administrative service of the City. All appointments and promotions in the service of the City shall be made according to merit and fitness. In the preparation of these rules, every effort has been made to draft them in such a manner as to secure for the citizens of Wrangell the maximum in honest, efficient and meritorious service by public employees who are entirely fitted and qualified to discharge the obligations and duties of their offices.

It is conceived that security in office must for employees be a secondary, although desirable goal, so that the law and the rules shall not be subverted to shield the dishonest or inefficient. Job security will naturally follow and depend upon efficient and meritorious service.

It is intended that these rules will outline personnel policies and set up administrative procedures which will accomplish the primary objectives. It is also intended by these rules to provide a flexible working policy of personnel administration within which both employees in the classified service and the City can cooperate on a friendly basis with assurance the personnel problems will be settled upon their merits and that all interested parties will receive just and equitable treatment.

These rules may be amended from time to time by the Common Council of the City of Wrangell, Alaska.

Insofar as they are not in conflict with the Charter, State or Federal laws, or the contents of the personnel manual, Departments may adopt further rules and regulations to obtain a more efficient standard. Such rules must be in writing and submitted to the City Manager.

Each and every employee shall be provided with a copy of the personnel manual and other rules and regulations pertaining to his department to read. It shall be mandatory that each employee familiarize themselves with the manual and rules and regulations. Due to the high cost of reproductions, personal copies will not be provided to each employee, however, at least two copies shall be maintained within his department for his or her use.

Sec. 03.80.020. Definitions. Classify. This term means to assign to a specific class of positions.

Application of Definitions. For the purpose of these rules and regulations, the words and phrases defined in this chapter shall have the meanings ascribed to them, unless it is apparent from the content that a different meaning is attended.

Appointing Authority. The term means the City Manager of the City of Wrangell, except when he has delegated this authority to a department head, in which instance, it shall mean the head of a department or office.

Appointment. The term means the hiring or promotion of a person, by due authority, to an authorized position in the City service.

Charter. The term means the Home Rule Charter of the City of Wrangell.

Class. The term means a group of positions which are sufficiently similar in respect to duties and responsibilities that the same descriptive title may be used to designate the position and that the same entrance qualifications and examinations may be required for individuals applying for employment, and that the same schedule of pay may be made to apply with equity under substantially the same employment conditions.

Class Specification. The term refers to a written statement describing the duties, responsibilities, and entrance qualification standards of a class of positions.

Class Title. The term means the designation given a group of similar positions under these rules and to each position authorized to the class.

Classification Plan. The term means the plan of classification and grading of all positions in the classified service, as may from time to time be amended.

Demotion. The term means a change in employment status from one class to another having a lower range of pay.

Disciplinary Probation. The term means a condition in which an employee with permanent or regular status is placed on probation for disciplinary reasons.

Employee. The term means a person who is a legal incumbent of a position or who is on authorized leave of absence and whose position is held for him pending his return.

**Examination.** The term means an oral and/or written test and the evaluation of the results thereof, used to determine the eligibility and fitness of candidates for appointment to a position in the classified service.

**Position.** The term means a group of current duties and responsibilities assigned by competent authority requiring the full time or part-time employment of one person.

**Probationary Period.** The term shall mean a working test period of six months during which an officer or employee is required to demonstrate his fitness, for the position to which he was appointed, by actual performance of duties of the position, before he shall be deemed a permanent or regular employee. In the Police Division the probationary period shall be one year.

**Probationary Status.** The term means the status of an employee appointed to an authorized position but not having completed his probationary period.

**Promotion.** The term promotion shall mean a change in employment status from one class to another with a higher range of pay.

**Reclassification.** The term means a change of a specific position by raising it to a higher class, reducing it to a lower class, or moving it to another class at the same level on the basis of a change in the type, difficulty or responsibility of duties assigned the position. Reclassification is neither a promotion or demotion.

**Regular Employee.** The term means an employee having regular status under these rules.

**Regular Status.** The term means the status of an employee filling an authorized position in the classified service for which he has successfully completed the required probationary period.

**Rules.** The term refers to the Rules and Regulations of the City of Wrangell.

**Suspension.** The term means the temporary separation from the service, without pay, of an employee under serious charges.

**Temporary Employee.** The term means an employee performing work for the City of limited duration or while awaiting the vacation of a position by a permanent employee or to perform a task for which there is no current authorized position.

Sec. 03.80.030. General Provisions and Prohibitions.

Objective. The objective of these rules is to establish, in compliance with applicable law, a system of administrative policy and procedures by which appointment, promotion, discipline and employment within the classified service of the City of Wrangell shall depend upon honest, efficient, loyal, energetic and generally meritorious service in accordance with standards of public ethics, morality and workmanship. It is intended to protect the honest and efficient public employee from adverse discriminatory action, whatever the motive, and thus to secure for the public the services of honest, efficient and experienced employees. At the same time, it is intended that administrative officers will have ample authority to correct where possible, and to remove when necessary, dishonest or inefficient employees. The objective and intent, in essence, is to assure that the City of Wrangell attracts and retain the best employees available.

Application of Rules. These rules shall apply to all employees of the City of Wrangell unless otherwise specifically exempted.

Obligation. All employees in the City service shall render honest, efficient, and economical service in the performance of their duties subject to the penalties of these rules.

Conditions of Employment. No person will be required, as a condition of employment, appointment, transfer, promotion, or retention in the service, to join any organization or association of employees.

Basis for Appointment, Promotion, Transfer, Retention, Dismissal. Appointment, promotion, demotion, transfer, retention in or termination of services with the classified service will be made on the basis of merit and efficiency.

Administrative Rules to be Equitable. The administration of the classification plan and the pay plan and administrative rules and regulations with respect to hours of work, vacation, attendance regulations, leaves of absence, the order and manner of layoffs shall be effected and similar matters of personnel administration shall be fair and equitable and shall have general application to all employees in a given class insofar as equal application is practicable.

Tests. The term means and includes:

- a. Assembled Test. A written, oral, and/or performance test at a specified time and place as may be stated in the job announcement.
- b. Unassembled Test. A test consisting of an appraisal of training, experience, work history, or any other means of evaluating qualifications of applicants.

Transfer. The term shall mean a change of an employee from one position to another position in the same class or to another class having similar duties, the same range of pay and similar employment standards.

Political Activity. No employee of the City may work for or against, or attempt to influence, the election or defeat of any candidate for Mayor or Councilman, or the recall of the Mayor or Councilman, provided that this shall not prohibit the ordinary exercise of the right to express an opinion and to vote.

Grievance Between Employees and Management. Disputes arising out of interpretation of application of these rules and regulations, governing standards, classification, hours of work, employment conditions, and any other matter shall be handled by the employee through established grievance procedures as hereafter established.

Personnel Records. The City Clerk shall maintain a personnel file for each employee, showing name, title of position held, the department to which assigned, salary, changes in employment status, and such other information as may be required.

Destruction of Records. Personnel records, not required to be kept as public records, may be destroyed after five years subject to Council approval or other statutory requirements.

Confidentiality of Personnel Records. A personnel file on each employee will be confidential insofar as possible under existing laws.

Notification of Address. All employees, including those on leave of absence, are required to keep the City informed as to their current home address or location at all times.

Restriction on Outside Work. Employees are expected at all times to be able to perform their duties. There is no intention on the part of the City to unnecessarily interfere with the off-time activities of employees. No employee should become engaged in off-time activity which will create a conflict of interest between the City and the outside activity or create demands on the time of the employee which make it impossible to devote a full work day and/or shift to his job.

Retirement Benefits. All City employees are covered under the State of Alaska Pension Plan by means of a contract between the State of Alaska and the City of Wrangell, retroactive to January 1, 1966.

Separability of Provisions. If for any reason any rule, subdivision, sentence, clause, or phrase of these rules are held to be invalid, such decision shall not affect the remaining rules, subdivision, sentences, clauses, or phrases.

Health. Employees may be required to present at their own expense, evidence of physical and/or mental fitness to perform the duties of any position. This will be a mandatory requirement for persons seeking appointment in the Public Safety positions of the Police and Fire Departments.

Leave of Absence. Leaves of absence, without pay, may be granted up to thirty (30) days in any fiscal year. Requests for leaves of absence must be approved by the individuals' immediate supervisor prior to approval by the City Manager.

Classification and Pay Plan. The City Council shall adopt the classification and schedule of salaries and wages by resolution. Reference to the classification and schedule of salaries and wages in the personnel manual shall be determined to mean the most current resolution adopted by the City Council.

Sec. 03.80.040. Recruitment of Personnel. Recruitment - Publicizing. The City shall give notice of each vacancy in the classified service to the end that the best qualified person shall be attracted to the service of the City. Vacancies may be filled by regular employees or temporary employees.

Content of Announcements. Each job announcement shall specify the class title, the nature of the work to be performed, the payrate, or range, for the class, the minimum or desirable qualifications and the place and manner filing an application. The City may add other information as may be deemed advisable.

Application Forms. Applications for employment will be made on forms provided by the City. The application, in conformance with existing law, shall require such information as deemed pertinent. All applications must be signed by the person applying. Every applicant for a position may be required to submit to polygraphing and finger printing for purposes of City identification. Any false statement in the application shall be grounds for rejection of the application or immediate discharge after employment.

Sec. 03.80.050. Selection of Personnel. Objective. It shall be the objective to establish procedures which are impartial, practical and related to matters which fairly test the relative merit, fitness and ability of the persons examined to discharge the duties and responsibilities of the duties of the position to which they seek appointment. No question in any examination shall relate to political or religious opinion or affiliation.

Subjects and Types of Tests. As stipulated by the hiring authority, examinations may consist of written, oral, performance, or physical tests, or any combination thereof, or any other method which will test the qualifications or the applicant.

Written Tests. A written test may be used to measure the knowledge, ability, judgment, personality, emotional stability, aptitude and/or alertness of prospective employees insofar as such traits are related to the duties of the position.

Oral Tests. An oral test may be used to evaluate the personal fitness, experience and training, knowledge, capacity, and judgment of candidates. It shall be appropriate to evaluate pertinent traits insofar as duty requirements are concerned. Such judgment shall be solely on an objective basis.

Performance Tests. Such tests may be administered to obtain samples of a candidate's work as it pertains to the duties of the position being applied for.

Physical Tests. A physical test may be given, and may consist of competitive exercises or events designed to measure agility, strength, coordination or fitness.

Experience and Training. A competitive analysis may be made of the relevance, level, recency, progression, and quality of experience and education submitted by the candidates. This may be done in an oral or an unassembled manner.

Promotional Tests. As the needs of the City require, promotional tests may be conducted from time to time and shall include evaluations of performance of duty for the City in lower positions as a major portion of criteria on which a judgment will be based.

Sec. 03.80.060. Appointment to the Classified Service.  
Filling Vacancies. Except as may be otherwise provided, all vacancies in the classified service shall be filled by re-employment, transfer, or appointment from eligible list of applicants.

Temporary Appointments. A temporary appointment to a temporary position for a term of not more than nine (9) months may be made of a person meeting the position requirements. This shall not apply to Public Safety Personnel.



Emergency Appointments. In the event of an emergency threatening public life or property, persons may be appointed for duration of the emergency.

Seasonal Employees. Persons may be appointed to the City service for seasonal work. No right to re-employment or seniority shall occur by reason of such appointment. Employees so appointed shall receive no fringe benefits except as may be required by law. The examination for such appointments shall be simple, brief and may consist only of an interview.

Sec. 03.80.070. Probationary Period and Permanent Appointment. Objective. The probationary or working test period shall be regarded as an integral part of the examination process and shall be utilized to assess the abilities of the new employee and for the rejection of any employee failing to meet the required work standards.

Probationary Period. All original and promotional appointments shall be tentative and subject to a probationary period. The probationary period shall be not less than thirty days nor more than six months. If at any time during the probational period the services of the probationer are unsatisfactory to his immediate supervisor, he shall be so notified in writing. The supervisor shall include in the written notification the date of the termination. This probationary period shall not preclude personnel of the Police Department from successfully completing the additional six months probation to become certified with the State of Alaska as required.

Completion of Probationary Period. Once a probationary employee has completed the probationary period with a satisfactory performance of duty, he shall become a permanent employee of the City, effective on the first or sixteenth day of the month, whichever comes first.

Fringe Benefits. Fringe benefits shall not be available to probationary employees. The original date of hire shall be used in determining vacation leave and sick leave for employees successfully completing their probationary period. All other fringe benefits, including, but not limited to paid holidays, group medical insurance and enrollment into the retirement system shall become available to the employee from the date of successful completion of the probationary period.

Probation on Promotion or Transfer. A permanent employee in the classified service of the City who may be promoted to a higher classified position shall serve a probationary period in his new position. If, in his new position, the performance of duty is not satisfactory during the probationary period the employee shall revert back to his former status and be re-instated in his former position provided a vacancy exists. An employee transferred to another department failing to satisfactorily complete his probationary period shall revert to his previous position provided a vacancy exists. An employee transferred to another department failing to satisfactorily complete his probationary period shall revert to his previous position provided a vacancy exists. If no vacancy exists in the pre-promotional or pre-transfer department, the employee shall be placed on the re-employment list.

Sec. 03.80.080. Disciplinary Action. Objective. It shall be the objective of this section to provide the guidelines whereby disciplinary action may be taken.

Grounds for Disciplinary Action. The following may be grounds for suspension, disciplinary probation or other disciplinary action. Disciplinary action shall be applied equitably to all employees without reference to national origin, creed, sex or political beliefs.

- a. A chargeable accident. This is defined as an accident wherein the employee was clearly at fault in exposing the City to a situation of liability.
- b. Using profane or blasphemous language.
- c. Displaying bad or ungovernable temper.
- d. Lack of promptness in execution of duties.
- e. Neglect of duty or absence from port or place of duty without proper authorization.
- f. Uncivil or discourteous attitude toward citizens or superiors.
- g. Lounging or idling while on duty.
- h. Habitual tardiness.
- i. Lack of neatness in person or dress reasonably compatible with position held.

- j. Lack of promptness in meeting financial or other obligations.
- k. Violation of City ordinances or other obligations.
- l. Untruthfulness or dishonesty.
- m. Failure to observe applicable administrative rules and regulations.
- n. Unauthorized use or misuse of City property or equipment.
- o. Using or uttering disrespectful language about or concerning a fellow employee or official to the City; making derogatory remarks about other members of his department either to other members of his department or anyone outside the department, except that he may do so to his supervisor, the City Manager, or as an official charge as stipulated in the grievance procedure.
- p. For receiving or accepting money or anything of value for special favors to persons or firms in connection with official duties.
- q. Willful disobedience of orders of a superior or supervisor.
- r. Any other misconduct, inefficiency or dereliction of duty reflecting adversely upon the City.

Demotion. The appointing authority may for cause reduce the salary within the range provided in the Salary Plan or demote the employee to a lesser range in the same class. Such cause shall be based upon the facts justifying disciplinary actions, on ineptness, inefficient performance of duties or other facts which disclose that such action is for the good of the City's service. A written statement of the reasons for such action shall be furnished the employee and a copy placed in the employee's personnel file. No demotion shall be made as a disciplinary measure, unless the employee being demoted is eligible for employment in a lower position class and shall not be made if any regular employee in the lower class would be laid off by reason of the action. Any employee who is demoted may appeal the action in accordance with the grievance procedures.

Disciplinary Probation. An appointing authority may, for disciplinary purpose, place an employee on probation for an infraction of City rules and regulations or for misconduct as enumerated herein, subject to an appeal or provided in the Grievance Procedures. The City Manager shall be furnished a written statement setting forth the reasons for such probation. A copy shall be furnished the employee. The term of such probation shall not exceed six (6) months, during which time the employee shall perform his duties and receive his pay. Failure of an employee to improve his work performance during the term of the probationary period shall be grounds for immediate dismissal.

Suspension. An employee may be suspended without pay for a period of not to exceed thirty (30) days pending the investigation or trial or any serious charges against him. If the employee so suspended is found not guilty of the charges filed against him, he shall be paid for the time he was under suspension.

Warning Slips. Warning slips may be served on an employee with a copy to be directed to the payroll division for the personnel files. The warning slips shall contain the incident causing the action. A warning slip may be used to suspend an employee without pay as disciplinary action. The first suspension for disciplinary action shall be five days, without pay. In the event the suspension without pay falls upon a paid holiday, the employee shall forfeit that paid holiday.

Damage to City Equipment. In the event City equipment is damaged through neglect or abuse by any regular or temporary employee that employee shall be directly responsible for payment of repairs or replacement in the event it cannot be repaired. A recommendation from the Department Head of the offending employee shall cause the matter to be referred to the City Attorney for action.

Sec. 03.80.090. Grievance Procedures. Objective. It shall be the objective of this section to clearly state the procedures to be followed by an employee of the City who feels he has received unjust treatment or disciplinary action by the City, and/or its officials.

Step I. An employee who feels that he has been the recipient of unjust treatment, unwarranted disciplinary action or was subjected to other actions by City officials or officers shall within five (5) working days of the incident file a protest in writing with his department head. The protest shall set forth the employees grounds for feeling that the action was unjustified, also stating the action referred to. Within a period of two (2) days from the date the employee has filed his written protest, the Department Head shall reply in writing to the aggrieved employee.

Step II. Within five (5) working days after receiving a reply from the Department Head, an employee who remains dissatisfied with the action taken may appeal the decision in writing to the City Manager. The City Manager shall investigate the facts of the incident and reply in writing to the employee within five (5) working days from the date the employee has filed his appeal, with a copy to the Department Head. The reply shall sustain, reverse, or reduce the action taken by the Department Head.

Step III. If the employee or Department Head is dissatisfied with the action taken by the City Manager, an appeal to the City Council shall be made within five (5) working days after receiving the reply from the City Manager. The City Council shall, within fifteen (15) calendar days, meet as a board of review. All available information, written and verbal, shall be reviewed. The Council shall, after review of all information, make their decision by a majority vote of all members. Such decision to sustain, revoke or reduce previous actions shall be made directly to the City Manager, in writing, signed by the Mayor. The City Manager shall advise the Department Head and employee of the Council's action immediately.

Finality of Action. The action taken by the City Council shall be final and subject to no further administrative appeals.

In the event the Department Head or employee involved, the City Manager or the majority of the Council are absent from the City during the time they are to file written reports as above stated, the specified time shall be extended to allow filing.

Sec. 03.80.100. Lay Off - Re-Employment - Dismissal.  
General. The City Manager with Council approval may direct the layoff of employees in the classified service when he deems it necessary by reason of a shortage of work or funds, the abolition of the position, other material changes in the duties or organization, or other related reasons which are outside the employee's control and which do not reflect discredit upon the service of the employee. No regular employee shall be laid off while another person is employed by the City on a temporary and seasonal basis in the same department, or another department, wherein the work is such that the employee can perform satisfactorily. Any person laid off shall have his name placed on a re-employment list. Persons on the re-employment list shall maintain their status for two years. If the Council deems it possible, consideration will be made to reduce the hours worked to assure employment during the shortage of work or funds.

Order of Lay Off. The lay off of employees shall be made in reverse order of date of appointment in the current class or position. No probationary or regular employee shall be laid off from any position while a temporary or seasonal employee is still employed in the same class in the Department.

Notice of Lay Off. The appointing authority shall give written notice to the employee(s) affected by any proposed lay off and the reasons for such action, providing a reasonable time before the effective date thereof. In the case of temporary, part-time or other occasional employees, no such notice shall be required.

Dismissals. Dismissals are discharges or separations for misconduct, inefficiency, failure to observe properly applicable administrative rules, or other just cause. "Just cause" in the preceding context shall mean any act or omission to act by an employee, not otherwise privileged by law, which indicates unfitness for the service for which the employee was engaged or which is contrary to the faithful and diligent performance thereof. A Department Head may dismiss any employee in his department at any time, provided that the employee shall have the right to appeal as provided in Sec. 03.80.090 of these rules.

Order of Dismissal. The head of a department shall make, issue, and file a written order discharging the offending employee or officer and state therein the misconduct or reason for which the discharge was made and when the discharge is effective to the payroll division with instructions to remove the employee from the payroll on the effective date.

Serving and Filing the Order of Dismissal. The Department Head shall serve by certified mail, or personally deliver, a written statement of the cause or causes for the dismissal, with the effective date.

Resignation. To resign in good standing, an employee must give the appointing authority a minimum of fourteen (14) days prior notice unless the appointing authority, because of extenuating circumstances, agrees to a shorter period of notice. The resignation shall be furnished the Payroll Division, together with a statement of the employee's performance of duties.

Absence Without Leave. No employee in the classified service shall absent himself from duty without leave, except in case of an emergency. Failure to report for duty as scheduled, failure to notify the Department Head or appointing authority of inability to report, or failure to report after a leave of absence has expired or has been revoked or cancelled by the appointing authority shall be deemed an automatic resignation, and the position shall be declared vacant, unless the employee shall show, to the satisfaction of the appropriate department head or appointing authority that such failure to report was due to sickness or an emergency which made reporting impossible.

Sec. 03.80.110. Sick Leave. Authorization. Permanent employees in the classified service shall be entitled to sick leave at the rate of one day per month.

Probationary Employees. Probationary employees shall not be entitled to sick leave credit during their period of probation. Upon satisfactory completion of the probationary period, sick leave will be credited from the original date of employment.

Purpose. An employee in the classified service may be granted sick leave when they are incapacitated by sickness, injury, or for medical reasons. Sick leave may also be granted for dental or optical appointments. In the event of death in the immediate family of an employee in the classified service, sick leave not to exceed five days may be granted. Immediate family is defined as meaning wife, husband, children by marriage or by law, mother, father, mother-in-law, father-in-law or any other person residing in the household of the employee.

Accumulation of Sick Leave. Employees in the classified service whose anniversary date of employment precedes 1 July, 1968 shall have their sick leave computed from that date. Unused sick leave may be accumulated from year to year, provided, however, that the balance due the employee shall not exceed ninety (90) days.

Restrictions. In the event of sickness which exceeds three (3) working days (72 hours), an employee shall present his/her supervisor with a signed physician's statement certifying as to the illness or disability. Failure to comply with this provision will result in all time in excess of 72 hours being deducted from the employee's next pay check.

Employee Responsibility. It is the employee's responsibility to insure that his/her supervisor is informed of sickness or disability which precludes reporting for work. Except as noted in the preceding paragraphs, sick leave is for the use of an employee only.

Advance of Sick Leave. The City Manager may grant advance sick leave for a period not in excess of thirty (30) days in cases of service disability of emergencies. In such an eventuality, the employee shall have first exhausted all of his accrued sick leave. In case of termination of an employee who is indebted to the City for advanced sick leave, the employee shall reimburse the City for the number of days of indebtedness deducted from his final salary check.

Sick Leave. Sick leave is for the benefit of employees who are actually ill or disabled and shall not be abused in connection with holidays. Other instructions notwithstanding, any sick time taken immediately preceding or following a paid holiday must be supported by a physician's certificate. Failure to comply with this provision will result in the employee NOT being paid for the day of absence and the otherwise paid holiday.

Sec. 03.80.120. Working Week. The working week for non-supervisory personnel in the classified service, as defined in the Wage and Salary Resolution shall be as follows:

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|----------------------------|---|
| A. City Hall Staff         | Monday through Friday                       |
| B. Library                 | As scheduled by the Librarian               |
| C. Senior Citizen's Center | As scheduled by the director                |
| D. Shift Work              | As assigned by the Heads of the departments |
| E. All Other Personnel     | Monday through Friday                       |

Due to unusual circumstances, Department Heads may establish different hours of work within their department, to increase efficiency.

Overtime. All employees in the classified service available for regular work are expected to be available for overtime work unless they have made prior arrangements with their Department Head. Regular non-supervisory employees, working supervisors, (as defined by the Fair Labor Standards Act of 1974) and employees on call who must remain in the immediate vicinity of their homes and be immediately available for duty (as defined by the Fair Labor Standards Act of 1974) are eligible for overtime pay. Pay for overtime shall be earned for all time worked in excess of forty (40) hours per week. Overtime pay shall be at the rate of one and one-half times the employee's regular rate of pay. A paid sick leave day or a paid holiday shall not be counted as a day worked nor in the forty hour work week. Holidays worked shall be paid at regular time, plus the holiday pay.



Work Week. The work week is defined as being a seven day period beginning at 12:01 a.m. on Monday and ending at 12:00 midnight on the following Sunday. (This does not apply to shift employees.)

Breaks. All employees shall be entitled to a 15 minute break in the first half of their work day and a 15 minute break in the second half of their work day. The specified time of the work day for breaks shall be defined by the employee's immediate supervisor. All breaks shall be taken in the area of the employee's work. If an employee is in the immediate vicinity of a coffee shop, he may avail himself of the shop during his break, but it is prohibited to travel from one location to another for the express purpose of an employee taking his break in a particular coffee shop.

Failure to Work Overtime. In the event of an emergency occurring outside the normal working hours, an employee shall be required to respond to a request by a supervisor of the City for assistance. An employee who fails to respond, or refuses to respond to a request for assistance on an emergency is subject to disciplinary action or dismissal. If an employee refuses to respond by reason of illness, it will be necessary to provide the supervisor with a doctor's or nurse's certificate to that effect.

Sec. 03.80.130. Pay. Pay Periods. Pay for time worked shall be made to employees on the 5th and 20th of each month. In the event such dates fall on Saturday, Sunday, or a holiday, checks will be issued on the last preceding working day. Pay checks issued on the 20th shall be for the hours worked between the 1st and 15th, both dates inclusive; checks issued on the 5th shall be for hours worked between the 16th and the last day of the month, both dates inclusive.

Exception. Employees being terminated shall be paid for all time due within forty-eight hours of the date of termination.

Sec. 03.80.140. Leave of Absence. Vacation. Regular employees in the classified service are entitled to two (2) weeks vacation pay after having completed one (1) year of service. After one year of service and having received payment for vacation time, an employee may take two weeks of vacation without pay at any time during the following one year period. Vacation time must be arranged with the Head of the Department prior to it being taken. After two (2) years of service the entitlement shall be three (3) weeks of pay and three (3) weeks of vacation and after five (5) years of service the entitlement shall be four (4) weeks of pay and four (4) weeks of vacation under the same conditions as heretofore noted. During the first year of service no vacation time will accrue to the employee; one year of service is mandatory before becoming eligible for vacation pay and vacation.

Unauthorized Absence. An unauthorized leave of absence is defined as an employee being absent from his place of work without having made arrangements with the Department Head, or failing to notify in the event of sickness. In the event of an unauthorized leave of absence the employee will not be compensated for the time off the job, unless he can furnish evidence of circumstances which prevented him from making the necessary arrangements or the giving of notice. Successive occurrences of unauthorized absence will be grounds for disciplinary action. The first occurrence shall result in a written warning and a full explanation of an employee's duties and responsibilities. The second occurrence shall result in a suspension from duties without pay for three (3) working days. A third occurrence shall result in dismissal from the City Service.

Absence for Jury Duty. A regular employee in the classified service of the City may be excused from his regular duties for jury duty. Employees called for jury duty shall be compensated at their regular rate of pay less any compensation received for jury service from the court system. The employee must provide proof of payment from the court system prior to receiving payment from the City.

Maternity Leave. Maternity leave may be granted a female employee in the classified service of the City. Maternity leave will be without pay. Leave for maternity purpose may commence thirty days prior to delivery as determined by the attending physician by written notice. In the event of extenuating medical complications, and upon advice of the attending physician, additional leave prior to delivery may be granted up to thirty days. Maternity leave shall not extend beyond thirty days following the date of delivery, unless by the advice of the attending physician an additional fifteen days may be granted. In no event can maternity leave be granted in excess of sixty days prior to delivery as determined by the attending physician by written notice and forty-five days following the date of delivery.

Sec. 03.80.150. Holidays. Paid Holidays. The following are holidays designated as paid holidays for permanent employees, the exact date of observance of which may be modified by Council resolution.

New Year's Day  
Washington's Birthday  
Seward's Day  
Memorial Day  
Independence Day  
Labor Day  
Alaska Day  
Veteran's Day  
Thanksgiving Day  
Christmas Day

Employees on probation or suspension shall not be paid for holidays. Permanent employees who are required to be on duty on any of the above days shall receive straight time for the number of hours worked in addition to their holiday pay.

Inclusion in Work Week. A paid holiday falling within the hours of work shall not be counted as an eight hour day of the regular 40 hour work week for pay purposes. A paid holiday is an added benefit to employees and shall not count as a day worked unless the employee has been required to work on that day.

Payment for Holidays. Payment for holidays shall be made only if the employee works on the work day immediately prior to the holiday and the work day immediately following the holiday, unless excused by the Department Head.

Sec. 03.80.160. Fringe Benefits. City Paid Benefits. The following fringe benefits are provided by the City for all permanent employees in the classified service of the City.

Group Medical & Life Insurance: The City pays the entire cost for the employee. The cost for family members is borne by the employee by means of payroll deduction and is an optional benefit.

Workmen's Compensation: The entire cost for each employee is borne by the City and is calculated as a percentage of the total payroll.

FICA: Otherwise known as Social Security. The City contributes, according to law, an amount equal to the portion paid by each employee.

Retirement: The City contracts with the State of Alaska Public Employees' Retirement System for this benefit, for which there is a joint contribution. All permanent employees are required to join the Public Employees' Retirement System.

Sec. 03.80.170. Miscellaneous Provisions. Financial Responsibility. Employees of the City are expected to maintain a good credit rating. Failure to do so is not only a reflection upon the individual but also casts a shadow upon the City and fellow employees. Whenever it is brought to the attention of City officials that an employee has failed to honor his credit obligations or has failed to make arrangements with his creditors for the satisfaction of his indebtedness, he shall be given a written warning for a first offense, a two day suspension for a second offense and shall be discharged following a third offense. The written warning shall spell out the disciplinary action to be taken if subsequent offenses occur. Attachment of wages by a creditor may be cause for dismissal.

Political Activities. Employees are encouraged to participate in the electoral process. No employee shall, however, take an active part in the campaign of a candidate for political office in the City. An active part shall be defined as the solicitation of funds, the distribution of cards, leaflets, other political literature, or any other activities of like nature. No employee shall seek in any manner to influence the vote of any individual for a candidate seeking a City elected position.

Training Course. The City encourages employees to seek increased knowledge which contributes to bettering their performance of duties. Consequently, consistent with the availability of funds, the City will reimburse an employee for the cost of training, or course(s) which have been successfully completed and which enhance the employees knowledge of his job responsibilities. The employee shall, however, clear such training with the City Manager in order to be entitled to reimbursement. Financial assistance to employees for training is made possible for the direct benefit of the City. In the event an employee leaves the employment of the City within one year from the date of financial assistance, the employee shall refund the amount paid by the City, except in case of sickness or accident, documented by a qualified Medical Doctor, or dismissal.

No Strikes Against City Government. Employees of the City are under obligation to serve the whole people, whose interests and welfare require orderliness and continuity in the conduct of the government activities. Under no circumstances shall any employee, group or organization of employees of the City engage in or support strikes against the City of Wrangell. Failure to comply with this provision shall be just cause for immediate dismissal.

Supervisors and Officers. The employment or dismissal of supervisors and officers shall be governed by the City of Wrangell Charter provisions.

ORIGINAL

ORDINANCE NO. 320

AN ORDINANCE of the City of Wrangell, Alaska, confirming the result of special elections held on October 3, 1972 and January 17, 1974 within the city for the submission to the qualified voters of the city of propositions of whether or not the city should issue its bonds in the principal amounts of \$200,000 and \$200,000 respectively, to pay part of the cost of designing, constructing and equipping an addition to the Wrangell General Hospital providing for the issuance and sale of general obligation bonds approved at said special elections; fixing the date, form, terms, maturities and covenants thereof; pledging the levy of general taxes to pay the principal thereof and interest thereon; creating a special fund for the payment of such principal and interest; creating a construction fund; approving the sale of said bonds; and declaring an emergency.

WHEREAS, at a special election held in the City of Wrangell, Alaska (hereinafter called the "City") on October 3, 1972, pursuant to its charter and to Resolution No. 8-72-1 adopted August 29, 1972 and other resolutions and ordinances of the Council of the City, the qualified electors thereof authorized the issuance of general obligation bonds of the City in the principal amount of \$200,000, for designing, constructing and equipping an addition to the Wrangell General Hospital to provide for long-term patient care; and

WHEREAS, at a special election held in the City on January 17, 1974, pursuant to its charter and to Resolution No. 12-73-2, adopted December 11, 1973, and other resolutions and ordinances of the Council of the City, the qualified electors thereof authorized

the issuance of general obligation bonds of the City in the further amount of \$200,000 for the purpose of paying part of the cost of designing, constructing and equipping a basement addition to the Wrangell General Hospital to provide doctors' offices, laboratory and equipment, a morgue and other general hospital purposes.

WHEREAS, it is necessary and in the best interests of the City and its inhabitants that the issuance of said \$400,000 of general obligation hospital bonds be now provided for, and that the date, form, terms, maturities and covenants thereof now be fixed;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Wrangell, Alaska as follows:

Section 1. That the adoption by the qualified electors of the City at a special election held therein on October 3, 1972 of the following proposition:

PROPOSITION NO. 4

GENERAL HOSPITAL ADDITION IMPROVEMENT  
GENERAL OBLIGATION BONDS

SHALL THE CITY OF WRANGELL, ALASKA, ISSUE ITS GENERAL OBLIGATION BONDS IN THE PRINCIPAL SUM OF NOT TO EXCEED \$200,000 BEARING INTEREST NOT TO EXCEED 7% PER ANNUM AND MATURING NOT TO EXCEED FORTY YEARS FROM DATE OF ISSUE, AND TO BE ISSUED AS NEEDED FOR THE PURPOSE OF PROVIDING FUNDS, BUT CONTINGENT UPON PLANS AND SPECIFICATIONS RECEIVING THE ENDORSEMENT AND APPROVAL OF STATE AND/OR FEDERAL AUTHORITIES WITHIN ONE YEAR FROM DATE OF THIS ELECTION FOR EXTENSION OF GRANT-IN-AID FUNDS IN THE APPROXIMATE AMOUNT OF \$294,000 FOR A TOTAL ESTIMATED PROJECT COST OF \$494,000 TO PAY THE COST OF CONSTRUCTING AND EQUIPPING AN ADDITION TO THE WRANGELL GENERAL HOSPITAL TO PROVIDE FOR

LONG-TERM PATIENT CARE AS DESCRIBED IN THE SCHEMATIC PLANS AND SPECIFICATIONS PREPARED BY SANDS AND ACKLEY, DATED DECEMBER 15, 1970?

YES . . . . . /  /

NO . . . . . /  /

be, and the same is hereby in all respects, ratified and confirmed.

Section 2. That the adoption by the qualified electors of the City at a special election held therein on January 17, 1974, of the following proposition:

PROPOSITION

WRANGELL GENERAL HOSPITAL BASEMENT ADDITION  
IMPROVEMENT GENERAL OBLIGATION BONDS

SHALL THE CITY OF WRANGELL, ALASKA ISSUE ITS GENERAL OBLIGATION BONDS IN THE PRINCIPAL SUM OF NOT TO EXCEED \$200,000 BEARING INTEREST NOT TO EXCEED 7% PER ANNUM AND MATURING NOT TO EXCEED 40 YEARS FROM DATE OF ISSUE, TO BE USED AS NEEDED FOR THE PURPOSE OF PROVIDING FUNDS FOR THE CONSTRUCTION, COMPLETION AND EQUIPPING OF THE BASEMENT TO THE WRANGELL GENERAL HOSPITAL ADDITION FOR PURPOSES OF PROVIDING DOCTORS OFFICES, LABORATORY AND EQUIPMENT, AND MORGUE AND OTHER GENERAL HOSPITAL PURPOSES AS DESCRIBED IN THE REVISED SCHEMATIC PLANS AND SPECIFICATIONS OF THE ARCHITECT/ENGINEERS PREPARED BY SANDS AND ACKLEY DATED NOVEMBER 6, 1973.

be, and the same is hereby in all respects, ratified and confirmed.

Section 3. For the purpose of providing funds to pay part of the cost of design, construction, and equipment of an addition to the Wrangell General Hospital authorized by Resolution No. 8-72-1 of the



City Council adopted August 29, 1972 and by Resolution No. 12-73-2, adopted December 11, 1973, by the qualified electors of the City at the above-mentioned special elections, the City shall issue and sell all the \$400,000 of said bonds so authorized.

Said bonds shall be known as "City of Wrangell, Alaska General Obligation Hospital Bonds, 1974" (hereinafter called the "Bonds"), shall be dated December 1, 1974, shall be numbered from 1 to 80 inclusive, shall be in the denomination of \$5,000 each, shall bear interest at the rate of 6.89% per annum payable on July 1, 1975, and semiannually on the first days of January and July of each year thereafter, and shall mature on July 1 of each year as follows:

<u>Bond Nos.</u>	<u>Maturity Year</u>	<u>Amount</u>
1	1977	\$ 5,000
2-3	1978	10,000
4-5	1979	10,000
6-7	1980	10,000
8-9	1981	10,000
10-11	1982	10,000
12-13	1983	10,000
14-15	1984	10,000
16-80	1999	325,000

The Bonds shall be issued as registered bonds without coupons and shall be sold to the Secretary of the Department of Health, Education and Welfare, United States of America, (hereinafter referred to as the "Secretary").

Both principal of and interest on the bonds shall be payable in lawful money of the United States of America at the office of the Treasurer of the City of Wrangell, in Wrangell, Alaska.

The principal of and interest on the bonds shall be

payable by warrant to the order of the Secretary. The warrant evidencing such payment shall be received by the Secretary on or before 12:00 o'clock noon on the last business day preceding the date fixed for payment.

All bonds shall at all times be registered in the name of the Secretary notwithstanding that the Secretary may sell the bonds. All payments of principal and interest thereon shall be made to the Secretary who, in the event the Secretary shall sell the bonds, shall act as the agent for the purchaser or holder in collecting such payments and remitting them to such purchaser or holder.

Section 4. The City does not reserve the right to redeem bonds maturing prior to July 1, 1985 in advance of their scheduled maturities. The City hereby reserves the right to redeem any or all of the bonds maturing on July 1, 1999, in whole, or in part, on July 1, 1985, and on any interest payment date thereafter, at par plus accrued interest to the date of redemption. The bonds maturing July 1, 1999 are subject to mandatory redemption prior to maturity on each July 1 in the following years and principal amounts from monies which shall be deposited into the Bond Redemption Fund created by Section 5 hereof for such purpose, at par, plus accrued interest to the date of redemption:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
1985	\$ 15,000	1993	\$ 20,000
1986	15,000	1994	25,000
1987	15,000	1995	25,000
1988	15,000	1996	25,000
1989	15,000	1997	30,000
1990	20,000	1998	30,000
1991	20,000	1999	35,000
1992	20,000		

Bonds redeemed prior to their stated maturities shall be selected by lot in such manner as may be determined by the City.

Notice of such intended redemption shall be given in written form, setting forth the number and aggregate principal amount of bonds to be redeemed, and the date fixed for redemption, which shall be sent by registered or certified mail at least thirty (30) days prior to the date fixed for the date of redemption to the Secretary provided, however, that failure to give such notice by mailing, or any defect in such notice, shall not affect the validity of any proceedings for the redemption of the bonds.

All payments of principal and interest on the bonds shall be made to the Secretary and all notices to be given to the Secretary under the provisions hereof shall be mailed or delivered to the Secretary at his office in the Parklawn Building, Rockville, Maryland, 20852, or at such other place as may be designated by the Secretary by written notice to the City by registered or certified mail at least thirty (30) days prior to a payment due date, or at least thirty (30) days prior to the date on which notice is required to be given.

Section 5. There is hereby created a special fund of the City to be known as the "City of Wrangell 1974 General Obligation Hospital Bond Redemption Fund" (hereinafter called the "Bond Redemption Fund"), which fund shall be drawn upon for the sole purpose of paying the principal of and interest on the bonds when the same shall become

due, or when the bonds shall be redeemable in accordance with the mandatory redemption provisions of Section 4 of this ordinance. Any accrued interest received from the sale of the bonds shall be paid into the Bond Redemption Fund.

Section 6. From and after the date of issue of the bonds, and for as long as any of the same remain outstanding and unpaid, the City further covenants and obligates itself to levy and collect ad valorem taxes upon all the taxable property within the City without limitation as to rate or amount and in an amount or amounts sufficient, together with other monies legally available therefor, to pay the principal of and interest on the bonds when the same shall become due or when the bonds shall become redeemable in accordance with the mandatory redemption provisions of Section 4 of this ordinance. All of said ad valorem taxes so collected shall be paid promptly into said Bond Redemption Fund at least thirty (30) days prior to the dates on which any interest, principal, or payment required for mandatory redemption of the outstanding bonds shall become due and payable. For the levy and collection of such taxes and for the prompt payment of such interest, principal, and amounts required for mandatory redemption of the outstanding bonds the full faith, credit and resources of the City are hereby irrevocably pledged.

Section 7. There is hereby created a special fund of the City to be known as the "City of Wrangell Hospital Construction Fund, 1974" (hereinafter called the "Hospital Construction Fund"). All of the proceeds of the sale of the bonds (except for accrued interest

which shall be paid into the Bond Redemption Fund) shall be paid into such fund and shall be used only for the purpose of paying part of the cost of designing, constructing and equipping an addition to the Wrangell General Hospital as more fully provided in Resolutions No. 8-72-1 and 12-73-2 of the City Council. All monies remaining in said construction fund after all costs of said addition to the Wrangell General Hospital have been paid shall be transferred to the Bond Redemption Fund.

Section 8. The bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. \_\_\_\_\_ \$5,000

STATE OF ALASKA  
CITY OF WRANGELL

GENERAL OBLIGATION HOSPITAL BOND, 1974

The City of Wrangell, a municipal corporation of the State of Alaska, for value received hereby promises to pay to the Secretary, Department of Health, Education and Welfare, United States of America, (the "Secretary") or his registered assigns, on the first day of July, 19 \_\_\_\_, the principal sum of

FIVE THOUSAND DOLLARS

together with interest thereon at the rate of \_\_\_\_\_ percent per annum payable semiannually on the first days of January and July of each year from date hereof (commencing July 1, 1975), or until such principal sum shall have been paid or duly provided for. Both principal of and interest on this bond are payable in lawful money of the United States of America at the office of the Treasurer of Wrangell, Alaska. Said payments shall be made to the Secretary in sufficient time that they will be received by

12:00 o'clock noon on the last business day preceding the applicable payment date.

The City has not reserved the right to redeem the bonds of this issue maturing prior to July 1, 1985.

The City has reserved the right to redeem any or all of the bonds maturing on July 1, 1999, in whole, or in part, on July 1, 1985, and on any interest payment date thereafter at par plus accrued interest to the date of redemption. The bonds maturing July 1, 1999 are subject to mandatory redemption prior to maturity on each July 1 in the following years and principal amounts from monies required to be deposited into the Bond Redemption Fund created by Ordinance No. \_\_\_\_\_, for such purpose, at par plus accrued interest to the date of redemption:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
1985	\$ 15,000	1993	\$ 20,000
1986	15,000	1994	25,000
1987	15,000	1995	25,000
1988	15,000	1996	25,000
1989	15,000	1997	30,000
1990	20,000	1998	30,000
1991	20,000	1999	35,000
1992	20,000		

Bonds redeemed prior to their date of maturity shall be selected by lot in such manner as may be determined by the City.

Notice of any such intended redemption shall be given by written notice specifying the aggregate principal amount of bonds to be called, the specific number of all bonds to be called and the date fixed for redemption, which notice shall be given to the Secretary by registered or certified mail at least thirty (30) days prior to the date fixed for redemption. All bonds so called for redemption will cease to bear interest on the redemption date provided funds for their redemption shall be received by the Secretary by 12:00 o'clock noon on the last business day preceding the redemption date, and shall be no longer protected by the ordinance and shall not be deemed to be outstanding under the provisions of the ordinance.

This bond is issued as a fully registered bond, registered in the name of the Secretary and the principal of

and interest on the bond shall be payable only to the Secretary, who, if the Secretary shall sell the bonds, shall act as the agent for the purchaser or holder in collecting such payments and remitting them to such purchaser or holder.

This bond is one of an issue of 80 bonds of like date and tenor, except as to number and date of maturity aggregating the principal sum of \$400,000 and is issued pursuant to the constitution and laws of the State of Alaska, the charter of the City of Wrangell, votes of the qualified electors of the City and duly adopted ordinances and resolutions, for the purpose of providing funds to pay part of the cost of designing, constructing, and equipping an addition to the General Hospital of the City.

This bond and the bonds of this issue are payable both principal and interest out of the special fund of the City entitled "City of Wrangell 1974 General Obligation Hospital Bond Redemption Fund" created by Ordinance No. \_\_\_\_\_ of the City. The City has obligated and bound itself to levy and collect ad valorem taxes on all the taxable property within the City without limitation as to rate or amount in amounts sufficient, together with all other funds available therefor, to pay the interest, principal, and amounts required to comply with the mandatory redemption schedule herein on the bonds of this issue as the same shall become due. For the levy and collection of such taxes and for the prompt payment of such interest, principal and amounts required to comply with such mandatory redemption schedule, the full faith, credit and resources of the City are hereby irrevocably pledged. All payments of interest, principal, and amounts paid on redemption of bonds to be made to the Secretary and all notices to be given to the Secretary under the provisions hereof shall be mailed to the Secretary at his office in the Parklawn Building, Rockville, Maryland, 20852 or at such other place as may be designated by the Secretary by written notice to the issuer by registered or certified mail at least thirty (30) days prior to a payment date, or at least thirty days prior to the date on which notice is required to be given.

It is hereby certified that all acts, conditions and things required by the constitution and the laws of the State of Alaska, the charter of the City of Wrangell and ordinances and resolutions of said City to have been done precedent to

and in the issuance of this bond have happened, been done and performed, and that the total indebtedness of the City of Wrangell, including this bond and the bonds of this issue, does not exceed any debt limitation prescribed by such charter.

IN WITNESS WHEREOF, the City of Wrangell, Alaska has caused this bond to be signed by its Mayor, to be attested by its Clerk, the official seal of the City to be impressed hereon this \_\_\_\_\_ day of \_\_\_\_\_, 1974.

CITY OF WRANGELL, ALASKA

By \_\_\_\_\_  
Mayor

ATTEST:

By \_\_\_\_\_  
City Clerk

Section 9. The bonds shall be signed on behalf of the City by its Mayor, shall be attested by its Clerk and shall have the official seal of the City impressed thereon.

Section 10. The sale of the bonds to the Secretary pursuant to the direct loan agreement dated June 26, 1974 and the terms therein set forth is hereby in all respects confirmed. The Mayor or the Clerk of the City is hereby authorized and directed to do everything necessary for the acquisition, construction and installation of the improvements provided for herein and in Resolutions No. 8-72-1 and 12-73-2, including the execution of all necessary documents and agreements on behalf of the City, for the prompt issuance, execution and delivery of the bonds to the purchaser, and for the



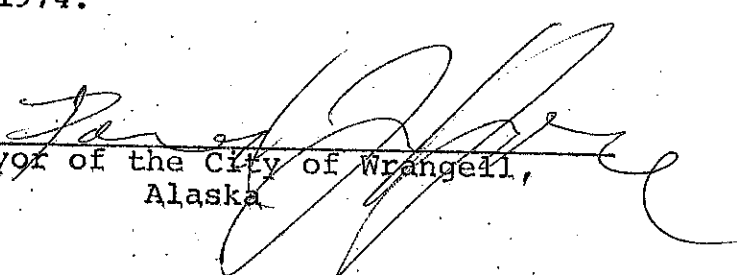
proper use and application of the funds derived from such sale.

Section 11. The City covenants that it will at all times keep the hospital insured against loss or damage by fire, in such amounts and with extended coverage and protection against such other casualties as is usual for similar facilities insured by other municipalities in the State of Alaska.

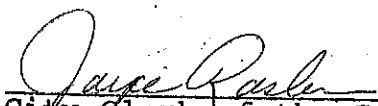
Section 12. The breach of any agreement or covenant contained in this ordinance or the bonds issued pursuant hereto shall constitute a default, whereupon the holder shall have all legal and equitable remedies provided by law.

Section 13. An emergency is hereby declared to exist affecting the public peace, health and safety in that the rapid growth of the City makes necessary the construction of the addition of the General Hospital as soon as possible. The rules governing the introduction, reading, passage, and approval of this Ordinance are hereby suspended and this Ordinance shall be effective immediately upon its passage and approval.

PASSED AND APPROVED by the Council of the City of Wrangell, Alaska this 26 day of November, 1974.

  
\_\_\_\_\_  
Mayor of the City of Wrangell,  
Alaska

ATTEST:

  
\_\_\_\_\_  
City Clerk of the City of Wrangell,  
Alaska

ORDINANCE NO. 319

AN ORDINANCE of the City of Wrangell, Alaska, confirming the result of a special election held on July 30, 1974, within the city for the submission to the qualified voters of the city of a proposition of whether or not the city should issue its bonds in the principal amount of \$42,000 to pay part of the cost of designing, constructing and equipping improvements to the city's public library; providing for the issuance and sale of the general obligation bonds approved at said special election; fixing the date, form, terms maturities and covenants thereof; pledging the levy of general taxes to pay the principal thereof and interest thereon; creating a special fund for the payment of such principal and interest; approving the sale of said bonds; and declaring an emergency.

WHEREAS, at a special election held in the City of Wrangell, Alaska (hereinafter called the "city") on July 30, 1974, pursuant to its Charter and to Resolution No. 6-74-1 adopted June 25, 1974, and other resolutions and ordinances of the council of the city, the qualified electors thereof authorized the issuance of general obligation bonds of the city in the principal amount of \$42,000 for improving the city's public library and reimbursing the city's general fund for moneys expended for such purposes; and

WHEREAS, it is necessary and in the best interests of the city and its inhabitants that the issuance of said \$42,000 of general obligation library bonds be now provided for, and that the date, form, terms, maturities and covenants thereof now be fixed.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Wrangell, Alaska, as follows:

Section 1. That the adoption by the qualified electors of the city at a special election held thereon on July 30, 1974, of the following proposition:

PROPOSITION NO. 1

WRANGELL LIBRARY CONSTRUCTION COMPLETION  
REPAYMENT GENERAL OBLIGATION BONDS

SHALL THE CITY OF WRANGELL, ALASKA, ISSUE ITS GENERAL OBLIGATION BONDS IN THE PRINCIPAL SUM OF NOT TO EXCEED \$42,000, BEARING INTEREST NOT TO EXCEED SEVEN PERCENT PER ANNUM, AND MATURING NOT TO EXCEED TEN YEARS FROM DATE OF ISSUE AND TO BE USED AND ISSUED IMMEDIATELY FOR THE PURPOSE OF PROVIDING FUNDS TO REMIBURSE THE CITY OF WRANGELL'S GENERAL FUND FOR AMOUNTS BORROWED DURING THE 1973-74 FISCAL YEAR TO SATISFY CONSTRUCTION COST OVER-RUNS ON THE LIBRARY CAPITAL IMPROVEMENT PROJECT AUTHORIZED ON OCTOBER 3, 1972?

YES. . . . .

NO . . . . .

be and the same is hereby in all respects ratified and confirmed.

Section 2. That for the purpose of providing funds to pay the cost of the design, construction, and equipment of that certain public library capital improvement project of the city and to reimburse the city's general fund for expenditures for such purposes, as authorized by Resolution No. 6-74-1 fo the City Council adopted June 25, 1974, and by the qualified electors of the city at the above-mentioned special election, the city shall issue and sell all the \$42,000 of said bonds so authorized.

Said bonds shall be known as "City of Wrangell, Alaska, General Obligation Library Bonds, 1974" (hereinafter called the

"bonds"), shall be dated December 1, 1974, shall be numbered from 1 to 9 inclusive, shall be in the denomination of \$5,000 each, except for bond number 1 in the denomination of \$2,000, shall bear interest payable semiannually on the first days of June and December of each year from date of issue commencing June 1, 1975, as evidenced by coupons to be attached thereto, and shall be numbered and mature in order of their number on December 1 in years and amounts as follows:

<u>Bond Nos.</u>	<u>Maturity Year</u>	<u>Amount</u>	<u>Interest Rate</u>
1	1975	\$ 2,000	7.00%
2	1976	5,000	7.00%
3	1977	5,000	7.00%
4	1978	5,000	7.00%
5	1979	5,000	7.00%
6	1980	5,000	7.00%
7	1981	5,000	7.00%
8	1982	5,000	7.00%
9	1983	5,000	7.00%

Both principal of and interest on the bonds shall be payable in lawful money of the United States of America at the Wrangell Branch, National Bank of Alaska, Wrangell, Alaska.

Section 3. The city does not reserve the right to redeem the outstanding bonds of this issue in advance of their scheduled maturities.

Section 4. There is hereby created a special fund of the city to be known as "City of Wrangell, 1974 General Obligation Library Bond Redemption Fund" (hereinafter called the "Bond Redemption Fund"), which fund shall be drawn upon for the sole

purpose of paying the principal of and interest on the bonds as the same shall become due. All accrued interest received from the sale of the bonds shall be paid into the Bond Redemption Fund.

Section 5. From and after the date of issue of the bonds and for as long as any of the same remain outstanding and unpaid, the city further covenants and obligates itself to levy and collect ad valorem taxes upon all the taxable property within the city without limitation as to rate or amount and in an amount or amounts sufficient, together with other moneys legally available therefore, to pay the principal of and interest on the bonds as the same shall become due. All of said ad valorem taxes so collected shall be paid promptly into said Bond Redemption Fund at least twenty days prior to the dates on which any installment of interest on, or principal of and interest on, the bonds outstanding shall become due and payable. For the levy and collection of such taxes and for the prompt payment of such principal and interest the full faith, credit and resources of the city are hereby irrevocably pledged.

Section 6. There has heretofore been created a special fund of the city known as the "City of Wrangell Library Construction Fund, 1973" (hereinafter called the "Library Construction Fund"). All of the proceeds of the sale of the bonds (except for accrued interest which shall be paid into the Bond Redemption Fund) shall be paid into such Fund and shall be used only for the purpose of

paying part of the cost of designing, constructing and equipping a public library with all necessary appurtenances, and reimbursing the city's general fund for moneys expended for such purposes, as more fully provided in Resolution No. 6-74-1 of the City Council.

Section 7. The bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. \_\_\_\_\_ \$ \_\_\_\_\_

STATE OF ALASKA  
CITY OF WRANGELL

GENERAL OBLIGATION LIBRARY BOND, 1974

The City of Wrangell, a municipal corporation of the State of Alaska, for value received hereby promises to pay to bearer on the first day of December, 19\_\_\_\_, the principal sum of

FIVE THOUSAND DOLLARS

together with interest thereon at the rate of 7% per annum payable semiannually on the first days of June and December of each year from date hereof, as evidenced by and upon presentation and surrender of the attached interest coupons as they severally become due, or until such sum shall have been paid or duly provided for. Both principal and interest are payable in lawful money of the United States of America at the Wrangell Branch of the National Bank of Alaska, Wrangell, Alaska.

The city has not reserved the right to redeem the outstanding bonds of this issue in advance of their scheduled maturities.

This bond is one of an issue of nine bonds of like date and tenor except as to amount, number and date of maturity aggregating the principal sum of \$42,000 and is issued pursuant to the Constitution and laws of the State of Alaska, the Charter of the City of Wrangell, a vote of the qualified electors of the city and duly adopted ordinances and resolutions for the purpose of providing funds to pay part of the cost of designing, constructing and equipping a new public library for the city and reimbursing the general fund of the city for moneys expended for such purposes.

This bond and the bonds of this issue are payable both principal and interest out of the special fund of the city entitled "City of Wrangell 1974 General Obligation Library Bond Redemption Fund" created by Ordinance No. \_\_\_\_ of the city.

The city has obligated and bound itself to levy and collect ad valorem taxes on all the taxable property within the city without limitation as to rate or amount in amounts sufficient, together with all other funds available therefor, to pay the principal of and interest on the bonds of this issue as the same shall become due. For the levy and collection of such

taxes and for the prompt payment of such principal and interest the full faith, credit and resources of the city are hereby irrevocably pledged.

It is hereby certified that all acts, conditions and things required by the Constitution and laws of the State of Alaska, the Charter of the City of Wrangell and ordinances and resolutions of said city to have been done precedent to and in the issuance of this bond have happened, been done and performed and that the total indebtedness of the City of Wrangell, including this bond and the bonds of this issue, does not exceed any debt limitation prescribed by such charter.

IN WITNESS WHEREOF, the City of Wrangell, Alaska, has caused this bond to be signed by its Mayor, to be attested by its Clerk, the official seal of the city to be impressed hereon and the interest coupons attached hereto to be signed with the facsimile signatures of said officials this 1st day of December, 1974.

CITY OF WRANGELL, ALASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



The interest coupons attached to said bonds shall be in substantially the following form:

NO. \_\_\_\_\_ \$ \_\_\_\_\_

On the first day of \_\_\_\_\_, 19\_\_\_\_, the City of Wrangell, Alaska, will pay to bearer at the Wrangell Branch, National Bank of Alaska, Wrangell, Alaska, the sum shown hereon in lawful money of the United States of America, said sum being the semiannual interest due that date on its General Obligation Library Bond dated December 1, 1974, and numbered \_\_\_\_\_.

CITY OF WRANGELL, ALASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

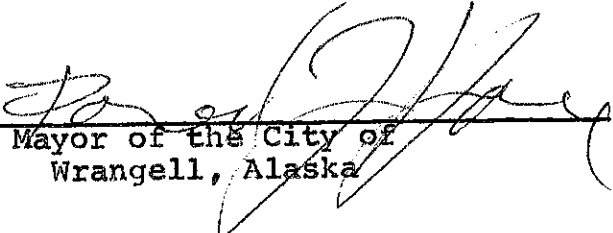
Section 9. Said bonds shall be signed on behalf of the city by its mayor, shall be attested by its clerk and shall have the official seal of the city impressed thereon. Each of the interest coupons attached thereto shall be signed with the facsimile signatures of said officials.

Section 10. The sale of the bonds to Seattle-Northwest Securities Corporation, Seattle, Washington, at par and accrued interest is hereby in all respects approved and confirmed. The

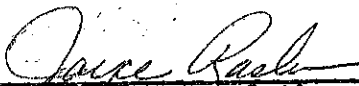
proper officials of the city are hereby authorized and directed to execute said bonds and to do all things necessary for the prompt issuance, execution and delivery thereof and for the proper application and use of the proceeds of such sale.

Section 11. An emergency is hereby declared to exist affecting the public peace, health and safety. The rules governing the introduction, reading, passage, and approval of this ordinance are hereby suspended and this ordinance shall be effective immediately upon its passage and approval.

PASSED AND APPROVED by the Council of the City of Wrangell, Alaska, this 26 day of November, 1974.

  
\_\_\_\_\_  
Mayor of the City of  
Wrangell, Alaska

ATTEST:

  
\_\_\_\_\_  
City Clerk of the City of  
Wrangell, Alaska

CITY OF WRANGELL, ALASKA

Ordinance No. 318

AN ORDINANCE APPROVING THE LEASE OF LOTS 8 AND 13, BLOCK 1-A, TIDELANDS ADDITION TO THE WRANGELL ELKS LODGE NO. 1595 AND WAIVING FORMAL LEASE PROCEDURE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of an impermanant nature, and shall not be codified in the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided by the ordinances of the City and shall become effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals no provisions of the Wrangell City Code; notwithstanding waiver of certain provisions of the Tidelands Leasing Act to the circumstances herein.

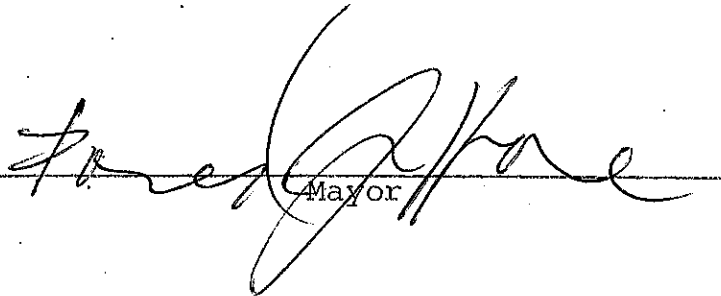
Sec. 5. Lease Approved. The City hereby approves and authorizes its Mayor and Clerk to enter into a lease agreement with the Wrangell Elks Lodge No. 1595, pertaining to Lots 8 and 13, Block 1-A, Tidelands Addition to the City of Wrangell, in the form attached hereto as Exhibit A and incorporated into this ordinance by reference.

Sec. 6. Waiver of Procedures. The City expressly waives the tidelands leasing requirements of Title 45, Chapter 40, of the Wrangell City Code to the extent that said performal procedures and dispossession requirements may be inconsistent with the procedures herein adopted. The

Published November 20, 1974

council deems the subject lease agreement to be in the best interests of the City and the tidelands therein pertaining reserved to the public use and benefit during periods of time imposing the greatest demand therefore, accordingly justifying waiver in these limited circumstances.

PASSED AND APPROVED: November 12, 1974.

  
\_\_\_\_\_  
Mayor

ATTEST: Jupe Rasli  
Clerk

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 317

AN ORDINANCE AMENDING THE TIDELANDS LEASING  
CONSTRUCTION REQUIREMENTS TO INCLUDE PARKING  
LOTS AS PERMISSIBLE IMPROVEMENTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

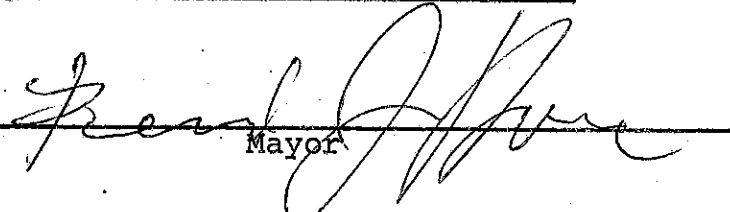
Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective 30 days after final passage or publication.

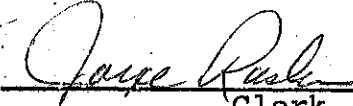
Sec. 4. Repealer. This Ordinance repeals Sec. 45.40.090 of Wrangell Ordinance No. 245, adopted October 28, 1969.

Sec. 5. Adoption of Sections. The following annexed section bearing code number Sec. 45.40.090 is hereby adopted as a part of this ordinance and Title 45, Chapter 40 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: October 22, 1974.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Clerk

Published October 30, 1974

Sec. 45.40.090. Appraisal. No tidelands shall be leased, or a renewal lease issued therefor, unless the same has been appraised within six months prior to the date fixed for beginning of the term of the lease or renewal lease. No land shall be leased for an annual rent less than six (6%) percentum of the appraised value of the land and any improvements thereon owned by the City.

Upon the filing of an application for a lease of a parcel of classified tidelands and the deposit of the costs estimated by the City Clerk, the City Assessor shall cause the tract, and any improvements thereon owned by the City, to be appraised at their fair market value. The appraisal shall be transmitted by the Assessor to the Council which shall review the same and determine the appraised value of the tract and improvements thereon owned by the City. Facilities for supplying utility services shall not be considered as such improvements. The Council shall determine the annual rental as six (6%) percentum of the appraised value and shall determine any limitations, reservations, requirements or special conditions to be included in the lease. Each lease shall contain a requirement that the lessee construct improvements suitable for the use of which the land is classified of a specified minimum value within one year from the date of the lease. Improvements in the limited context of the tidelands leasing provisions may include a parking lot with fill or surfacing, drainage, ingress and egress as the Council shall require. The applicant shall be notified of the amount of the minimum annual rental and the value of the improvements required to be constructed thereon.

CITY OF WRANGELL, ALASKA

Ordinance No. 316

AN ORDINANCE AMENDING THE WATER UTILITY CODE TO PROVIDE THAT WATER SOLD TO OCEAN-GOING VESSELS APPLIES ALSO TO PASSENGER SHIPS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective 30 days after final passage or publication.

Sec. 4. Repealer. Item 19, Class B of Schedule B incorporated by reference into Sec. 54.10.160 of Wrangell Ordinance No. 308 is hereby repealed.

Sec. 5. Adoption of Sections. The following annexed part of Schedule of Water Rates, specifically item 19, Class B of Schedule B pertaining to monthly commercial and industrial water service charges as incorporated by reference into Sec. 54.10.160 is hereby adopted as a part of this ordinance at Title 54, Chapter 10 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: September 24, 1974.

[Signature]  
Mayor

ATTEST: [Signature]  
Clerk

Schedule B  
 Monthly Water Rates  
 Page 2  
 (Sec. 54.10.160)

<u>Designation</u>	<u>Monthly Rate</u>
10. Docks	\$ 37.50
11. Docks or marinas for small boats, inc. oil docks	25.00
12. Garages, service stations, car lots without washrack	15.00
with washrack	22.50
13. Hospitals	60.00
14. Grocery Store without meat market	11.25
with meat market	23.25
15. Hydrants, fire, each	4.75
16. Hotels and motels 10 rooms or less	22.50
over 10 rooms, per room	1.75
17. Laundromat, self service under 30 lb. capacity, per machine	8.00
30 lb. or over capacity, per machine	16.00
18. Meat Market	12.00
19. Ocean going freight and passenger vessels taking water: 15 tons or less	15.00
each ton over 15 tons	.50
20. Office building, first office	7.50
each additional plumbed office	7.50
each additional unplumbed office	1.75
21. Offices, medical and dental with laboratory and/or x-ray unit	25.00
without laboratory and/or x-ray unit	7.50
22. Plane flats	15.00
23. Public showers first two stalls	8.00
per each additional stall	2.00
24. Restaurants, lunch counters, etc. up to and including 30 seats	22.50
over 30 seats	30.00
fountain only	7.50
25. Sawmills	500.00
26. Schools, per classroom	5.00
27. Shops, miscellaneous	7.50
28. Stores - dry goods, gift, etc.	8.00



LEASE AGREEMENT

---

THIS AGREEMENT, made this \_\_\_\_\_ day of October, 1974, between the City of Wrangell, Alaska, a home rule municipal corporation organized under the laws of the State of Alaska, party of the first part, hereinafter referred to as Lessor, and the BENEVOLENT AND PROTECTIVE ORDER OF ELKS, LODGE NO. 1595, Wrangell, Alaska, party of the second part, hereinafter called Lessee, who in consideration for their respective promises, covenant and agree as follows:

W I T N E S S E T H:

1. Lessor does hereby rent and let to the Lessee and the Lessee hereby agrees to lease and to rent from the Lessor the following described unimproved tideland fill property located in the City of Wrangell, First Judicial District, State of Alaska, more particularly described as follows:

Lots 8 and 13, Block 1-A, Tidelands Addition to the City of Wrangell, as prepared by Hubbel & Waller Engineering Corp., dated beginning July 1, 1963 and ending November 10, 1963, Wrangell Recording District, First Judicial District, State of Alaska.

2. This lease commences on the above date and shall be for a term of Five (5) years. Renewal and renegotiation of the lease and its terms may be effected at the expiration of said term, but this shall not be construed as a renewal option.

3. No rental for the leased premises shall be charged, but in consideration for this lease, Lessee covenants that it shall undertake and complete the following improvements within one year: Rough surfacing, grading for proper drainage and ditching for run-off flow. Further, Lessee covenants that the subject premises will be fully available for use to the

public for general and free parking every day during normal business hours, Lessee reserving said premises for its exclusive use between the hours of 6:00 p.m. and the following 8:00 a.m.

4. Lessee covenants that it shall maintain and effect necessary repairs to the leased premises to at least normal standards of fitness for parking lots generally, making said premises entirely suitable for that purpose. Neither party shall be compelled to undertake snow removal, but may do so at its option.

5. No utility payments or public improvement assessments apply to the premises, however, Lessee shall pay applicable property taxes thereon. In the event of condemnation by the State or federal governments or any agency thereof or by a public authority other than Lessor, this lease shall terminate and the proceeds from any condemnation award shall be payable to Lessor.

CITY OF WRANGELL

By \_\_\_\_\_

Don House, Mayor

ATTEST:

\_\_\_\_\_  
Joyce Rasler, City Clerk

B.P.O.E. LODGE NO. 1595

By \_\_\_\_\_

ROBERTSON, MONAGLE, EASTAUGH & BRADLEY  
200 N. B. A. BLDG. PHONE 586-3340  
P. O. BOX 1211, JUNEAU, ALASKA

STATE OF ALASKA )  
 : SS.  
FIRST JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 1974, in Wrangell, Alaska, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared DON HOUSE, Mayor of the CITY OF WRANGELL, ALASKA, to me known and known to me to be the person he represents himself to be and the same person who executed the above and foregoing Lease Agreement on behalf of the City of Wrangell, Alaska, and who acknowledged to me that he had full power and authority to and did execute the above and foregoing as a free and voluntary act and deed of said City of Wrangell, for the uses and purposes therein mentioned, and that the seal affixed to this instrument is the seal of the City of Wrangell.

WITNESS my hand and official seal the day, month and year herein first above written.

\_\_\_\_\_  
Notary Public, State of Alaska  
My commission expires: \_\_\_\_\_

STATE OF ALASKA )  
 : SS.  
FIRST JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 1974, in Wrangell, Alaska, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared \_\_\_\_\_

\_\_\_\_\_, of BENEVOLENT AND PROTECTIVE ORDER OF ELKS, LODGE NO. 1595, to me known and known to me to be the person he represents himself to be and the same person who executed the above and foregoing Lease Agreement on behalf of B.P.O.E., LODGE NO. 1595, and who acknowledged to me that he had full power and authority to and did execute the above and foregoing as a free and voluntary act and deed of said B.P.O.E., LODGE NO. 1595, for the uses and purposes therein mentioned, and that the seal affixed to this instrument is the seal of B.P.O.E., LODGE NO. 1595.

WITNESS my hand and official seal the day, month and year herein first above written.

\_\_\_\_\_  
Notary Public, State of Alaska  
My commission expires: \_\_\_\_\_

ROBERTSON, MONAGLE, EASTAUGH & BRADLEY  
200 N. B. A. BLDG. PHONE 566-3340  
P. O. BOX 1211, JUNEAU, ALASKA

CITY OF WRANGELL, ALASKA

Ordinance No. 315

AN ORDINANCE AMENDING THE BOAT HARBOR ORDINANCE BY PROVIDING THAT ONLY ONE COUNCILMAN BE REQUIRED TO ATTEND PORT COMMISSION RATE HEARINGS, ASSESSING AN ADDITIONAL CHARGE FOR PERSONS LIVING ABOARD VESSELS, AUTHORIZING 90-DAY TERMINAL MOORAGE PERMITS DURING THE PROSPECTIVE REBUILDING OF RELIANCE FLOAT, AND MODIFYING THE WEIGHTS, FEES, AND DEFINITIONS WITH RESPECT TO WHARFAGE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the city ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals Sec.15.20.110 of Wrangell Ordinance No. 286 adopted June 26, 1973, and Schedule A, Parts I and II of the Moorage Fees stated in Sec.15.40.010 and Schedule B, Part I of Sec. 15.40.020 of Wrangell Ordinance No. 309 adopted June 25, 1974.

Sec. 5. Adoption of Sections. The following annexed section bearing code number Sec.15.20.110, and Schedule A Parts I and II of Sec.15.40.010, and Schedule B, Part I of Sec. 15.40.020 are hereby adopted into those respective sections as a part of this ordinance and Title 15 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: September 10, 1974.

[Signature]  
Mayor

ATTEST: [Signature]  
City Clerk

SCHEDULE A (Sec.15.40.010)

Part I - Annual Moorage Fee

- (a) \$2.50 per foot annually for the length of the vessel or length of the stall, whichever is greater. A minimum of 20 feet shall be charged for stalls.
- (b) \$1.50 per foot if the criteria of paragraph 9 of Rules and Regulations are met.
- (c) Payment for rentals shall be semi-annually to-wit: January and July.
- (d) Additional charge of \$10.00 per person per month living aboard a vessel; however the Port Director in his discretion may waive such portion of said charge for persons who have performed incidental and/or emergency services entering to the benefit of the harbor.

Part II - Seasonal and Transient Moorage Fees

<u>Length of Vessel</u>	<u>Charge Per Day</u>
under 36 feet	\$1.50
37 - 60 feet	\$2.00
over 60 feet	\$3.00

Vessels moored in designated free space may occupy such space without charge for a period not to exceed 72 hours. Vessels occupying such space for longer periods shall be charged in accordance with rates set forth above at the discretion of the Port Director.

On 15 October of each year, the above rate will be modified to the extent that the owners of vessels desiring to winter in the Wrangell Small Craft Harbor may obtain a mooring permit for a three-month period in accordance with the following: such permits shall be renewable for a second three-month period provided that the termination date does not exceed 15 April of each year.

Due to the possible rebuilding of Reliance Float, 90-day permits will be issued at the discretion of the Port Director, and those issued shall be subject to revocation upon ten (10) days notice.

<u>Length of Vessel</u>	<u>Charge Per 3-Month Period</u>
under 36 feet	\$30.00
37 - 60 feet	\$40.00
over 60 feet	\$50.00

Part III - Gridiron Fees

Three days free time, \$10.00 per day thereafter, or fraction thereof.

Part IV - Delinquent Payment Fee

Persons failing to pay the appropriate rental charges within 30 days after due date shall be assessed a delinquency charge of 10%.

SCHEDULE B (Sec.15.40.020)

Part I - Wharfage\*

1. Container vans, net weight	\$2.00 per ton of 2,000 lbs.
2. Bulk commodities, palletized	\$2.00 per ton of 2,000 lbs.
3. Freight, other	\$2.00 per ton of 2,000 lbs.
4. Vehicles and similar items, on own wheels or treads or with separate wheels or treads.	
(a) 10,000 lbs. or less	\$2.50 per ton of 2,000 lbs.
(b) Over 10,000 lbs. through and including 30,000 lbs.	\$2.00 per ton of 2,000 lbs.
(c) Over 30,000 lbs. through and including 40,000 lbs.	\$1.75 per ton of 2,000 lbs.
(d) Over 40,000 lbs.	\$1.50 per ton of 2,000 lbs.
5. Explosives, powder, etc. (with written permission of Port Director required)	\$5.00 per ton
6. Lumber (2,240 lbs. shall be considered 1,000 board feet)	\$1.75 per 1,000 board feet
7. Carrier, empty, liquid petroleum gas, each	\$1.50
8. Trailers or modular home sections	Same as 4 above; \$25.00 minimum.

\*Note: Minimum charge for wharfage shall be \$5.00.

Schedule B

Page 2.

Part II - Wharfage, Demurrage

(Charge Assessed After Free Period)

	<u>Per day per 100 lbs. or fraction thereof</u>	
	<u>First 3 days</u>	<u>After 3 Days</u>
Inbound Traffic	0.03	0.06
Outbound Traffic	0.06	0.06

Part III - Dockage

Shall be assessed upon gross registered tonnage of vessel as follows: Rates are stated for 24-hour period.

Vessels of Gross Registered Tons			<u>Rate</u>
<u>From</u>	<u>- To</u>		
10	250	\$	7.50
251	500		15.00
501	1000		19.80
1001	1500		24.60
1501	2000		30.00
2001	2600		60.00
2601	3000		90.00
3001	7000		120.00
7001	10000		200.00

Note 1: The minimum Dockage charge shall be \$7.50.

Note 2: Vessels over 10,000 gross registered tons shall be charged, in addition to the rates for vessels of 10,000 gross registered tons, an additional amount of \$20.00 for each additional 1,000 gross tons or fraction thereof. 40 cubic feet = 1 ton.

Note 3: The Port Director may waive regular dockage charges for vessels of the United States Government, the State of Alaska, or the vessels of a foreign government.

Note 4: Vessels discharging or loading freight will be assessed dockage at 25% of the above fees but will remain subject to the minimum charge.



Sec. 15.20.100. Investigation of Holder; Cancellation. The Port Commission may inquire into the manner in which obligations under the permit issued by it are carried out, and into the rate schedules and practices of the permit holders for the purpose of determining whether the provisions of the permits are being complied with. It shall have access to books and records, and to terminal and transportation facilities as may be reasonably necessary to enable it to make such a determination. Should the Commission at any time find that a permit holder is not complying with the terms of its permit, it may cancel the permit upon such notice and in accordance with such procedure as it may, by regulation, prescribe.

Sec. 15.20.110. Fixing of Rates, Charges, Etc. The Port Commission, subject to approval by the Council, shall fix the rates, charges and classifications to be charged for the use of any and all terminal or transportation facilities constructed on property under its jurisdiction, including charges assessed against vessels, their owners, agents or operators, which load or discharge cargo at any of the terminals within the area under the Commission's jurisdiction; charges for berthage while loading or discharging cargo; charges for administrative expenses in serving the carrier; charges for freight handling operations, and wharfage, handling, loading, unloading and wharf demurrage rates. Such rates, charges and classifications shall be just and reasonable and shall be established and modified at a public hearing conducted by the Port Commission at which at least one councilman shall be present and notice specifying the time and place of hearing shall be given by at least one publication in a newspaper of general circulation in the City at least fifteen (15) days before the hearing. At said hearing, all public service corporations, associations, or individuals affected by or interested in the matters to be heard may be present and may be represented by counsel. At the conclusion of the hearing, the parties interested may make such arguments before the Port Commission either in person or by attorney as they consider proper, touching the matters at issue, and thereafter the Port Commission shall proceed to prepare a schedule of rates to be submitted to the Council at its next regular meeting. The Council may adopt the Board's proposed schedule of rates by ordinance but the date upon which the rates fixed or regulated go into effect may not be less than ten (10) days after its passage and approval. Until the Port Commission shall hold its first rate hearing and submit a proposed schedule of rates to the Council for adoption, the moorage rates and service charges at the small boat harbors shall remain the same as shall all rates and charges of Wrangell Wharf Co., its agents or lessees, for use of Wrangell Wharf facilities.

CITY OF WRANGELL, ALASKA

Ordinance No. 314

AN ORDINANCE RATIFYING THE CONVEYANCE OF REAL PROPERTY BY WARRANTY DEED TO HARRIS R. BULLERWELL AND CAROLYN R. BULLERWELL, HUSBAND AND WIFE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA.

Sec. 1. Classification. This code is of impermanent nature and NOT to be codified in the Wrangell Code of Ordinances.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage and publication.

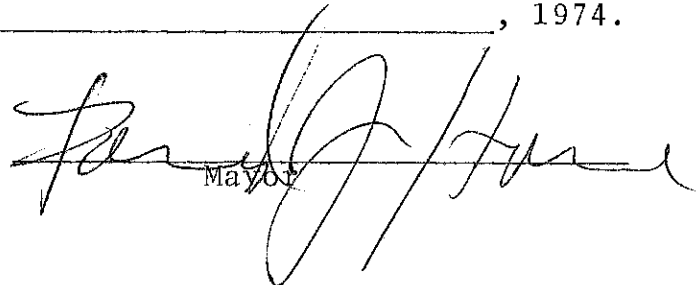
Sec. 4. Repealer. This ordinance repeals no existing City of Wrangell ordinances.

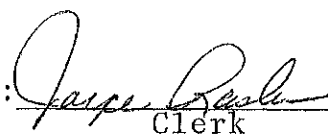
Sec. 5. Conveyance Authorized. Harris R. Bullerwell and Carolyn R. Bullerwell, Husband and Wife, hereinafter referred to as grantee, has heretofore tendered in cash the assessed valuation of a parcel of property unsold at public auction and offered over the counter, and the Mayor and City Clerk are accordingly authorized to execute a Warranty Deed conveying the following described property, without the building requirements being cited in the deed and acknowledging the requirements have already been complied with:

Lot 2-C, Block 27, Resubdivision of Block 27, Wrangell Townsite;

Wrangell Recording District, First Judicial District, State of Alaska to grantee.

PASSED AND APPROVED: July 23, 1974.

  
Mayor

ATTEST:   
Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 313

AN ORDINANCE REPEALING ORDINANCE NO. 298  
CONVEYING REAL PROPERTY TO DANIEL H. ROBERTS  
WITH BUILDING RESTRICTIONS, AND AUTHORIZING  
CONVEYANCE WITHOUT SUCH RESTRICTIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA.

Sec. 1. Classification. This code is of impermanent nature and not to be codified in the Wrangell Code of Ordinances.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage and publication.

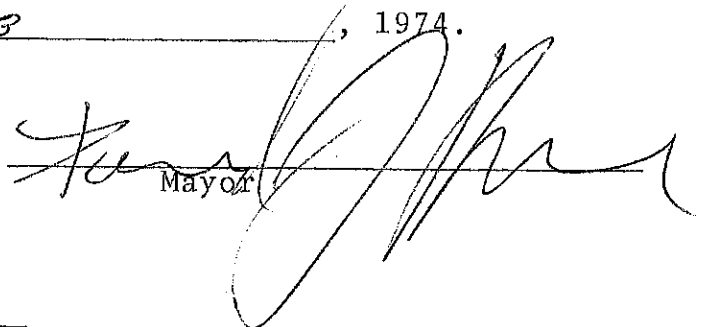
Sec. 4. Repealer. This ordinance repeals Ordinance No. 298, approved May 28, 1974.

Sec. 5. Conveyance Authorized. Daniel H. Roberts, a single man, hereinafter referred to as grantee, has heretofore submitted the highest acceptable bid with respect to the City of Wrangell's proposal to dispose of real property, published March 7 and 13, 1974, specifying that the property was unsuitable for construction and that construction requirements would not be imposed under Wrangell City Code 45.20.070, and the Mayor and City Clerk are accordingly authorized to execute a Warranty Deed conveying the following described property:

Lot 1, Block 82, Wrangell Townsite Subdivision,  
Survey No. 1119, approved September 12, 1917;

Wrangell Recording District, First Judicial District, State of Alaska to grantee.

PASSED AND APPROVED: July 23, 1974.

  
Mayor

ATTEST:   
City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 312

AN ORDINANCE AMENDING THE ORDINANCE ON ORDINANCES TO DELETE THE REQUIREMENT THAT AN ORDINANCE BE REQUIRED TO PURCHASE LANDS OR CONVEY OR LEASE ANY LANDS OF THE CITY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage and publication.

Sec. 4. Repealer. This ordinance repeals Sec. 27.20.010 of Wrangell Ordinance No. 201 adopted November 8, 1966, and repeals Secs. 45.20.040, -.050 and -.060 of Wrangell Ordinance No. 275.

Sec. 5. Adoption of Sections. The following annexed sections, bearing code number Sec. 27.20.010, is hereby adopted as part of this ordinance and Title 27 of the Code of Ordinances, and Sec.45.20.040, Sec.45.20.050 and Sec.45.20.060 are hereby adopted as a part of this ordinance and Title 45 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: July 9, 1974

[Signature]  
Mayor

ATTEST: [Signature]  
Clerk

## Chapter 20. Ordinances

Sec. 27.20.010. Acts which shall be by ordinance. Formal acts of the council intended to regulate any of the affairs of the city of Wrangell may be enacted by ordinance. Those acts of the council may be by ordinance which:

1. Establish, alter or abolish any city department.
2. Fix the compensation of members of the council.
3. Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed.
4. Levy Taxes.
5. Make supplemental appropriations or transfer appropriations.
6. Grant, renew or extend a franchise.
7. Regulate the rate charged for its services by any public utility.
8. Authorize the borrowing of money within such limits as will not create a greater indebtedness or liability of any kind in any year than the current revenue of the city of that year (AS 29.10.204).
9. Adopt or modify the official map, platting or subdivision controls or regulations, or the zoning plan.
10. Such additional acts of the council as provisions of law require to be by ordinance.

Sec. 27.20.020. Emergency ordinances. An emergency ordinance is an ordinance which in the judgment of the council is necessary for the immediate preservation of the public peace, health or safety and must become effective prior to the time when an ordinance of non-emergency nature would become effective. Every such ordinance shall contain as a part of its title the words "and declaring an emergency." A separate section, herein called the emergency section, shall declare the nature and existence of the emergency. An affirmative vote of at least five members of the council shall be required for the final passage of an emergency ordinance, which vote shall be by yeas and nays and shall be entered in the journal. (Charter 2-14)

Sec. 27.20.030. Introduction. An ordinance meeting the requirements of this chapter may be introduced by any member or committee of the council or by the Mayor at any regular or special meeting of the council. Upon introduction of any ordinance sufficient copies shall be furnished to the clerk in order for him to distribute immediately at

• Sec. 45.20.040. Resolution Required. The City Clerk shall report the results of the closed bid sale to the council after the public opening whereafter the council shall determine the highest responsible bidder. Immediately thereafter, the council shall adopt a resolution specifying all material terms and conditions of the disposition. A resolution shall be required for all dispositions.

Sec. 45.20.050. Effective date of Resolution. A resolution providing for the disposition of property valued prior to sale shall become effective upon adoption by the council. Thereafter the clerk shall prepare a deed or other appropriate instrument of conveyance and exchange same with the successful purchaser for the bid price cash. However, a resolution pertaining to the disposition of property originally estimated to have a value of \$25,000.00 or more shall not have an effective date until ratification by public election.

Sec. 45.20.060. Ratification by Election. Where required, the qualified voters of the City of Wrangell shall ratify the sale, lease, or other disposition of real property or an interest therein by voting to ratify or not ratify the resolution providing for the terms and conditions of the subject disposition. Ratification shall be by a majority of the qualified voters voting at a general or special election at which the question of the ratification of the resolution is submitted. Thirty (30) days' notice shall be given of the election and during that period, the City Council shall have published at least once each week in a newspaper published in the city a notice stating the time of the election and the place of voting, describing the property to be sold, leased, or disposed of, giving a brief statement of the terms and conditions of the sale and the consideration, if any, and stating the title and date of passage of the resolution. Notice shall also be given by posting a copy of it in at least three public places in the City at least 30 days before the election.

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 311

AN ORDINANCE ESTABLISHING DIFFERENTIAL REAL PROPERTY TAXATION ZONES EFFECTIVE TAX YEAR 1976 CONTINGENT UPON THE 1975 ALASKA STATE LEGISLATURE'S RATIFICATION OF THE CITY OF WRANGELL'S ANNEXATION PROPOSAL AS RECOMMENDED FOR APPROVAL BY THE LOCAL BOUNDARY COMMISSION.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. Pursuant to AS 44.19.260 and Article X, Section 12 of the Alaska State Constitution the recommendation of the Local Boundary Commission decided in favor Wrangell's annexation proposal becomes effective 45 days after submission unless earlier disapproved by a joint resolution concurred in by the majority of the members in each House. This ordinance shall become effective 45 days after submission of the proposition to the 1975 Session of the Alaska State Legislature unless disapproved by a joint resolution concurred in by a majority of the members of each House, and the ordinance shall have only prospective application commencing with the 1976 tax year.

Sec. 4. Repealer. This ordinance repeals all ordinances or parts thereof inconsistent with the provisions adopted herein.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers Sec. 60.20.285 is hereby adopted as a part of this ordinance and Title 60, Chapter 20 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: July 9, 1974.

James J. [Signature]  
Mayor

ATTEST:

James Paul [Signature]  
Clerk

Published July 12, 1974

Sec.60.20.285. Differential Taxation Zones. (a) On or before March 20 of each year the Council shall enact a non-code ordinance establishing differential taxation zones for that tax year, which establishment may be by adopting by reference a map or plat with appropriate designations in lieu of descriptions. The applicable taxation zones shall be designated on each tax payer's assessment notice.

(b) The differential taxation zones shall be designated by class according to services, provided as follows:

Class I. For property provided the general services comprised primarily of hospital facilities, library facilities, fire protection, police protection, port facilities, senior citizen's center, educational facilities, streets and roads, planning and zoning and solid waste removal and disposal facilities and general local government administration, fifty (50) percent of the established mill levy shall apply.

Class II. For property provided with Class I services above and electrical service, sixty-five (65) percent of the established mill levy shall apply.

Class III. For property provided with Class II services above and with either water or sewer service, eighty (80) percent of the established mill levy shall apply.

Class IV. For property provided all of the City services, one hundred (100) percent of the established mill levy shall apply.

(c) At the time of annual adoption of the differential taxation zones as provided in sub-section (a) above, the Council shall review the percentage of millage rate applicable to the classes of taxation zones as it appears in sub-section (b) above and adopt any modifications in the same ordinance designating such taxation zones.



ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 310

AN ORDINANCE AMENDING THE CRIMINAL CODE TO PROHIBIT THE CARRYING OF DANGEROUS WEAPONS IN ALOCHOLIC BEVERAGE DISPENSATORIES, DESIGNATING EXCEPTIONS, PROVIDING A PENALTY FOR VIOLATIONS BY REFERENCE, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This is an emergency ordinance and as such shall become effective immediately upon enactment, and shall not expire after sixty days as is the case with first class or general law cities, but shall remain a permanent part of the Wrangell City Code until repealed or otherwise amended.

Sec. 4. Declaration of Emergency. An emergency is hereby declared to exist affecting the public safety and welfare of the citizens of the City of Wrangell by reason of a substantial influx of local and touring sportsmen, seasonal workers, and transitant persons carrying dangerous weapons in their possession frequenting and patronizing beverage dispensatories, licensed to sell alocholic beverages on the premises. To the extent that the consumption of alocholic beverages may affect the judgment, temperament or character of a person or another person in proximity to same, the Council deems it prudent and in the public interest, based in part upon historical precedent, that such persons' access to dangerous weapons be restricted immediately in such public places.

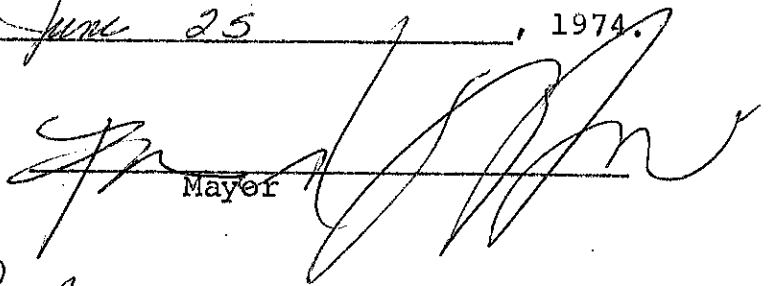
Sec. 5. Adoption of Sections. The following annexed section, bearing code numbers Sec. 30.20.120 is hereby adopted as a part of this ordinance and Title 30 of the Code of Ordinances of the City of Wrangell, Alaska.

Published June 28, 1974

Sec. 6. Adoption of Penalty by Reference. Violations of the section herein enumerated shall be punishable as specified in Title 30, Chapter 10 of the Wrangell City Code.

PASSED AND APPROVED:

June 25, 1974.

  
\_\_\_\_\_  
Mayor

ATTEST:

Jane Raska  
Clerk

Sec. 36.10.120 Dangerous Weapons. (a) It shall be unlawful to possess or carry in any matter whatever any dangerous weapon upon or within any premises licensed as a beverage dispensatory, a restraint, cafe, or beer parlor where intoxicating liquors of any kind whatsoever are sold, dispensed, or kept for sale or to be consumed on the premises. For the purposes of this section, the term "dangerous weapon" shall mean and include any instrument which by its capabilities of use is liable to produce death or great bodily harm. The following are dangerous per se: blackjack, billy, sandclub, sandbag, bludgeon, sling shot, slung shot, pistol, revolver, rifle, shot gun, any instrument which impels a missile by compressed air, spring, or other means, any weapon upon which loaded or blank cartridges are used, any tear gas device, cross-knuckles, knuckles of any metal, bowie knife, dirk knife, dirk dagger, switch blade knife, straight-edge razor or any knife having a blade of three inches or longer.

(b) The above sub-section shall not apply to law enforcement officers, nor shall it be construed to prohibit dangerous weapons from being checked at the door to any such licensed premises with the proprietor thereof, for his temporary custody, nor shall it be construed to prohibit an owner from possessing such dangerous weapon for protection of his own property and premises or as bailee or custodian for a patron on the premises.

CITY OF WRANGELL, ALASKA

Ordinance No. 309

AN ORDINANCE RATIFYING AND ADOPTING THE SCHEDULE OF FEES PERTAINING TO THE WRANGELL SMALL BOAT HARBORS AND WRANGELL WHARF AS PROMULGATED BY THE WRANGELL PORT COMMISSION PURSUANT TO PUBLIC NOTICE AND HEARING; AND ADOPTING A PENALTY FOR VIOLATIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall become effective on August 1, 1974.

Sec. 4. Repealer. Schedule A of Section 15.40.010, Schedule B of Section 15.40.020 of Wrangell Ordinance 286, adopted June 26, 1973, and all other ordinances or parts of ordinance in conflict herewith are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed schedules, bearing Schedule A designation for Section 15.40.010, and Schedule B designation for Section 15.40.020 are hereby adopted into those respective sections as a part of this ordinance and Title 15 of the Code and ordinances of the City of Wrangell, Alaska.

Sec. 6. Penalty. To the extent a specific penalty is not provided in Title 15 for violations pertaining to the two above referenced code sections which are adopted by this ordinance, violation of the sections herein enumerated shall be punishable as specified in Title 30, Chapter 10, of the Wrangell City Code.

PASSED AND APPROVED: June 25, 1974.

*[Handwritten Signature]*  
Mayor

ATTEST: *[Handwritten Signature]*  
Clerk

SCHEDULE A (Sec.15.40.010)

Part I - Annual Moorage Fee

- (a) \$2.50 per foot annually for the length of the vessel or length of the stall, whichever is greater. A minimum of 20 feet shall be charged for stalls.
- (b) \$1.50 per foot if the criteria of paragraph 9 of Rules and Regulations are met.
- (c) Payment for rentals shall be semi-annually, to-wit: Jānuary and July.

Part II - Seasonal and Transient Moorage Fees

<u>Length of Vessel</u>	<u>Charge Per Day</u>
under 36 feet	\$1.50
37 - 60 feet	\$2.00
over 60 feet	\$3.00

Vessels moored in designated free space may occupy such space without charge for a period not to exceed 72 hours. Vessels occupying such space for longer periods shall be charged in accordance with rates set forth above at the discretion of the Port Director.

On 15 October of each year, the above rate will be modified to the extent that the owners of vessels desiring to winter in the Wrangell Small Craft Harbor may obtain a mooring permit for a three-month period in accordance with the following: such permits shall be renewable for a second three-month period provided that the termination date does not exceed 15 April of each year.

<u>Length of Vessel</u>	<u>Charge Per 3-Month Period</u>
under 36 feet	\$30.00
37 - 60 feet	\$40.00
over 60 feet	\$50.00

Part III - Gridiron Fees

Three days free time, \$10.00 per day thereafter.

Part IV - Delinquent Payment Fee

Persons failing to pay the appropriate rental charges within 30 days after due date shall be assessed a delinquency charge of 10%.

SCHEDULE B (Sec.15.40.020)

Part I - Wharfage\*

- |  |                                     |
|--|-------------------------------------|
| 1. Container vans, net weight  | \$2.00 per ton<br>of 2,000 lbs.     |
| 2. Bulk commodities, palletized  | \$2.00 per ton<br>of 2,000 lbs.     |
| 3. Freight, other  | \$2.00 per ton<br>of 2,000 lbs.     |
| 4. Vehicles and similar items, on own<br>wheels or treds or with separate<br>wheels or treads. |                                     |
| (a) less than 10,000 lbs   | \$2.50 per ton<br>of 2,000 lbs.     |
| (b) Over 10,000 lbs. but less<br>than 30,000 lbs.  | \$2.00 per ton<br>of 2,000 lbs.     |
| (c) Over 30,000 lbs. but less<br>than 40,000 lbs.  | \$1.75 per ton<br>of 2,000 lbs.     |
| (d) Over 40,000 lbs. .   | \$1.50 per ton<br>of 2,000 lbs.     |
| 5. Explosives, powder, etc.<br>(with written permission of<br>Port Director required)          | \$5.00 per ton                      |
| 6. Lumber<br>(2,240 lbs. shall be considered<br>1,000 board feet)                              | \$1.75 per 1,000<br>board feet      |
| 7. Vans, empty unless charge was<br>assessed when loaded inbound, each                         | \$3.00                              |
| 8. Carrier, empty, liquid petroleum<br>gas, each   | \$1.50                              |
| 9. Trailers or modular homes   | same as 4 above;<br>\$25.00 minimum |

\*Note: Minimum charge for wharfage, excepting  
Item 9 above, shall be \$5.00.

Schedule B  
Page 2

Part II - Wharfage, Demurrage

(Charge Assessed After Free Period)

	Per day per 100 lbs. or fraction thereof	
	<u>First 3 days</u>	<u>After 3 Days</u>
Inbound Traffic	0.03	0.06
Outbound Traffic	0.06	0.06

Part III - Dockage

Shall be assessed upon gross registered tonnage of vessel as follows: Rates are stated for 24-hour period.

Vessels of Gross Registered Tons		Rate
<u>From</u>	<u>To</u>	
10	250	\$ 7.50
251	500	15.00
501	1000	19.80
1001	1500	24.60
1501	2000	30.00
2001	2600	60.00
2601	3000	90.00
3001	7000	120.00
7001	10000	200.00

- Note 1: The minimum Dockage charge shall be \$7.50.
- Note 2: Vessels over 10,000 gross registered tons shall be charged, in addition to the rates for vessels of 10,000 gross registered tons, an additional amount of \$20.00 for each additional 1,000 gross tons or fraction thereof.
- Note 3: The Port Director may waive regular dockage charges for vessels of the United States Government, the State of Alaska, or the vessels of a foreign government.
- Note 4: Vessels discharging or loading freight will be assessed dockage at 25% of the above fees but will remain subject to the minimum charge.



Schedule B

Page 3

Part IV - Storage

<u>Type</u>	<u>Monthly Rate</u>
1. Warehouse and Office Space	0.15 per sq. ft.
2. Exterior Storage Space	0.10 per sq. ft.
3. Boat and Vehicle Storage, Inside	1.00 per lineal ft.
4. Vehicle Storage, Outside	0.50 per lineal ft.

Note 1: Warehouse and office space shall be rented on a square footage basis with a minimum of 100 square feet.

Note 2: The Port Director shall assign vehicle and boat storage space.

Note 3: Vans, Freight or other articles for which no prior arrangements have been made occupying space on the wharf for periods longer than the free time allowed in the Rules and Regulations shall be charged a flat storage fee equivalent to that charged for warehouse and office space prorated on a weekly basis or fraction thereof.

Note 4: A person desiring to rent a complete storage area may negotiate with the Port Commission for an appropriate rate for such area.

Note 5: There shall be a minimum charge on all inside and outside warehouse and dock storage of \$5.00.

Part V - Labor and Miscellaneous Fee

Note 1: In event the Port of Wrangell incurs a labor expense, the charge shall be the wages of the personnel involved, plus 2.5%.

Note 2: Persons failing to pay the appropriate wharfage fees under Schedule B within 30 days after due date shall be assessed a delinquency charge of 10%.

CITY OF WRANGELL, ALASKA

Ordinance No. 308

AN ORDINANCE AMENDING THE ELECTRICAL AND WATER UTILITY CODES TO PROVIDE FOR A FORTY-FOUR AND ONE-HALF PERCENT (44-1/2%) INCREASE IN ELECTRICAL UTILITY RATES, RAISE THE ELECTRIC UTILITY DEPOSIT, AND PROVIDE SLIDING SCALE WATER UTILITY RATES AFFECTING OCEAN-GOING FREIGHT VESSELS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective 30 days after final passage or publication.

Sec. 4. Repealer. Sec. 54.20.070, 54.20.080, 54.20.090 and 54.20.100 of Wrangell Ordinance No. 230, and Sec. 54.20.050(d) of Wrangell Ordinance No. 282, and Item 19, Class B of Schedule B incorporated by reference into Sec. 54.10.160 of Wrangell Ordinance No. 278, are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers Sec. 54.20.050(d), 54.20.070, 54.20.080, 54.20.090 and 54.20.100 is hereby adopted as a part of this ordinance and Title 54, Chapter 20 of the Code of Ordinances of the City of Wrangell, Alaska, and the following annexed part of schedule of water rates, specifically Item 19, Class B of Schedule B pertaining to monthly commercial water service charges as incorporated by reference into Sec. 54.10.160, is hereby adopted as a part of this ordinance and Title 54, Chapter 10 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: May 29, 1974.

[Signature]  
Mayor

ATTEST: [Signature]  
Clerk

Published May 31, 1974

Sec. 54.20.070. Residential Service Meter Rate. (con't)

AVAILABILITY: Residential service under this schedule shall be limited to single phase, two or three wire service. All installations shall be subject to the approval of the Light Plant Superintendent.

The Superintendent shall specify the maximum requirements for, and the maximum size if any motor over one (1) horsepower seventy-five hundredths KW (1.75 KW) which may be used under Schedule "A".

The City reserves the right to control the use of all waterheating units during such hours as said superintendent deems advisable.

RATE:	
0 to 50 KWH	\$7.95 per mo. min.
51 to 100 KWH	11.1¢ per KWH
101 to 200 KWH	8.0¢ per KWH
201 and over	4.8¢ per KWH

Sec. 54.20.080. Industrial Rates. Schedule "B".

CLASSIFICATION: Lighting, cooking, appliances and motors in professional, mercantile, commercial and other establishments not classed in Schedule "A".

AVAILABILITY: Single phase 115 and/or 230 volt service. Motors not to exceed 2-1/2 horsepower.

A special application in writing for three phase service under the above schedule, shall be filed with the City Clerk.

All installations for such rate shall be subject to the approval of the Light Plant Superintendent, or his authorized agent.

RATE:	
0 to 40 KWH	\$7.95 mo. mim.
40 to 100 KWH	14.3 per KWH
101 to 200 KWH	11.1 per KWH
201 to 300 KWH	8.0 per KWH
301 and over	4.8 per KWH

Sec. 54.20.090. Industrial Rates. Schedule "C".

CLASSIFICATION: All classes of customers.

AVAILABILITY: Available for electric motors 5 HP and larger. For 3 phase and other industrial loads. Reduced voltage starter required on all motors 20 HP or larger. 5 HP maximum for single phase motor. Special consideration required on all motors 50 HP or larger and for loads which fluctuate to such an extent that the quality of service on the system may be impaired.

POWER FACTOR: A monthly charge will be made in addition to demand-energy or minimum charges whenever the average monthly factor is less than 0.85.

Unless specifically otherwise agreed, the City shall not be obligated to deliver electric energy to the consumer at any time at a power factor below 0.75.

The average power factor is determined as follows: The kilowatt hours divided by the square root of kilowatt hours plus the square root of reactive-kilovolt-ampere hours.

The meter for measurement of reactive-kilovolt-ampere hours shall be ratcheted to prevent reverse registration, or at the City's option, the power factor may be determined with a power factor meter.

All installations of power factor corrective equipment shall be subject to the approval of the Superintendent.

The monthly charge for each 0.01 of average monthly power factor below 0.85 shall be:

From 0.84 to 0.70, 8.0¢ per KW of maximum demand.

From 0.69 and below, 12.7¢ per KW of maximum demand.

Charges will be based on primary metering and where secondary metering is used transformer losses will be charged on the basis of connected transformer capacity for no load losses plus 2 per cent of KWH consumption for operational losses.

Monthly no-load transformer losses:

5 KW . . . . .	29 KWH
10 KW . . . . .	43 KWH
15 KW . . . . .	60 KWH
25 KW . . . . .	82 KWH
37.5 KW . . . . .	105 KWH
50 KW . . . . .	134 KWH
75 KW . . . . .	202 KWH
100 KW . . . . .	256 KWH
167 KW . . . . .	432 KWH
300 KW . . . . .	768 KWH
500 KW . . . . .	1296 KWH

Demand Charges: \$1.65 per month per KW of maximum demand or major portion thereof.

RATE: (Plus Energy Charge)

0 to 500 KWH	6.4¢ per KWH
500 to 1000 KWH	4.8¢ per KWH
All over 1000 KWH	3.5¢ per KWH
All over 1000 KWH	4.1¢ per KWH (This power rate will be charged to users of strictly temporary or seasonal character on a month-to-month basis, providing customer furnishes all necessary material and equipment incidental to the furnishing of such service plus all connection and disconnection costs.)

Minimum Charges: 79¢ per month per HP connected load but not less than \$7.50 per month.

Sec. 54.20.100. Shore Service for Boats--Flat Rate.

CLASSIFICATION: This schedule applies to any and all vessels, irrespective of size.

AVAILABILITY: Too all locations where shore service facilities are provided by the City. This is a combination rate applying for lighting and hearting only.

Only single phase service, 110 volts will be furnished from controlled shore outlets limiting the demand to the billing demand. Shore outlets under control of the City exclusively. All boats and vessels shall be flat rate based on a 20-amp fuse as follows:

RATE: 20-amp fuse \$15.00 per month

TERMS OF CONTRACT: Not less than one month or fraction thereof. Payable in advance at monthly rate.

Sec. 54.20.110. Service Rates Outside City Limits. City rates plus 15% surcharge.

Sec. 54.20.120. Unlawful to Divert Electrical Energy. It shall be unlawful for any person, firm or corporation, by any manner or means whatever, to divert, acquire, take, or use, any electricity or electric energy of or from the Utility or any of its facilities, with the intent of steal or embezzle the same, or to avoid payment therefore, or in any manner to defraud the City of Wrangell or the Utility.

Sec. 54.20.130. City Council to Promulgate Regulations. The City Council by Resolution, in its discretion excepting as in this section hereinafter provided may make and provide such rules and regulations as may be deemed necessary, suitable or advisable in order to clarify any of the provisions of this chapter, and/or to make adjustments in any particular case or situation, and/or to suspend the provisions of this chapter in any particular case or situation, and/or to safeguard or to provide for the capacity, welfare, or other interests of the Utility: Provided, that no penal section of this chapter shall be modified, affected or changed by Resolution; nor shall any general rates or charges specified in this chapter be modified or changed by Resolution.

Sec. 54.20.050. Rates Generally. (continued)

(c) Service Charges: A service is hereby defined as the labor and material necessary to connect a customer's premises to the City's distribution system.

For a new service the City will make a charge based on the length of said service. With the exception of the necessary metering equipment, which will be furnished by the City, the customer will pay for all materials required and the City will furnish without charge the labor necessary for the first 100 feet. Service runs exceeding 100 feet will be charged for on the basis of all the material required and for labor on that portion of the service in excess of 100 feet. These charges are to be computed on the basis of the City's actual cost of labor and material.

When a customer requests a change in an existing service, said work will be performed by the City and all costs incidental thereto shall be paid by the customer. The foregoing covers overhead services only. Underground services must be paid for by the customer and the work performed under the supervision of the City. All underground services must be properly maintained by the customer.

(d) Meter Deposits: All domestic customers must make a deposit with the City in the amount of \$50.00 with the exception of those owning property or when the account is guaranteed by the property owner. Said deposit must be made before the service will be connected. All other customers shall make credit arrangements satisfactory to the City of Wrangell to insure prompt payment of monthly bills. Deposits shall bear simple interest at five (5) percent per annum but shall not apply to any part of less than a full month; said interest credit or payment to be given no less frequently than semi-annually. When service is discontinued, said deposits and accumulated interest thereon will be refunded less any amount due the City for service.

(e) Resale of Services: The customer shall not resell the electric energy furnished under these tariffs for use on the premises occupied by the customer ordering such service.

Schedule B  
Monthly Water Rates  
Page 2

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<u>Designation</u>	<u>Monthly Rate</u>
10. Docks	\$37.50
11. Docks or marinas for small boats, inc. oil docks	25.00
12. Garages, service stations, car lots without washrack	15.00
with washrack	22.50
13. Hospitals	60.00
14. Grocery Store without meat market	11.25
with meat market	23.25
15. Hydrants, fire, each	4.75
16. Hotels and motels 10 rooms or less	22.50
over 10 rooms, per room	1.75
17. Laundromat, self service under 30 lb. capacity, per machine	8.00
30 lb. or over capacity, per machine	16.00
18. Meat Market	12.00
19. Ocean going freight vessels taking water 15 tons or less	15.00
each ton over 15 tons	.50
20. Office building, first office	7.50
each additional plumbed office	7.50
each additional unplumbed office	1.75
21. Offices, medical and dental with laboratory and/or x-ray unit	25.00
without laboratory and/or x-ray unit	7.50
22. Plane flats	15.00
23. Public showers first two stalls	8.00
per each additional stall	2.00
24. Restaurants, lunch counters, etc. up to and including 30 seats	22.50
over 30 seats	30.00
fountain only	7.50
25. Sawmills	500.00
26. Schools, per classroom	5.00
27. Shops, miscellaneous	7.50
28. Stores - dry goods, gift, etc.	8.00



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 307

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY BY WARRANTY DEED SUBJECT TO BUILDING RESTRICTIONS, TO MASUYE URATA, A MARRIED WOMAN.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA.

Sec. 1. Classification. This code is of impermanent nature and NOT to be codified in the Wrangell Code of Ordinances.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage and publication.

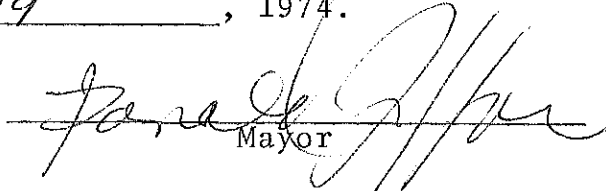
Sec. 4. Repealer. This ordinance repeals no existing City Of Wrangell ordinances.

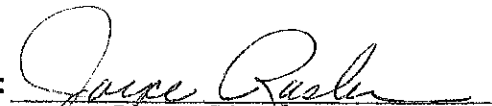
Sec. 5. Conveyance Authorized. Masuye Urata, a married woman, hereinafter referred to as grantee, has heretofore submitted the highest acceptable bid with respect to the City of Wrangell's proposal to dispose of real property, and the Mayor and City Clerk are accordingly authorized to execute a Conditional Warranty Deed conveying the following described property:

Lots 12, 13 and 14, Block 21, Wrangell Townsite Subdivision, Survey No. 1119, approved September 12, 1917;

Wrangell Recording District, First Judicial District, State of Alaska to grantee subject to compliance with construction requirements as recited in Sec. 45.20.070 of the Wrangell City Code, adopted pursuant to Wrangell Ordinance No. 281 on April 10, 1973.

PASSED AND APPROVED: May 29, 1974.

  
Mayor

ATTEST:   
City Clerk

CITY OF WRANGELL

Ordinance No. 306

AN ORDINANCE SUPPLEMENTING THE PUBLIC LAND DISPOSITION PROCEDURES BY AUTHORIZING OVER THE COUNTER SALES OF REAL ESTATE UNSOLD AT EARLIER PUBLIC SEALED BID AUCTION.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication, and shall have prospective application only, not applying to contracts, agreements or conveyances currently requiring construction conditions.

Sec. 4. Repealer. This ordinance repeals any ordinance or parts of ordinances in conflict herewith.

Sec. 5. Adoption of Section. The following annexed section bearing code number Sec. 45.20.080 is hereby adopted as a part of this ordinance and Title 45 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: May 29, 1974.

Jared J. [Signature]  
Mayor

ATTEST: Jarvis [Signature]  
City Clerk

Sec. 45.20.080. Over the Counter Sales. Lots or parcels of land offered for sale pursuant to Sec. 45.20.030 for which no responsive bids received may, upon resolution of the Council, be offered for public sale over the counter upon such terms and conditions as the Council may prescribe. The resolution shall specify the date and hour on which O.T.C. sales shall commence and an expiration date. Such lots shall be offered by the City Clerk over the counter at City Hall on a first-come first-served basis and be sold for the minimum bid value (assessed valuation). The purchases shall be ratified by ordinance and appropriate form of deed subsequently issued and signed by the Mayor and Clerk.

CITY OF WRANGELL

Ordinance No. 304

AN ORDINANCE IMPOSING AN ADDITIONAL ONE PERCENT (1%) SALES TAX ON ALL RETAIL SALES, RENTS, AND SERVICES TO BE USED FOR GENERAL FUND PURPOSES, MAKING A FIVE PER CENTUM (5%) SALES TAX RATE: CREATING AN EXEMPTION ON THE SALE OF NEWSPAPERS: AND ADOPTING A PENALTY FOR VIOLATIONS BY REFERENCE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance should become effective on July 1, 1974.

Sec. 4. Repealer. This ordinance repeals Secs. 60.10.020, 60.10.050 (3), and 60.10.060 of Wrangell Ordinance No. 254, and all other ordinances or parts thereof inconsistent herewith.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers Sec. 60.10.020, 60.10.050 (3) and (15), and Title 54, Chapter 10 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Adoption of Penalty by Reference. This ordinance adopts by reference those penalties provided in Secs. 60.10.090 and 60.10.130 of the Wrangell City Code for violations.

PASSED AND APPROVED: May 29, 1974.

James J. Gifford  
Mayor

ATTEST: James Pasla  
City Clerk

TITLE 60. TAXATION

Chapter 10. Sales Tax

Sec. 60.10.010. Levy of Tax. A consumer sales tax is hereby assessed and levied on all retail sales, on all rents, and on all services made, paid or performed within the City of Wrangell, Alaska, in the regular course of business, on and after the effective date hereof, except such sales as are hereinafter exempted, to be collected and used for the purposes hereinafter stated.

Sec. 60.10.020. Rate of Tax. Said tax is hereby levied in the amount of five per centum (5%) of the sale price of all retail sales, on all rents, and on all service, made, paid or performed within the municipality, except that on sales of less than \$2.09 said tax is levied in accordance with the following schedule:

<u>Sales Price</u>		<u>Amount of Tax</u>
Under	\$ 0.11	None
\$ .12 to	.29	\$ .01
.30 to	.49	.02
.50 to	.69	.03
.70 to	.89	.04
.90 to	1.09	.05
1.10 to	1.29	.06
1.30 to	1.49	.07
1.50 to	1.69	.08
1.70 to	1.89	.09
1.90 to	2.09	.10
Over \$2.09	straight 5%	

Sec. 60.10.040. Sales Not Divisible to Avoid Tax. The sales price of all items purchased or delivered at the same time shall be added together and the tax levied on the aggregate amount thereof.

Sec. 60.10.050. Exemptions. The following transactions are exempt from the tax herein levied:

- (1) Salaries and wages received by an employee.
- (2) Sales made and services performed which are not in the regular course of business.
- (3) Sales and the gross receipts derived therefrom when the aggregate amount when computed under Sec. 60.10.030 amounts to less than (\$0.12) cents.
- (4) Sales including such rentals and services when the total sales and service prices derived by the seller or person furnishing such services does not aggregate \$200.00 in any calendar quarter year.
- (5) Dues or fees to clubs, labor unions, or fraternal organizations.
- (6) Remuneration for services and materials, including caskets, used or furnished for funerals.
- (7) All sales of commodities made to a manufacturer, broker, wholesaler or dealer and which are not consumed or destroyed by such purchaser, but which are resold in the same or an altered form, or which are used to package, crate or deliver the products of such purchaser.
- (8) All sales to a bona fide retailer when the same are purchased by him for resale in the ordinary course of business. In this connection, a retailer is one who regularly stocks merchandise for resale, displays the same to the public and holds himself out as regularly engaged in the business of selling such products either during a regular season or throughout the year direct to the consumer.
- (9) Gross receipts or proceeds derived from medical or dental services rendered, including hospital services, and from the sale of medicinal preparations when prescribed in writing by a licensed practitioner.
- (10) Gross receipts or proceeds derived from the transportation to and from grade or high schools in motor or other vehicles.

Sec.60.10.050 (continued)

- DUPLICATION:  
OMIT
- (9) Gross receipts or proceeds derived from medical or dental services rendered, including hospital services, and from the sale of medicinal preparations when prescribed in writing by any licensed practitioner.
- DUPLICATION:  
OMIT
- (10) Gross receipts or proceeds derived from the transportation to and from grade or high schools in motor or other vehicles.
- (11) Gross receipts or proceeds derived from servicing, freezing, storing, handling or wharfing of fish, or lumber of any other commodities awaiting shipment or in the process of being shipped.
- (12) Gross receipts or proceeds derived from sales to the United States Government, State of Alaska, City of Wrangell and any of its political subdivisions.
- (13) All sales for consumption outside of the City of Wrangell, if delivered by a common carrier by air, land or water to the purchaser.
- (14) All sales of any single article of which the price exceeds One Thousand Dollars (\$1,000.00), and all services, including contract prices for any single job of which the price exceeds One Thousand Dollars (\$1,000.00), shall be taxable only to the limit of One Thousand Dollars (\$1,000.00).
- (15) All sales of newspapers.

Sec.60.10.060. Limitations of Use of Tax Proceeds. The proceeds of the tax hereby levied shall be used in such amounts as the Council of the City shall determine from time to time, depending upon the rate of tax collected, as follows:

- (1) The first three per centum (3%) of the sales price, which for the purposes of this section shall be three-fourths of the total amount of tax collected after the effective date of this ordinance, shall be used only for any of the following purposes:
- (a) To operate and maintain school facilities.
  - (b) To construct and maintain sewers within the City and other purposes relating to the health and sanitation of the City.
  - (c) To plan, design and construct street and sidewalk improvements.

(2) The fourth and fifth one per centum (2%) of the sales price, which for the purposes of this section shall be two-fifths of the total amount of tax collected after the effective date of this ordinance, shall be used only for any of the following purposes:

- (a) For any general fund purpose for which monies of the City may be disbursed for any purpose authorized by law or charter.
- (b) To the extent that tax proceeds from this source are not encumbered by purposes authorized in (a) above, to plan, design and construct street and sidewalk improvements and appurtenances.

Sec. 60.10.070. Duty to Collect and Make Return. The tax is hereby assessed and levied upon the purchaser or consumer but it is the duty of the retailer or person furnishing such services to collect the tax from the purchaser or consumer and make a return thereof to the City Clerk of the City of Wrangell as herein stated.

The sellers or furnishers of the services shall add the tax imposed under this ordinance to the sales price or charge and when so added, such tax shall constitute a part of such price or charge and when so added, such tax shall constitute a debt from the purchaser or consumer to the seller or furnisher until paid, and shall be recoverable at law in the same manner as other debts.

The sellers or furnishers of such services shall add and collect the tax strictly in accordance with Section 60.10.020 hereof.

Sec. 60.10.080. Quarterly Returns. The City Clerk shall provide appropriate forms for the use of taxpayers in making returns of the taxes payable under this ordinance. Every person, firm or corporation making such sales or supplying such services as are taxable hereunder shall furnish the City Clerk with a return containing such information as is necessary to fill in or complete the forms supplied by the City Clerk, including the total sales price collected during each quarter for which the return is made and the amount of such sales and services as are exempt hereunder and the tax due and payable for such quarter. Such returns shall be made once each



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 305

AN ORDINANCE AMENDING THE ELECTRICAL UTILITY CODES TO PROVIDE FOR A FORTY-FOUR AND ONE-HALF PERCENT (44-1/2%) INCREASE IN ELECTRICAL UTILITY RATES, RAISE THE ELECTRIC UTILITY DEPOSIT; PROVIDING AN EFFECTIVE DATE OF JUNE 15, 1974 AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and will subsequently be adopted by later non emergency ordinance as a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall become effective June 15, 1974 and shall be reflected on the electrical utility statements issued in July, 1974. The effective date above-stated follows public notice and hearing by fifteen (15) days and post-date formal adoption for a period in excess of ten (10) days in compliance with AS 29.48.090.

Sec. 4. Declaration of Emergency. An emergency is declared to exist by reason of insufficient financial yield from the current rate structure to avoid deficit electrical utility operation. Immediate adoption of an increased rate structure is necessary to satisfy debt service on existing revenue bond indebtedness and avoid breach of the terms of bond issuance and sale conditioned upon rates guaranteeing repayment, and for operation and maintenance of the electrical utility, and to preserve the fiscal integrity of the utility by providing working capital.

Sec. 5. Repealer. Sec.54.20.070, 54.20.080, 54.20.090 and 54.20.100 of Wrangell Ordinance No. 230, and Sec.54.20.050(d) of Wrangell Ordinance No. 282 are hereby repealed.

Sec. 6. Adoption of Sections. The following annexed sections bearing code numbers Sec.54.20.050(d), 54.20.070, 54.20.080, 54.20.090 and 54.20.100 is hereby adopted as a part of this ordinance and Title 54, Chapter 20 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: May 29, 1974

ATTEST: Jane Rasla  
City Clerk

Tommy J. J. J.  
Mayor  
Published May 31, 1974

Sec. 54.20.050. Rates Generally. (continued)

(c) Service Charges: A service is hereby defined as the labor and material necessary to connect a customer's premises to the City's distribution system.

For a new service the City will make a charge based on the length of said service. With the exception of the necessary metering equipment, which will be furnished by the City, the customer will pay for all materials required and the City will furnish without charge the labor necessary for the first 100 feet. Service runs exceeding 100 feet will be charged for on the basis of all the material required and for labor on that portion of the service in excess of 100 feet. These charges are to be computed on the basis of the City's actual cost of labor and material.

When a customer requests a change in an existing service, said work will be performed by the City and all costs incidental thereto shall be paid by the customer. The foregoing covers overhead services only. Underground services must be paid for by the customer and the work performed under the supervision of the City. All underground services must be properly maintained by the customer.

(d) Meter Deposits: All domestic customers must make a deposit with the City in the amount of \$50.00 with the exception of those owning property or when the account is guaranteed by the property owner. Said deposit must be made before the service will be connected. All other customers shall make credit arrangements satisfactory to the City of Wrangell to insure prompt payment of monthly bills. Deposits shall bear simple interest at five (5) percent per annum but shall not apply to any part of less than a full month; said interest credit or payment to be given no less frequently than semi-annually. When service is discontinued, said deposits and accumulated interest thereon will be refunded less any amount due the City for service.

(e) Resale of Services: The customer shall not resell the electric energy furnished under these tariffs for use on the premises occupied by the customer ordering such service.

Sec. 54.20.070. Residential Service Meter Rate. (con't)

AVAILABILITY: Residential service under this schedule shall be limited to single phase, two or three wire service. All installations shall be subject to the approval of the Light Plant Superintendent.

The Superintendent shall specify the maximum requirements for, and the maximum size if any motor over one (1) horsepower seventy-five hundredths KW (1.75 KW) which may be used under Schedule "A".

The City reserves the right to control the use of all waterheating units during such hours as said superintendent deems advisable.

RATE:	
0 to 50 KWH	\$7.95 per mo. min.
51 to 100 KWH	11.1¢ per KWH
101 to 200 KWH	8.0¢ per KWH
201 and over	4.8¢ per KWH

Sec. 54.20.080. Industrial Rates. Schedule "B".

CLASSIFICATION: Lighting, cooking, appliances and motors in professional, mercantile, commercial and other establishments not classed in Schedule "A".

AVAILABILITY: Single phase 115 and/or 230 volt service. Motors not to exceed 2-1/2 horsepower.

A special application in writing for three phase service under the above schedule, shall be filed with the City Clerk.

All installations for such rate shall be subject to the approval of the Light Plant Superintendent, or his authorized agent.

RATE:	
0 to 40 KWH	\$7.95 mo. min.
40 to 100 KWH	14.3 per KWH
101 to 200 KWH	11.1 per KWH
201 to 300 KWH	8.0 per KWH
301 and over	4.8 per KWH

Sec. 54.20.090. Industrial Rates. Schedule "C".

CLASSIFICATION: All classes of customers.

AVAILABILITY: Available for electric motors 5 HP and larger. For 3 phase and other industrial loads. Reduced voltage starter required on all motors 20 HP or larger. 5 HP maximum for single phase motor. Special consideration required on all motors 50 HP or larger and for loads which fluctuate to such an extent that the quality of service on the system may be impaired.

POWER FACTOR: A monthly charge will be made in addition to demand-energy or minimum charges whenever the average monthly factor is less than 0.85.

Unless specifically otherwise agreed, the City shall not be obligated to deliver electric energy to the consumer at any time at a power factor below 0.75.

The average power factor is determined as follows: The kilowatt hours divided by the square root of kilowatt hours plus the square root of reactive-kilovolt-ampere hours.

The meter for measurement of reactive-kilovolt-ampere hours shall be ratcheted to prevent reverse registration, or at the City's option, the power factor may be determined with a power factor meter.

All installations of power factor corrective equipment shall be subject to the approval of the Superintendent.

The monthly charge for each 0.01 of average monthly power factor below 0.85 shall be:

From 0.84 to 0.70, 8.0¢ per KW of maximum demand.

From 0.69 and below, 12.7¢ per KW of maximum demand.

Charges will be based on primary metering and where secondary metering is used transformer losses will be charged on the basis of connected transformer capacity for no load losses plus 2 per cent of KWH consumption for operational losses.

Monthly no-load transformer losses:

5 KW . . . . .	29 KWH
10 KW . . . . .	43 KWH
15 KW . . . . .	60 KWH
25 KW . . . . .	82 KWH
37.5 KW . . . . .	105 KWH
50 KW . . . . .	134 KWH
75 KW . . . . .	202 KWH
100 KW . . . . .	256 KWH
167 KW . . . . .	432 KWH
300 KW . . . . .	768 KWH
500 KW . . . . .	1296 KWH

Demand Charges: \$1.65 per month per KW of maximum demand or major portion thereof.

RATE: (Plus Energy Charge)

0 to 500 KWH	6.4¢ per KWH
500 to 1000 KWH	4.8¢ per KWH
All over 1000 KWH	3.5¢ per KWH
All over 1000 KWH	4.1¢ per KWH (This power rate will be charged to users of strictly temporary or seasonal character on a month-to-month basis, providing customer furnishes all necessary material and equipment incidental to the furnishing of such service plus all connection and disconnection costs.)

Minimum Charges: 79¢ per month per HP connected load but not less than \$7.50 per month.

Sec. 54.20.100. Shore Service for Boats--Flat Rate.

CLASSIFICATION: This schedule applies to any and all vessels, irrespective of size.

AVAILABILITY: To all locations where shore service facilities are provided by the City. This is a combination rate applying for lighting and heating only.

Only single phase service, 110 volts will be furnished from controlled shore outlets limiting the demand to the billing demand. Shore outlets under control of the City exclusively. All boats and vessels shall be flat rate based on a 20-amp fuse as follows:

RATE: 20-amp fuse \$15.00 per month

TERMS OF CONTRACT: Not less than one month or fraction thereof. Payable in advance at monthly rate.

Sec. 54.20.110. Service Rates Outside City Limits. City rates plus 15% surcharge.

Sec. 54.20.120. Unlawful to Divert Electrical Energy. It shall be unlawful for any person, firm or corporation, by any manner or means whatever, to divert, acquire, take, or use, any electricity or electric energy of or from the Utility or any of its facilities, with the intent of steal or embezzle the same, or to avoid payment therefore, or in any manner to defraud the City of Wrangell or the Utility.

Sec. 54.20.130. City Council to Promulgate Regulations. The City Council by Resolution, in its discretion excepting as in this section hereinafter provided may make and provide such rules and regulations as may be deemed necessary, suitable or advisable in order to clarify any of the provisions of this chapter, and/or to make adjustments in any particular case or situation, and/or to suspend the provisions of this chapter in any particular case or situation, and/or to safeguard or to provide for the capacity, welfare, or other interests of the Utility: Provided, that no penal section of this chapter shall be modified, affected or changed by Resolution; nor shall any general rates or charges specified in this chapter be modified or changed by Resolution.

CITY OF WRANGELL, ALASKA

Ordinance No. 303

AN ORDINANCE AUTHORIZING THE BORROWING OF \$65,000 BY THE CITY OF WRANGELL FOR THE PURPOSE OF PROVIDING SUPPLEMENTAL FUNDS TO COVER UNBUDGETED ITEMS, ERRORS IN ALLOCATION, AND UNANTICIPATED PROJECT COSTS DURING 1973-74 FISCAL YEAR, TO BE REPAID BY THE END OF 1974-75 FISCAL YEAR: AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of impermanent and transitory nature and shall not be codified in the code of ordinance of the City of Wrangell.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Declaration of Emergency. An emergency is declared to exist affecting the health, welfare and fiscal integrity of the finances of Wrangell by reason of insufficient funds during the remainder of the 1973-74 fiscal year ending June 30, 1974.

Sec. 4. Effective Date. This ordinance shall become effective immediately upon adoption.

Sec. 5. Repealer. This ordinance repeals Wrangell Ordinance No. 297 dated May 14, 1974, an emergency ordinance of identical authorization but which erroneously designates the basis for deficit.

Sec. 6. Purpose. It is the intention of this ordinance to obtain sufficient supplemental general funds to supplement budget deficits created by overstatement of estimated personal property tax revenue; non-treatment of hospital in lieu of tax payments as expense; non appropriation for school bond payment and school real property acquisition and lease of billing machine; improper designation of Federal revenue sharing trust funds as income; and unbudgeted contribution for library construction and advances on preliminary sewer project planning.

Sec. 7. Authorization. The City of Wrangell and its Manager and Clerk are authorized pursuant to authority recited in Charter Section 6-2 to borrow \$65,000 at a reasonable interest rate to be repaid prior to termination of the 1974-75 fiscal year on June 30, 1975.

PASSED AND APPROVED: May 29, 1974

ATTEST: [Signature] Mayor  
[Signature] City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 302

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY BY WARRANTY DEED SUBJECT TO BUILDING RESTRICTIONS, TO LINCOLN Y. SAITO, A MARRIED MAN.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA.

Sec. 1. Classification. This code is of impermanent nature and NOT to be codified in the Wrangell Code of Ordinances.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage and publication.

Sec. 4. Repealer. This ordinance repeals no existing City of Wrangell ordinances.

Sec. 5. Conveyance Authorized. Lincoln Y. Saito, a married man, hereinafter referred to as grantee, has heretofore submitted the highest acceptable bid with respect to the City of Wrangell's proposal to dispose of real property, and the Mayor and City Clerk are accordingly authorized to execute a Conditional Warranty Deed conveying the following described property:

Lot 4, Block 29, Lemieux Subdivision, Wrangell Townsite Subdivision, Survey No. 1119, approved September 12, 1917;

Wrangell Recording District, First Judicial District, State of Alaska to grantee subject to compliance with construction requirements as recited in Sec. 45.20.070 of the Wrangell City Code, adopted pursuant to Wrangell Ordinance No. 281 on April 10, 1973.

PASSED AND APPROVED: May 29, 1974.

[Signature]  
Mayor

ATTEST: [Signature]  
City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 301

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY BY WARRANTY DEED SUBJECT TO BUILDING RESTRICTIONS, TO WILLIAM H. DUNLAP AND KAREN H. DUNLAP, HUSBAND AND WIFE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA.

Sec. 1. Classification. This code is of impermanent nature and NOT to be codified in the Wrangell Code of Ordinances.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage and publication.

Sec. 4. Repealer. This ordinance repeals no existing City of Wrangell ordinances.

Sec. 5. Conveyance Authorized. William H. Dunlap and Karen H. Dunlap, Husband and Wife, hereinafter referred to as grantee, has heretofore submitted the highest acceptable bid with respect to the City of Wrangell's proposal to dispose of real property, and the Mayor and City Clerk are accordingly authorized to execute a Conditional Warranty Deed conveying the following described property:

Lot 3, Block 30-A, Lemieux Subdivision, Wrangell Townsite Subdivision, Survey No. 1119, approved September 12, 1917;

Wrangell Recording District, First Judicial District, State of Alaska to grantee subject to compliance with construction requirements as recited in Sec. 45.20.070 of the Wrangell City Code, adopted pursuant to Wrangell Ordinance No. 281 on April 10, 1973.

PASSED AND APPROVED: May 29, 1974.

[Signature]  
Mayor

ATTEST: [Signature]  
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 300

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY BY WARRANTY DEED SUBJECT TO BUILDING RESTRICTIONS, TO JOHN A. BAKER AND JUDITH ANN BAKER, HUSBAND AND WIFE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA.

Sec. 1. Classification. This code is of impermanent nature and NOT to be codified in the Wrangell Code of Ordinances.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage and publication.

Sec. 4. Repealer. This ordinance repeals no existing City of Wrangell Ordinances.

Sec. 5. Conveyance Authorized. John A. Baker and Judith Ann Baker, Husband and Wife, hereinafter referred to as grantee, has heretofore submitted the highest acceptable bid with respect to the City of Wrangell's proposal to dispose of real property, and the Mayor and City Clerk are accordingly authorized to execute a Conditional Warranty Deed conveying the following described property:

Lot 1, Block 29, Lemieux Subdivision, Wrangell  
Townsite Subdivision, Survey No. 1119, approved  
September 12, 1917;

Wrangell Recording District, First Judicial District, State of Alaska to grantee subject to compliance with construction requirements as recited in Sec. 45.20.070 of the Wrangell City Code, adopted pursuant to Wrangell Ordinance No. 281 on April 10, 1973.

PASSED AND APPROVED: May 29, 1974.

[Signature]  
Mayor

ATTEST: [Signature]  
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 299

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY BY WARRANTY DEED SUBJECT TO BUILDING RESTRICTIONS, TO JOHN A. BAKER AND JUDITH ANN BAKER, HUSBAND AND WIFE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA.

Sec. 1. Classification. This code is of impermanent nature and NOT to be codified in the Wrangell Code of Ordinances.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage and publication.

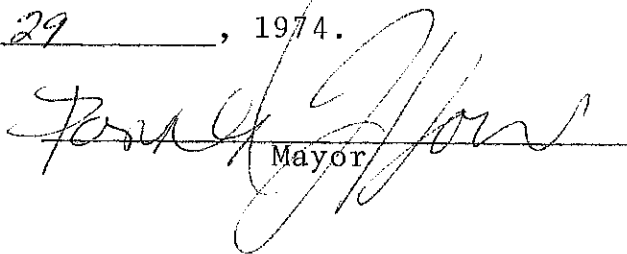
Sec. 4. Repealer. This ordinance repeals no existing City of Wrangell Ordinances.

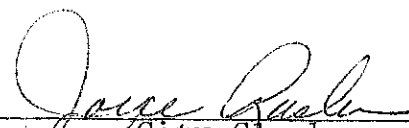
Sec. 5. Conveyance Authorized. John A. Baker and Judith Ann Baker, Husband and Wife, hereinafter referred to as grantee, has heretofore submitted the highest acceptable bid with respect to the City of Wrangell's proposal to dispose of real property, and the Mayor and City Clerk are accordingly authorized to execute a Conditional Warranty Deed conveying the following described property:

Lot 2, Block 29, Lemieux Subdivision, Wrangell Townsite Subdivision, Survey No. 1119, approved September 12, 1917;

Wrangell Recording District, First Judicial District, State of Alaska to grantee subject to compliance with construction requirements as recited in Sec. 45.20.070 of the Wrangell City Code, adopted pursuant to Wrangell Ordinance No. 281 on April 10, 1973.

PASSED AND APPROVED: May 29, 1974.

  
Mayor

ATTEST:   
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 298

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY BY WARRANTY DEED SUBJECT TO BUILDING RESTRICTIONS, TO DANIEL H. ROBERTS, A SINGLE MAN.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA.

Sec. 1. Classification. This code is of impermanent nature and NOT to be codified in the Wrangell Code of Ordinances.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage and publication.

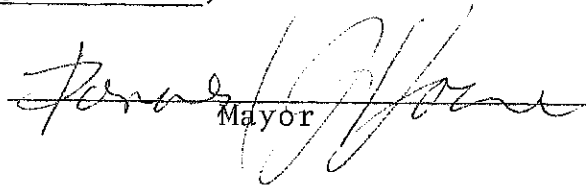
Sec. 4. Repealer. This ordinance repeals no existing City of Wrangell Ordinances.


Sec. 5. Conveyance Authorized. Daniel H. Roberts, a single man, hereinafter referred to as grantee, has heretofore submitted the highest acceptable bid with respect to the City of Wrangell's proposal to dispose of real property, and the Mayor and City Clerk are accordingly authorized to execute a Conditional Warranty Deed conveying the following described property:

Lot 1, Block 82, Wrangell Townsite Subdivision, Survey No. 1119, approved September 12, 1917;

Wrangell Recording District, First Judicial District, State of Alaska to grantee subject to compliance with construction requirements as recited in Sec. 45.20.070 of the Wrangell City Code, adopted pursuant to Wrangell Ordinance No. 281 on April 10, 1973.

PASSED AND APPROVED: May 28, 1974.

  
Mayor

ATTEST:   
City Clerk

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 297

AN ORDINANCE AUTHORIZING THE BORROWING OF \$65,000 BY THE CITY OF WRANGELL FOR THE PURPOSE OF PROVIDING SUPPLEMENTAL FUNDS TO COVER UNANTICIPATED PROJECT COSTS DURING 1973-74 FISCAL YEAR, TO BE REPAID BY THE END OF 1974-75 FISCAL YEAR; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of impermanent and transitory nature and shall not be codified in the code of ordinance of the City of Wrangell.

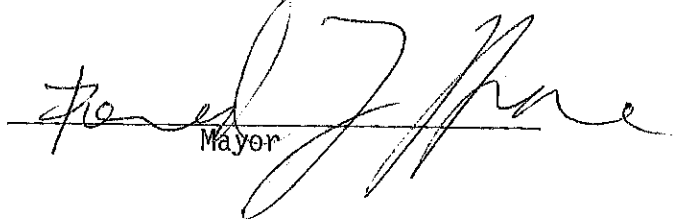
Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Declaration of Emergency. An emergency is declared to exist affecting the health, welfare and financial integrity of the finances of Wrangell by reason of insufficient funds during the remainder of the 1973-74 fiscal year ending June 30, 1974.

Sec. 4. Purpose. It is the intention of this ordinance to obtain sufficient supplemental general funds to cover fixed obligations arising in this fiscal year related to electrical power distribution, preliminary sewer project plan and library construction to the extent they have exceeded budget project revenues for the 1973-74 fiscal year.

Sec. 5. Authorization. The City of Wrangell and its Manager and Clerk are authorized pursuant to authority recited in Charter Section 6-2 to borrow \$65,000 at a reasonable interest rate to be repaid prior to termination of the 1974-75 fiscal year on June 30, 1975.

PASSED AND APPROVED: May 14, 1974

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Published May 24, 1974

CITY OF WRANGELL, ALASKA

Ordinance No. 296

AN ORDINANCE PRESCRIBING COUNCIL ORGANIZATION AND MEETING PROCEDURE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of WRANGELL, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage and publication.

Sec. 4. Repealer. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed sections, bearing code numbers Sec. 27.10.010 through and including Sec. 27.10.130 are hereby adopted as a part of this ordinance and Title 27 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: April 23, 1974

[Signature]  
Mayor

ATTEST: [Signature]  
Clerk

Published May 3, 1974

CITY OF WRANGELL CODE

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TITLE 27. COUNCIL

Chapter	-	Section
10		Council Organization
		27.10.010. Councilmen
		27.10.020. Relationship to Mayor
		27.10.030. Powers
		27.10.040. Appointments and Removals
		27.10.050. Special Committee
		27.10.060. Quorum
		27.10.070. Regular Council Meetings
		27.10.080. Special Council Meetings
		27.10.090. Agenda
		27.10.100. Meeting Procedure
		27.10.110. Executive Session
		27.10.120. Public Participation
		27.10.130. Minutes and Tape Recording
20		Ordinances
		27.20.010. Acts Which Shall be by Ordinance
		27.20.020. Emergency Ordinances
		27.20.030. Introduction
		27.20.040. Number of Readings
		27.20.045. Vote Required
		27.20.050. Effective Date
		27.20.055. Publication
		27.20.060. Number
		27.20.065. Form of Ordinances
		27.20.070. Code Ordinances
		27.20.075. Non-Code Ordinances
		27.20.080. Adoption by Reference
		27.20.085. Resolutions
		27.20.090. Codification
		27.20.092. Repeal of Ordinances

## Chapter 10. Council Organization

Sec. 27.10.010. Councilmen. There shall be a council composed of six councilmen elected from the City at large. If a councilman and mayor ceases to be a resident of the City, he shall thereupon cease to hold office.

Sec. 27.10.020. Relationship to Mayor. The Mayor shall preside at all meetings of the council, and shall certify the passage of all ordinances and resolutions passed by it. As an ex-officio councilman, he shall have all of the powers, rights, privileges, duties and responsibilities of councilmen, except that he may not vote except in the case of a tie, initiate motions.

Sec. 27.10.030. Powers. All powers of the City, including the determination of all matters of policy, shall be vested in the council. Without limitation of the foregoing, the council shall have power:

1. By ordinance to enact legislation relating to any or all subjects and matters not prohibited by law;
2. To adopt the budget, raise revenue and make appropriations, and regulate salaries and wages, and all other fiscal affairs of the city;
3. To inquire into the conduct of any office, department or agency of the city, and investigate municipal affairs;
4. To appoint or elect and remove its own subordinates, personnel in the department of law, election personnel, the members of the personnel board, the members of the planning commission, the members of the zoning commission, the members of the board of adjustment, and other quasi-legislative, quasi-judicial, or advisory officers and authorities, now and when and if established or prescribe the method of appointing or electing and removing them.
5. And insofar as consistent with the Charter, to create, change and abolish all offices, departments and agencies of the city government and to assign additional powers, duties, and functions to offices, departments, and agencies so created or modified.



Sec. 27.10.040. Appointments and Removals. Neither the council nor any of its members may direct or request the appointment of any person to, or his removal from office for employment by the Mayor or City Manager except as may be hereafter otherwise provided in Wrangell Code Title 3, Administration. Except for the purpose of inquiry, the council and its individual members shall deal with the administrative service of the municipality solely through the City Manager; and neither the council nor its individual members may give orders on administrative matters to any subordinate of the City Manager either publicly or privately.

Sec. 27.10.050. Special Committee. Special committees for the purpose of considering any special matter may be appointed by the Mayor with the consent of the council.

Sec. 27.10.060. Quorum. At all meetings of the council, five (5) councilmembers or four (4) members and the Mayor shall constitute a quorum for the transaction of business, but a smaller number may adjourn from day to day or from time to time. In the absence of a quorum, any number less than a quorum may adjourn a meeting to a later date.

Sec. 27.10.070. Regular Council Meetigs. Regular meetings of the council shall be held on the second and fourth Tuesdays of each month, except that no regular meetings shall be held on the fourth Tuesday of December. The meetings shall be held at 7:30 o'clock p.m. in the council chambers, City Hall, Wrangell. If any such Tuesday shall fall on a legal holiday as defined by the laws of the State of Alaska, the meeting scheduled for that day shall be held at the same hour on the next succeeding day which is not a holiday. Separate notice for regular council meetings shall not be required; instead, the clerk shall cause to be published in the local newspaper a semi-annual notice indicating the above-described regular council meeting plan.

Sec. 27.10.080. Special Council Meetings. Unless otherwise designated in the notice, special meetings of the council shall be held at the regular meeting place of the council. Special meetings shall be called by the City Clerk on the written request of the Mayor, or of the City Manager, or of any two members of the council. At least forty-eight (48) hours of written notice shall be given designating the time and purpose of a special meeting. A duplicate copy of such notice shall be served personally on each member of the council, or left at his usual place of residence or business by the City Clerk, and the councilmen shall acknowledge receipt of the notice on the original copy thereof and the original shall be returned to the Clerk and made a part of the journal of a special meeting. If the councilmen cannot be served personally, a copy of the notice of special council meeting shall be left at his usual place of residence or business by the City Clerk or by someone designated by him, and that fact noted on the original notice to be filed for record. A copy of the notice of special council

meeting shall also be delivered at the place of business of the local newspaper published and circulated in the City, but this requirement shall not be jurisdictional to the holding of any such meeting. Public notice of the special meeting shall be given by posting notice at four places in the City, one of which shall be City Hall, and one of which shall be the post office. Until resolution is passed to the contrary, the other two places shall be the bulletin boards of the Wrangell Sentinel and Wrangell Lumber Company. If practicable, notice of the special meeting shall also be given by the City Clerk causing such notice, and an abbreviated description of the subject matters to be considered thereat, on the local television mini scanner, but such additional requirement shall not be jurisdictional to the holding of a special council meeting. The councilmen may subsequently sign a waiver of notice of a special meeting, which such notice shall be attached to and made a part of the journal of the meeting. No business shall be transacted at any special meeting of the council, except that stated in the notice of the meeting. As with regular meetings, special council meetings shall be public meetings and the public shall have a reasonable opportunity to be heard.

Sec. 27.10.090. Agenda. An agenda is not required for special council meetings; the list of topics contained in the notice given for such special meeting shall instead suffice. An agenda shall be prepared before all regular council meetings and shall be posted at city hall by noon of the Monday preceding the meeting. All items and subject matters for agenda consideration shall be submitted by the public by noon of the Friday preceding the meeting. The council may amend the agenda at the beginning of its meeting. For outline purposes, the agenda shall appear generally as follows:

1. Opening of meeting 7:30 p.m.
2. Pledge of allegiance
3. Roll call
4. Amendment and approval of agenda
5. Setting time of adjournment
6. Approval of minutes of last meeting
7. Setting date and time for public hearings and bid openings
8. City Clerk
  - a) Ordinances and resolutions
  - b) Other
9. Mayor
  - a) Meetings and reports
  - b) Citizens forum
  - c) Other

10. City Manager

- a) Meetings and reports
- b) Invited guests and speakers
- c) Correspondence
- d) Old business
- e) New business
- f) Other

11. City Treasurer

- a) Checks and accounts
- b) Other

12. Adjournment

Sec. 27.10.100. Meeting Procedure. At the established hour on the day of each regular meeting the councilmen, the city manager and such department heads as may have been requested to be present shall take their regular station in the council chambers, and the business of the council shall be taken up for consideration and disposition and general accord with the agenda. The Mayor may, unless opposed by a majority of the council, alter the sequence of matters to be considered from the agenda. With the former regard, flexibility is desired to achieve a logical sequence in the consideration of topics. Strict adherence to the formalized procedures recited in "Roberts Rules of Order, Revised, Forward Copyright 1971" shall not be required; instead, the Mayor shall, as presiding officer of the meeting, have the descretionary power to conduct procedural matters of the council as he deems prudent, balancing considerations of expediency with fairness and opportunity for complete hearing.

Sec. 27.10.110. Executive Session. The council may, after its agenda is otherwise completed, recess for the purpose of discussing, in a closed or executive session, any questions permitted by law (Alaska Statute §44.62.310, as amended) which is expressed in the motion calling for the executive session. The public may be excluded from the session, but the final action shall not be taken by the council on any matter discussed in executive session until brought back into the regular session. In all cases, the meeting must first be convened as a public meeting and the question of holding an executive session to discuss matters that come within the authorized exceptions to public agency meetings shall be determined by a majority vote of the body. No subjects may be considered at the executive session except those mentioned in the motion calling for the executive session unless auxiliary to the main question.

Sec. 27.10.120. Public Participation. (a) Any person desiring to address the council shall first be recognized by the presiding officer, provided, however, that under the following headings of business, unless the presiding officer rules otherwise, any qualified and interested persons shall have the right to address the council upon obtaining recognition by the presiding officer:

(1) Public Hearings: Interested persons or authorized representatives may address the council in regard to matters then under consideration, this in particular regard to ordinances and resolutions.

(2) Oral Communications: Interested persons or their authorized legal representatives may address the council by oral communication at the appropriate time on the agenda concerning (i) agenda item designating such person or representative to appear and speak, or (ii) on any topic under the subject matter of "citizens forum" on the agenda.

(b) Individuals: Each person addressing the council shall give his name and address in an audible tone of voice for the record, and unless further time is granted by the presiding officer, or the council, shall limit his address to five minutes. All remarks shall be addressed to the council as a body and not to any member thereof. No person other than a councilman or mayor or the person having the floor, shall be permitted to enter into any discussion without the permission of the presiding officer.

(c) When any group of persons wishes to address the council on the same subject matter, it shall be proper for the presiding officer to request that a spokesman be chosen by the group to address the council, and in case additional matters are to be presented at the time by any other member of the group, to limit the number of persons so addressing the council, so as to avoid unnecessary repetition before the council.

(d) With respect to discussion after a motion, after a public hearing has been closed and after a motion is made by the council, no person shall address the council without first securing the permission of the presiding officer to do so.

Sec. 27.10.130. Minutes and Tape Recording. The clerk shall take and prepare minutes of council meetings and proceedings which shall be subsequently approved and/or amended by the council. After approval, such minutes shall be placed in a chronological record, maintained by the clerk. Tape recordings of all meetings and official council proceedings shall also be maintained. Preparation of a transcript from the taped proceedings shall not be necessary, but the tape shall be retained for a period of six and one-half years following the subject meeting or proceeding. The failure of a recording

device or tape to operate properly shall not be jurisdictional to a meeting. The purpose of maintaining tapes is to supplement the minutes, in recognition of the fact that the minutes cannot be sufficiently specific to give comprehensive detail and council intent. Upon request and for good cause shown, any person may request that a transcript of the relevant portions of the tape recording be prepared to supplement the formal approved minutes and become a part thereof.

## CITY OF WRANGELL, ALASKA

Ordinance No. 344

AN ORDINANCE AMENDING THE MOORAGE AND WHARFAGE FEES AND REGULATIONS, AMENDING THE CLASSIFICATION OF HARBOR AREAS, PROVIDING FOR ASSIGNMENT OF MOORAGE SPACE AND LIMITATIONS ON SUB-LEASING AND PERMITTING THE HARBORMASTER TO ISSUE CITATIONS FOR PROHIBITED ACTS WITHIN THE JURISDICTION OF WRANGELL BOAT HARBOR.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage.

Sec. 4. Repealer. This ordinance repeals Sec. 15.30.010 of Wrangell Ordinance No. 246 adopted October 28, 1969, Sec. 15.40.010 and Schedule A thereof, adopted by Wrangell Ordinance No. 315 dated September 10, 1974 and amended by Ordinance No. 328 adopted April 22, 1975, Sec. 15.40.020 and Schedule B thereof of Wrangell Ordinance No. 309 adopted June 25, 1974 and amended by Wrangell Ordinance No. 315 adopted September 10, 1974, and Sec. 15.70.010 of Wrangell Ordinance No. 273 adopted September 12, 1972, and all other ordinances or parts thereof inconsistent herewith.

Sec. 5. Adoption of Sections. The following annexed sections bearing code number Sec. 15.30.010, Sec. 15.40.010 and Schedule A incorporated therein by reference, Sec. 15.40.020 and Schedule B incorporated therein by reference, Sec. 15.50.015, Sec. 15.50.018, and Sec. 15.70.010 are hereby adopted as a part of this ordinance and Title 15 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: December 9, 1975.

Samuel R. Rivera  
Vice-Mayor

ATTEST:

Jayne Basler  
Clerk

## Chapter 30. Classification of Harbor Areas

Sec. 15.30.010. Classification. In recognition of the Federal and State funds used in the original construction of the Harbor and the construction and maintenance of its improvements, and of the services rendered to boat owners by the United States Coast Guard, in addition to the varying needs of different types of boat owners for different types of services, the Harbor areas are hereby classified as follows:

(a) Government Areas: Float areas set apart for the exclusive use of the Forest Service, Fish & Wildlife Service and other Federal and State agencies.

(b) Special Areas: All of the approaches, and designated areas of any float when suitably posted and marked, are to be used only by the general public, without charge, for the purposes of loading and unloading of supplies, equipment, stores. No boat shall be moored in such designated areas for any period longer than a reasonable time required for such loading and unloading.

(c) Stalls: Numbered areas enclosed by floats set at an angle to the finger floats set apart or established by piling and designated for exclusive use of privately owned boats, both commercial and pleasure, upon the owners thereof having first made arrangements with the Port Director and having paid in advance to the City Clerk the stall rent hereinafter provided. Each shall be numbered in such a manner that its location can be readily determined.

(d) Side Mooring: Open mooring spaces on the sides of floats not occupied for exclusive use shall be open, upon application to the Port Director, for designation as exclusive mooring space for boats over 16 feet in length. Such spaces, after having been so designated, and the rent hereinafter provided having been paid to the City Clerk, shall be for the exclusive use of the boat owner or operator who has made such arrangements and paid such rent.

(e) Bow Mooring: Numbered spaces, which spaces shall be approximately six feet (6') in width, and in other designated areas of the floats no otherwise occupied shall be provided for bow-on mooring of small craft not over 20 feet in overall length. Such spaces may only be occupied upon making arrangements therefor with the Port Director and paying the rent therefor to the City Clerk, whereupon the boat whose owner has made such arrangement and paid such rent shall have exclusive use of such space.

(f) Open Mooring: Float areas not otherwise occupied or posted for restricted use shall be designated for open mooring. Such areas shall be open to all members of the public primarily for transient and other temporary use for mooring boats. No boat or boat owner shall have any exclusive right to open mooring space. Should any such boat mooring at open moorings leave such space for any purpose, it shall have not exclusive right to return to the same space if upon such return it be found that such space is occupied by another boat.

(g) Gridiron: The Gridiron shall be available at all times to boat owners without charge for 72 hours. A charge of \$10.00 per day or portion thereof shall be made for use in excess of 72 hours. No owner, or operator shall occupy gridiron space except for such reasonable times as are required to accomplish bottom painting, repairs, and other customary gridiron uses.

(h) Rafting: Designated but unnumbered space aside a previously moored and secured vessel, at locations and to depths from time to time designated by the Port Director. Vessels mooring in an area classified for rafting are subject to yet another vessel tethering aside, and the City and Port of Wrangell assume no responsibility or liability for personal injury and property damage resulting from circumstances when rafted.



Chapter 40. Fees and Payment.

Sec. 15.40.010. Small Boat Harbors; Mooring and Stall Rentals; Gridiron Fee. All mooring and stall rentals and other charges herein provided shall be paid to the Port of Wrangell in advance by delivery or mail to the Port Director at the City Hall, Wrangell, Alaska in accordance with the annexed "Schedule A" incorporated herein by reference.

Sec. 15.40.020. Wrangell Wharf Fees. All wharfage, demurrage, dockage, storage, labor and miscellaneous fees for use of Wrangell Wharf and related facilities shall be paid to the Port of Wrangell in advance by delivery or mail to the Port Director at City Hall, Wrangell, Alaska, in accordance with the annexed "Schedule B" incorporated herein by reference.

SCHEDULE A (Sec. 15.40.010)

Part I - Annual Moorage Fee

- (a) \$3.00 per foot annually for the length of the vessel or length of the stall, whichever is greater. A minimum of 20 feet shall be charged for stalls.
- (b) \$1.50 per foot annually for rafting.
- (c) Skiff stalls or Ring stalls at Reliance float at a fee according to the length of the boat at \$3.00 per foot per annum.
- (d) Statements for annual moorage shall be mailed before July 10 of each year and shall be due and payable on July 31, but an owner may elect to pay one-half before July 31 and the balance before December 31. Owner's address for mailing purposes shall be that recited on the registration filed with the Port Director, and the mailing of a statement thus addressed shall constitute notice to the owner.
- (e) Additional charge of \$10.00 per person per month living aboard a vessel; however, the Port Commission in their discretion may waive such portion of said charge for persons who have performed incidental and/or emergency services incurring to the benefit of the harbor upon application.

Part II - Seasonal and Transient Moorage Fees

<u>Length of Vessel</u>	<u>Charge Per Day</u>
under 36 feet	\$1.50
37 - 60 feet	\$2.00
over 60 feet	\$3.00

Vessels moored in designated free space may occupy such space without charge for a period not to exceed 72 hours. Vessels occupying such space for longer periods shall be charged in accordance with the rates set forth above at the discretion of the Port Director.

On 15 October of each year, the above rate will be modified to the extent that the owners of vessels desiring to winter in the Wrangell Small Craft Harbor may obtain a mooring permit for a three-month period in accordance with the following: such permits shall be renewable for a second three-month period provided that the termination date does not exceed 15 April of each year.

Due to the possible rebuilding of the Reliance Float, 90-day permits will be issued at the discretion of the Port Director, and those issued shall be subject to revocation upon ten (10) days notice.

The rates for the 90-day Permits shall be \$.75 per foot of the vessels for a three (3) month period.

Ninety-Day Permits shall be signed by the owner or authorized agent on behalf of the owner of the vessel, and the permit shall designate the (1) duration of the permitted moorage, (2) rate applicable, (3) name of vessel, (4) owners of vessel, and (5) name and mailing address of person signing permit. The person signing the 90-Day Permit shall be responsible for payment. Fees shall be paid within 30 days of permit issuance.

Part III - Gridiron Fees.

Three day free time, \$10.00 per day thereafter.

Part IV. - Delinquent Payment Fee.

Persons failing to pay the appropriate rental charges within thirty (30) days after the date of bill shall be assessed interest, financing fee and delinquency charge of 1-1/2% per month thereafter until the bill is paid, and a person whose bill is delinquent in excess of sixty (60) days shall automatically forfeit their right to moorage space. A person who has forfeited shall forthwith remove his vessel from the stall, slip or other moorage space and it shall become available to the next same-sized vessel owner on the waiting list.

Part V - Annual Boat Stall Renewal

(a) Persons failing to timely pay the applicable City of Wrangell personal property tax levied against their boat or vessel shall not be permitted to renew their stall or slip rental for the ensuing year.

SCHEDULE B (Sec.15.40.020)

Part I - Wharfage\*

1. Container vans, net weight	\$2.00 per ton of 2,000 lbs.
2. Bulk commodities, palletized	\$2.00 per ton of 2,000 lbs.
3. Freight, other	\$2.00 per ton of 2,000 lbs.
4. Vehicles and similar items, on own wheels or treds or with separate wheels or treads.	
(a) less than 10,000 lbs	\$2.50 per ton of 2,000 lbs.
(b) Over 10,000 lbs. but less than 30,000 lbs.	\$2.00 per ton of 2,000 lbs.
(c) Over 30,000 lbs. but less than 40,000 lbs.	\$1.75 per ton of 2,000 lbs.
(d) Over 40,000 lbs.	\$1.50 per ton of 2,000 lbs.
5. Explosives, powder, etc. (with written permission of Port Director required)	\$5.00 per ton
6. Lumber (2,240 lbs. shall be considered 1,000 board feet)	\$1.75 per 1,000 board feet
7. Vans, empty unless charge was assessed when loaded inbound, each	\$3.00
8. Carrier, empty, liquid petroleum gas, each	\$1.50
9. Trailers or modular homes	same as 4 above; \$25.00 minimum

\*Note: Minimum charge for wharfage, excepting  
Item 9 above, shall be \$5.00.

Part II - Wharfage, Demurrage

(Charge Assessed After Free Period)

	<u>Per day per 100 lbs. or fraction thereof</u>	
	<u>First 3 days</u>	<u>After 3 Days</u>
Inbound Traffic	0.03	0.06
Outbound Traffic	0.06	0.06

Part III - Dockage

Shall be assessed upon gross registered tonnage of vessel as follows: Rates are stated for 24-hour period.

Vessels of Gross Registered Tons			<u>Rate</u>
<u>From</u>	-	<u>To</u>	
10		250	\$ 7.50
251		500	15.00
501		1000	19.80
1001		1500	24.60
1501		2000	30.00
2001		2600	60.00
2601		3000	90.00
3001		7000	120.00
7001		10000	200.00

Note 1: The minimum Dockage charge shall be \$7.50.

Note 2: Vessels over 10,000 gross registered tons shall be charged, in addition to the rates for vessels of 10,000 gross registered tons, an additional amount of \$20.00 for each additional 1,000 gross tons or fraction thereof.

Note 3: The Port Director may waive regular dockage charges for vessels of the United States Government, the State of Alaska, or the vessels of a foreign government.

Note 4: Vessels discharging or loading freight will be assessed dockage at 25% of the above fees but will remain subject to the minimum charge.

Part IV - Storage

<u>Type</u>	<u>Monthly Rate</u>
1. Warehouse and Office Space	0.15 per sq. ft.
2. Exterior Storage Space	0.10 per sq. ft.
3. Boat and Vehicle Storage, inside	1.00 per lineal ft.
4. Vehicle Storage, outside	0.50 per lineal ft.

Note 1: Warehouse and office space shall be rented on a square footage basis with a minimum of 100 square feet.

Note 2: The Port Director shall assign vehicle and boat storage space.

Note 3: Vans, Freight or other articles for which no prior arrangements have been made occupying space on the wharf for periods longer than the free time allowed in the Rules and Regulations shall be charged a flat storage fee, equivalent to that charged for warehouse and office space prorated on a weekly basis or fraction thereof.

Note 4: A person desiring to rent a complete storage area may negotiate with the Port Commission for an appropriate rate for such area.

Note 5: There shall be a minimum charge on all inside and outside warehouse and dock storage of \$5.00.

Part V - Labor and Miscellaneous Fee

- Note 1: In the event the Port of Wrangell incurs a labor expense, the charge shall be the wages of the personnel involved, plus 25%.
- Note 2: Persons failing to pay the appropriate wharfage, dockage, or storage fees under Schedule B within thirty (30) days of the date of the bill shall be assessed interest, financing fee and delinquency charge of 1-1/2% per month thereafter until the bill is paid.
- Note 3: A \$10.00 fee per round trip shall be imposed for each sight-seeing tour or charter bus using the wharf to meet tour ships; a fee of \$5.00 shall be imposed for limousines of eight passenger capacity or less.
- Note 4: A fee of \$10.00 shall be imposed against a common or contract carrier by truck of garbage and refuse transported from a vessel docked at Wrangell Wharf. The applicable fee is measured by each vessel, not each trip.



## Chapter 50. Duties of Boat Owners

Sec. 15.50.010. Registration. Every owner, master or managing agent of any boat using the mooring facilities of the Wrangell Harbor is hereby required to register his name, telephone number, post office and street address, and the name and number of the boat, its length, its breadth, registered tonnage, if any, with the Port Director on forms to be provided by him for that purpose, within 7 days after such boat enters and moors at any float in the Wrangell harbor.

Every such owner, master or managing agent desiring to moor at a stall or numbered mooring space shall apply therefor to the Port Director. No such stall or space shall be used until so assigned and the rental therefor is paid in advance.

Sec. 15.50.015. Assignment of Moorage Space. (a) Stalls, slips and finger floats for vessel moorage shall be assigned by the Port Director for vessels registered with the Commission on a first-come, first-served basis, as to type and size of vessel or pleasure craft.

(b) Assignment shall be on a fiscal year-to-year basis. Right of renewal shall be conferred as long as the assigned owner continues to use the space, abides the provisions of Title 15 of the City Code, and remains current on payment of fees, charges and boat taxes. Continuous use shall mean ownership of a vessel home-ported or principally used in Wrangell, Alaska and regularly utilizing the harbor facilities at least on a seasonal basis.

(c) A waiting list shall be established for resident persons requesting moorage space. No fee shall be charged, and vessel ownership shall not be a condition precedent to enrollment on the waiting list. In case of not enough mooring space, preference will be given to local residents. In order to remain on the waiting list, you must report your intent every 6 months to the Port Director. (6 months from time of original application).

Sec. 15.50.018. Transfer and Subleasing. (a) Right to assigned moorage space inures to the owner, not the vessel. With the exception of subleasing, the transfer of assigned moorage space is prohibited.

(b) Subleasing shall be permitted only on the following conditions:

(1) that the assignment agreement be in writing, having the names and mailing address of both parties, and identifying the affected moorage space.

(2) that the agreement be effective for no longer than the remainder of the fiscal year in which it is executed.

(3) that the stall rent be current and there be no premium or other consideration paid by the assignee to the assignor.

(c) Persons may trade or swap assigned moorage spaces of different size upon giving advance written notice to the Port Director.

Sec. 15.50.020. Location and Securing Regulations - Small Boat Harbors. Every owner, master or managing agent of any boat using the mooring or other facilities of the Wrangell Boat Harbor shall comply with the following regulations:

(a) No rowboats or skiffs shall be pulled up and left on any of the city floats.

(b) All Government Floats must be kept clear at all times.

(c) Not more than four boats shall be tied abreast without permission of the Port Director.

(d) Each boat must have proper spring lines to keep the boat from surging.

(e) Each boat must have at least one line to the float, alternating ends.

(f) All row boats and skiffs shall be on board or tied in a space allotted for that purpose, and not tied alongside larger boats.

(g) No boat shall be tied so it can touch other boats fore and aft, and said persons shall supply and use adequate fenders to safeguard floats and vessels from chafing and other damages.

Chapter 70. Prohibited Acts.

Sec. 15.70.010. Prohibited Acts. It shall be unlawful for any owner, master or managing agent, or other person in charge of the operation of a boat using the facilities of Wrangell Harbor to commit any of the following prohibited acts which are subject to citation by both police officers and the Harbormaster:

(a) To operate or cause to be operated any boat in a reckless manner and in wilful and wanton disregard for the safety of person or property, within the limits of the Wrangell Harbor.

(b) To operate or cause to be operated any boat in a negligent manner likely to endanger the safety of persons or property, within the limits of the Wrangell Harbor.

(c) To operate or cause to be operated any boat within the limits of the Wrangell Harbor in excess of three (3) M.P.H.

(d) To throw or otherwise cause to be deposited gasoline, oil, trash, garbage, refuse on any float or wharf or into the water of the Wrangell Harbor.

(e) To create or maintain any nuisance within the Wrangell Harbor facilities, or to conduct or carry on any unlawful business or occupation therein; and, all of the ordinances of the City of Wrangell, defining offenses and prescribing penalties for the violation thereof are hereby expressly extended to the Wrangell Harbor.

(f) For any owner or person in charge of any dog or animal to allow or permit such dog or animal to run at large on any municipally operated float or wharf or to become a nuisance thereon.

CITY OF WRANGELL, ALASKA

Ordinance No. 343

AN ORDINANCE AMENDING THE PROPERTY TAX EXEMPTIONS BY SPECIFICALLY INCORPORATING THE STATUTORY EXEMPTIONS AND CREATING A NEW EXEMPTION FOR RAW NATURAL RESOURCES BEFORE PROCESSING.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective January 1, 1976.

Sec. 4. Repealer. This ordinance repeals Section 60.20.020 of Wrangell Ordinance No. 255 adopted July 28, 1970, and all other ordinances or parts of ordinances in conflict herewith.

Sec. 5. Adoption of Section. The following annexed section bearing code number 60.20.020 is hereby adopted as a part of this ordinance and Title 60 of the Wrangell City Code.

PASSED AND APPROVED: November 25, 1975.

Edward P. Churchill  
Mayor

ATTEST: Jayne Raskin  
Clerk

Chapter 20. Property Tax.

Sec. 60.20.010. Levy of Tax; Nature; Limitation. There shall be assessed, levied and collected a general tax for school and municipal purposes upon all real property and upon all inventory, business machines and equipment, and commercial personal property of every kind and nature, and boats and vessels within the city. The levies for school and municipal purposes shall be separately made and fixed, and the aggregate levy shall not exceed three per cent. (3%) of the assessed value of the property assessed.

Sec. 60.20.020. Exemptions from Tax. (a) All property exempt from taxation as prescribed by State Statute. (AS 29.53.020)

(b) An exemption not exceeding two hundred dollars (\$200) in value shall apply to the imposition of the personal property tax on inventories, business machines and equipment, and other commercial personal property of any nature, but shall not apply to boats and vessels within the taxing jurisdiction.

(c) An exemption on all residential personal property, household goods, furniture and motor vehicles.

(d) Exempted from inventory taxation shall be all natural resources stock-piled in the jurisdiction awaiting primary treatment, such as lumber in the round, sand and gravel, shot rock before crushing, fish, or other resources of similar nature.

(e) "Raw natural resources before processing" as used herein shall be defined as tangible personal property derived as a natural resource product not intended by the owner for sale or commerce in present physical condition and which is not customarily offered as a merchantable product in the ordinary course of the owner's business.

Sec. 60.20.030. Classification of Boats and Vessels. Boats and vessels of every kind and description, including boats and vessels powered or designed to be powered by detachable out-board motors, within the city and subject to taxation therein, are hereby classified according to tonnage into three (3) categories, and shall be assessed and taxed as follows:

1. Under five (5) net tons, five dollars (\$5.00)
2. Five (5) net tons and over and under ten (10) net tons, ten dollars (\$10.00)
3. Ten (10) net tons and over, fifteen dollars (\$15.00)

CITY OF WRANGELL, ALASKA  
Ordinance No. 342

AN ORDINANCE AMENDING THE ZONING AND PLANNING COMMISSION ORDINANCE AS TO COMMISSION MEMBERSHIP, VOTING, MEETINGS AND REGULATIONS, AND IMPOSING AN ATTENDANCE REQUIREMENT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals Secs. 03.61.020, 03.61.080 and 03.61.090 of Wrangell Ordinance No. 277, adopted February 27, 1973.

Sec. 5. Adoption. The following annexed sections bearing Code numbers Sec. 03.61.020, 03.61.080, 03.61.090 and 03.61.100 are hereby adopted as a part of this ordinance and Title 03 of the Code of ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: November 25, 1975.

Edward P. Churchill  
Mayor

ATTEST:

Jayne R. Radt  
Clerk

## Chapter 61. Zoning and Planning Commission

Sec. 03.61.010. Commission Established. There is hereby created a Zoning and Planning Commission, hereinafter referred to as the "Commission" in accordance with Sec. 95.05.030.

Sec. 03.61.020. Composition. The Commission shall consist of the Mayor, City Manager or Administrator, the City Attorney, the City Engineer as ex-officio members and nine members from the general public, nominated by the Mayor and confirmed by the Council. Appointed members shall not include members of the Council or of the Port Commission. They shall be selected with a view toward achieving a broad geographic representation for all areas of the City.

Sec. 03.61.030. Term of Membership. At the first meeting of the Commission, the nine appointed members shall choose their term of office by lot as follows: Three (3) members for a term of one (1) year; three (3) members for a term of two (2) years; three (3) members for a term of three (3) years. Immediately thereafter the Commission shall notify the Mayor and Council in writing of the terms of office drawn for each public member. Their successors shall serve for a term of three (3) years. Any vacancy shall be filled by mayoralty appointment for the unexpired portion of the term. Members appointed to the Commission shall serve respective terms expiring ten (10) days after the general municipal election, and new appointments to the Commission shall be made within ten (10) days after said election.

Sec. 03.61.040. Election of President and Vice President. The Commission, at its first meeting, shall elect a president and vice-president, who shall be members appointed by the Mayor and who shall hold office during the pleasure of the Commission.

Sec. 03.61.050. Compensation. Members of the Commission shall receive no compensation.

Sec. 03.61.060. Secretary. The Commission shall request the City to furnish secretarial assistance. The Secretary provided shall keep an accurate record of all proceedings of the Commission.

Sec. 03.61.070. Annual Report. The Commission shall on the first day of July file a prepared report of all transactions of the Commission for the past twelve month period with the City Council.

Sec. 03.61.080. Quorum and Voting. Five members of the Commission shall constitute a quorum; provided, however, that at least four (4) of the public members appointed by the Mayor shall at all times constitute a portion of that quorum. For voting purposes, the vote of a majority of the quorum shall be sufficient for a subject matter's passage or enactment, provided that there shall be a minimum of at least three affirmative votes from the appointed members.

Sec. 03.61.090. Rules and Regulations; Meetings. (a) The Commission may make and alter rules and regulations for its government and procedure consistent with the laws of the State and with the City Charter and ordinances. It shall meet at least once a month. A true and correct copy of the rules and regulations, and as from time to time supplemented or amended, shall be filed with the City Clerk who shall publicly retain same, and furnish copies thereof to the public upon request.

(b) The Commission shall meet at least once per month. Special meetings may be convened at any time, but shall require advance notice by public posting of notice thereof in at least three public places and appearance on the local television or "mini-scanner," preceding said meeting by at least 48 hours. Notice of special meetings shall recite the subject matters to be considered thereat, and the Commission shall take no official action with respect to matters not so noticed.

Sec. 03.61.100. Attendance Requirement. If an appointed member shall be absent from more than one-half of all the meetings of the Commission, regular and special, held within any period of four (4) consecutive calendar months, he shall thereupon cease to hold office.

Sec. 03.61.110. Special and Professional Services. Whenever the Commission finds that the advice and information available from the City staff is insufficient for them to fulfill their functions they are powered to request the City, through the City Manager's office, to provide special and/or professional services for that purpose.

Sec. 03.61.120. Powers and Duties Generally. It shall be the duty of the Commission, and it shall have the power, except as otherwise provided by law, to recommend and make suggestions to the City Council and to all other public authorities concerning laying out, widening, extending, parking and locating of streets, sidewalks and boulevards, relief of traffic congestion, betterment of housing and sanitation conditions and establishment of zones or districts limiting the use, height, area and bulk of buildings and structures



in conformance with Title 95 of this Code concerning zoning and planning; to recommend to the City Council and all other public authorities plans for the regulation of future growth, development and beautification of the City in order to secure to the City and its inhabitants, sanitation, proper service of all public utilities, harbor, shipping and transportation facilities; to do and perform any and all other acts and things necessary or proper to carry out the provisions of this chapter; and in general to study and to propose such measures as may be advisable for the promotion of the public interest, health, morals, safety, comfort, convenience and welfare of the City, and of the area for six (6) miles adjacent thereto. Proposals and recommendations to the City Council required under this section shall be submitted in the form of Planning and Zoning Commission Resolutions.

CITY OF WRANGELL, ALASKA

Ordinance No. 341

AN ORDINANCE AMENDING THE TIDELANDS LEASING PROVISIONS TO AUTHORIZE INVESTIGATIONS AND RECOMMENDATIONS BY THE PLANNING AND ZONING COMMISSION ON TIDELANDS LEASE APPLICATIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Adoption of Sections. The following annexed section bearing code number Sec. 45.40.075 is hereby adopted as a part of this ordinance and Title 45 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: November 25, 1975.

Edward P. Churchill  
Mayor

ATTEST: Jaime Rasmussen  
City Clerk

Sec. 45.40.050. Classification Prior to Lease Required. Before accepting applications to lease tidelands the area involved shall have first been classified for leasing and for particular land uses and a land use plan of the area prepared and publicly posted in the office of the City Clerk for a period of not less than ten calendar days. The land use plan shall be prepared and approved by the Council prior to the posting. No lease shall be granted except for the particular use for which the tract is classified.

Sec. 45.40.060. Public Use. The lease of any City tidelands may be made to any State or Federal agency or political subdivision of the State for less than the appraised value, and for a consideration to be determined by the Council to be in the best interests of the City.

Sec. 45.40.070. Review.—The classification of a tract of leased land may be changed only by the Council on application of the lessee. No renewal lease may be issued until the proposed renewal has been reviewed and approved by the Council.

Sec. 45.40.075. Preliminary Examination. (a) Upon receipt of a tidelands lease application, the City Clerk may transmit same directly to the Planning and Zoning Commission for preliminary examination, compliance with applicable codes, compatibility with existing and prospective uses, and feasibility of the project and any other feature or aspect which the Planning and Zoning Commission in its independent discretion wishes to undertake. The Commission's jurisdiction shall be limited to the power of investigation, findings of fact on the subject matter, and the submission of recommendations to the Clerk and/or Council. The Commission's findings and recommendations need not be submitted in formal form, but such report shall be prepared and submitted within two months following submission of the tidelands lease application to the Commission.

(b) The Council may, at any stage of the proceedings, refer the tidelands lease application to the Planning and Zoning Commission for preliminary examination and/or further recommendations in the manner of the preceding paragraph. Neither the Council nor the applicant are bound by the Planning and Zoning Commission's findings of fact and recommendations to the Council.

Sec. 45.40.080. Term of Lease. Leases may be issued for a term of not less than 5 nor more than 55 years. The applicant shall state in his application the term desired. In determining whether to grant a lease for the requested term, the Council shall consider the nature, extent and cost of the improvements which the applicant agrees, as a condition of the lease to construct thereon, the value of the applicant's proposed use to the economy of the City and other relevant factors.

## CITY OF WRANGELL, ALASKA

Ordinance No. 340

AN ORDINANCE AMENDING THE ALCOHOLIC BEVERAGES REGULATIONS TO PROHIBIT PERSONS, FIRMS AND CORPORATIONS FROM SALE DURING UNLAWFUL PERIODS, AND AMENDING THE CLEARING OF LICENSED PREMISES TO PROHIBIT PERSONS FROM UNLAWFULLY REMAINING AND PROHIBITING OWNERS FROM ALLOWING UNAUTHORIZED PERSONS TO REMAIN, AND REDEFINING "INTOXICATING LIQUORS;" AND ADOPTING A PENALTY FOR VIOLATIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided by the ordinances of the City and shall become effective one month after final passage and publication.

Sec. 4. Repealer. Sec. 06.20.010 and Sec. 06.20.015 of Wrangell Ordinance No. 285 adopted June 12, 1973, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers Sec. 06.20, -.012, -.015 and -.030 are hereby adopted as a part of this ordinance and Title 06 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Penalty Adopted by Reference. Violations of the sections herein enumerated shall be punishable as specified in Title 30, Chapter 10 of the Wrangell City Code.

PASSED AND APPROVED: November 25, 1975.

Edward P. Churchill  
Mayor

ATTEST:

Jay R. Rasmussen  
Clerk

## Chapter 20. Hours of Sale

Sec. 06.20.010. Hours of Sale. No person, firm or corporation may consume, sell, offer for sale, give, furnish or deliver upon or from an authorized license any intoxicating liquor on any licensed premises within the City of Wrangell at any time or times between the lawful closing and opening times which are hereby established as follows:

(a) Opening Hours. Such establishments and premises shall not be open prior to 10:00 a.m. of every day in the calendar year.

(b) Closing Hours. Beverage dispensary establishments and premises shall be closed no later than the hour of 2:00 a.m. of every day in the calendar year except when such closing hours would fall on Sundays and legal holidays; and retail liquor sales establishments (package liquor sales) and premises shall be closed no later than the hour of 3:00 a.m. of every day of the calendar year except when such closing hours would fall on Sundays and legal holidays. Closing hours falling on Sundays and legal holidays shall be no later than 3:00 a.m. for beverage dispensary establishments, and 4:00 a.m. for retail liquor sales establishments.

Sec. 06.20.012. Election Days. All licensees shall be prohibited to sell, give, barter, or exchange upon any licensed premises any intoxicating liquor, or to permit the consumption or removal of any intoxicating liquors upon or from a licensed premises during the hours of holding a (1) national election, or (2) state and municipal elections where a candidate for office appears on the ballot. The City rejects its right of local option conferred pursuant to Sec. 04.15.120 of the dodified Alaska Statutes; liquor establishments shall not be allowed to remain open in accordance with the preceding code section during municipal elections whenever candidates are running for office.

Sec. 06.20.015. Clearing the Premises. (a) Beverage dispensary establishments and premises shall be cleared of customers and patrons no later than 30 minutes after closing time; a 15 minute period shall similarly apply to retail liquor sales establishments. No intoxicating liquors shall be sold or dispensed during the respective clearing periods.

(b) Except for the above clearing periods, no person shall be on any licensed premises between the lawful closing and opening time as established in Sections 06.20.010(a) and 06.20.010(b). This section shall not apply to bona fide employees of the licensed owner who are on the premises for the purpose of cleaning or preparing for the next day's business, or to persons remaining on the premises of a bona fide restaurant for the purpose of consuming food or non-alcoholic beverages. It shall similarly be unlawful for the person, partnership, corporation, or firm owning or managing the licensed premises to knowingly permit persons to remain beyond closing hours.

Sec. 06.20.020. Penalty. Violation of any section of this chapter shall constitute a misdemeanor and shall be punishable as provided in Title 30 of this Code.

Sec. 06.20.030. Definition of Intoxicating Liquor. As used in this Title 06, "intoxicating liquor" includes whiskey, brandy, rum, gin, wine, ale, porter, beer, and all other spirituous, vinous, malt and other fermented or distilled liquors intended for human consumption and containing more than one percent (1%) alcohol by volume.

## CITY OF WRANGELL, ALASKA

Ordinance No. 339

AN ORDINANCE EXEMPTING THE CITY OF WRANGELL FROM THE CONFLICTS OF INTERESTS ACT, SUBJECT TO REFERENDUM APPROVAL BY THE VOTERS AT THE GENERAL MUNICIPAL ELECTION OCTOBER 7, 1975.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of an impermanent and transitory nature and shall not be codified in the Wrangell City Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell City Code and its effective date, contingent upon referendum approval of the voters of the City of Wrangell at the general election October 7, 1975, and shall be effective one month after ordinance adoption.

Sec. 4. Repealer. This ordinance repeals no existing or effective Wrangell ordinances.

Sec. 5. Recitals. WHEREAS, the first session of the Ninth Alaska Legislature has adopted House Committee Substitute for Committee Substitute for Senate Bill No. 62, and subsequent amendments thereto entitled "An Act Relating to Conflicts of Interests; and Providing for an Effective Date" requiring public officials and candidates to file a statement of financial disclosure pertaining to said public official and his spouse and dependent children, the source of income over one hundred dollars, identity of businesses and interests therein owned, identity and nature of each interest in real property, identity of trusts wherein a beneficial interest is held, loans or loan guarantees and source thereof, list of contracts or offers to contract with the State or instrumentality of the State, and listing of all mineral, timber, oil and any other natural resource leases held, offered or made during the preceding calendar year;

AND WHEREAS, the "public official" defined in said Act includes each appointed or elected municipal officer as enumerated in the Act;

Sec. 9. Precincts, Qualifications and Notice. For the purpose of voter referendum on the foregoing proposition, the voter qualifications shall be as stated in the Sec. 36.10.020 of the Wrangell City Code, the City Clerk shall give notice of the general election in the manner prescribed by Section 36.15.020 of the Wrangell City Code, the hours of voting on October 7, 1975 shall commence at 8:00 a.m. and the polls shall close at 8:00 p.m., and the precincts and places of voting shall be as follows:

Wrangell Precinct No. 1: For qualified voters of the City residing north of St. Michaels Street, the place for voting of which shall be the City Library on Church Street.

Wrangell Precinct No. 2. For qualified voters of the City residing south of St. Michaels Street and extending down to the Pat's Creek area, the voting place for which shall be the American Legion Hall on Zimovia Highway.

Sec. 10. Act Availability. The City Clerk is instructed to obtain at least two copies of HCS CSSB 62 am H, HCS SB 89, CS HB 390, and CS HB 418, formally entitled "An Act Relating to Conflicts of Interests; and Providing for An Effective Date" and make the same available for inspection of the voters at City Hall from the date of this ordinance's adoption through October 7, 1975.

PASSED AND APPROVED: September 9, 1975.

Maurice A. Bures  
Vice-Mayor

ATTEST: Joyce Rasler  
City Clerk

Proposition No. 2, Election October 7, 1975  
Yes: 257 No: 313

I certify the foregoing is a true and correct result of the election held October 7, 1975.

Joyce Rasler  
Joyce Rasler, City Clerk



ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 338

AN ORDINANCE AMENDING THE BOAT HARBOR PENALTY PROVISIONS, PROHIBITING UNAUTHORIZED MOORAGE AND PRESCRIBING PROCEDURES AND PENALTIES FOR TRESPASSING BOATS AND VESSELS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the city ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals those ordinances or portions thereof inconsistent herewith.

Sec. 5. Adoption of Sections. The following annexed sections, bearing code numbers Sec. 15.40.100, Sec. 15.50.020(j) and Sec. 15.50.050 are hereby adopted as a part of Title 15 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: August 26, 1975.

Mary Ann A. Bunker  
Vice-Mayor

ATTEST: James Paulsen  
Clerk

published 9/3/75

Sec. 15.40.100. Non-exclusive Remedies; Maximum Fine.  
The lien procedure and sales procedure described by preceding sections of this chapter shall not constitute exclusive remedies. The city in the name of the Wrangell Port Commission may institute suit in the District Court for collection. The general penalty provisions contained in Title 30, Chapter 10 of the Wrangell City Code shall not apply to violations of Title 15, Chapter 40; the maximum fines shall be as prescribed by the applicable section of Title 15, Chapter 40 exclusively, without incarceration upon conviction.

(h) Floats must be kept clean and free of discarded boat debris

(i) All boats must be tied in area designated for that size boat.

(j) All boats and vessels may moor at designated stall spaces only; It shall be unlawful to anchor in the Wrangell Boat Harbor or to moor in the stall or space assigned to another without his previous consent.

Sec. 15.50.030. Location and Securing Regulations - Wrangell Wharf. The location and securing regulations for vessels using Wrangell Wharf shall be as adopted and posted by the Port Commission.

Sec.15.50.040. Miscellaneous Rules and Regulations. Every owner, master and managing agent of any boat using the mooring or other facilities of the Wrangell Harbor shall be obliged to use due diligence in performing the following requirements:

(a) Use all reasonable precautions in keeping the boat in his charge in a reasonably clean and sanitary condition, with special attention to pure water and sanitary toilets.

(b) Use all reasonable precautions in keeping the boat in his charge free from fire hazards of any type or nature. No open fires shall be permitted.

(c) Use all reasonable effort and precautions in keeping the boat in his charge well secured, securely moored with lines in reasonable fit condition, sufficiently pumped out at all times to keep the boat afloat and to otherwise attend the needs of the boat to avoid attention by the Harbormaster or Port Director.

(d) Use adequate precautions to lock up and stow and otherwise safeguard all movable gear and tackle.

(e) To promptly pay all charges and taxes assessed or levied according to law upon or against the boat or its owner, and all rentals and charges for utilities requested and ordered by the boat or its owner.

Sec. 15.50.050. Trespassing Vessels: Self-Remedy.

(a) Both the owner of and operator of a boat or vessel which moors in a stall or space assigned to another without the assigned owner's permission shall be guilty of a misdemeanor and the vessel shall be deemed to trespass,

(b) The assigned owner, upon finding a trespassing vessel in his assigned stall or space, may in addition to other remedies afforded him, undertake the following procedures:

(1) Untie and move the trespassing boat out of his stall or space, and

(2) use ordinary care in transferring said trespassing boat to a stall or space designated by the harbor-master, and

(3) within one hour thereafter notify the harbor-master of the occurrence and his actions.

(c) If the trespassing vessel is too large for the assigned owner to undertake removal in an ordinary and safe manner, the assigned owner shall notify the harbor-master of the trespass forthwith. The harbor-master shall chain and lock a trespassing vessel to the dock until redeemed by the owner or operator.

(d) A trespassing boat may be redeemed by the immediate payment of a fine in the amount of \$10.00 plus \$5.00 for each day or part of a day which the vessel has been chained. An owner or operator wishing to contest the violation shall pay the redemption fee to be held by the Wrangell Port Commission as bond pending final determination of the action.

CITY OF WRANGELL, ALASKA

Ordinance No. 337

AN ORDINANCE AMENDING THE OVER-THE-COUNTER  
LAND SALES ORDINANCE BY AUTHORIZING RATIFI-  
CATION BY RESOLUTION INSTEAD OF ORDINANCE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication, and shall have prospective application only, not applying to contracts, agreements or conveyances currently requiring construction conditions.

Sec. 4. Repealer. This ordinance repeals Wrangell Ordinance No. 306, adopted May 29, 1974.

Sec. 5. Adoption of Sections. The following annexed section bearing code number Sec. 45.20.080 is hereby adopted as part of this ordinance and Title 45 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: August 26, 1975.

Maurice J. Benson  
Vice - Mayor

ATTEST: James Paul  
City Clerk

Sec. 45.20.080. Over the Counter Sales. Lots or parcels of land offered for sale pursuant to Sec. 45.20.030 for which no responsive bids received may, upon resolution of the Council, be offered for public sale over the counter upon such terms and conditions as the Council may prescribe. The resolution shall specify the date and hour on which O.T.C. sales shall commence and an expiration date. Such lots shall be offered by the City Clerk over the counter at City Hall on a first-come first-served basis and be sold for the minimum bid value (assessed valuation). The purchases shall be ratified by a resolution authorizing the Mayor and Clerk to subsequently issue an appropriate form of deed.

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 336

AN ORDINANCE RATIFYING THE CONVEYANCE OF REAL PROPERTY BY WARRANTY DEED SUBJECT TO BUILDING RESTRICTIONS, TO MR. AND MRS. FRANK RYNO.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA.

Sec. 1. Classification. This code is of impermanent nature and NOT to be codified in the Wrangell Code of ordinances.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

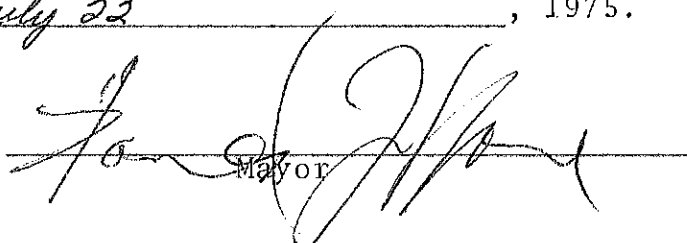
Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage and publication.

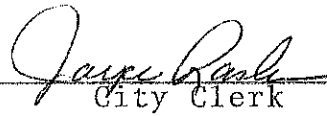
Sec. 4. Conveyance Ratified. Mr. and Mrs. Frank Ryno, hereinafter referred to as grantee, has heretofore tendered in cash the assessed valuation of a parcel of property unsold at public auction and offered over the counter by Resolution No. 11-74-3, and the Mayor and City Clerk are accordingly authorized to execute a Conditional Warranty Deed conveying the following described property:

Lot 3, Block 29, a Subdivision of Blocks 29, 30, 38, Wrangell Townsite known as Lemieux Subdivision;

Alaska to grantee subject to compliance with construction requirements as recited in Sec. 45.20.070 of the Wrangell City Code, adopted pursuant to Wrangell Ordinance No. 281 on April 10, 1973.

PASSED AND APPROVED: July 22, 1975.

  
\_\_\_\_\_  
Mayor

ATTEST:   
\_\_\_\_\_  
City Clerk

## CITY OF WRANGELL, ALASKA

Ordinance No. 335

AN ORDINANCE PROHIBITING AND PRESCRIBING A CRIMINAL TRESPASS PENALTY FOR UNAUTHORIZED PERSONS BEING UPON THE PUBLIC FLOATS IN WRANGELL HARBOR BETWEEN 9:00 P.M. AND THE FOLLOWING 8:00 A.M.; EXEMPTING CERTAIN PERSONS FOR LIMITED PURPOSES; PRESCRIBING A PENALTY FOR VIOLATION.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals no existing Wrangell ordinances or parts thereof.

Sec. 5. Adoption of Sections. The following annexed section bearing code number Sec. 30.20.015 is hereby adopted as part of this ordinance and Title 30 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Penalty Adopted by Reference. Violations of the above section shall be punishable as a minor misdemeanor in the manner prescribed by Wrangell Code Sec. 30.10.010(a) adopted herein by reference.

PASSED AND APPROVED: July 8, 1975.

  
Mayor

ATTEST: Jane Paulsen  
Clerk



Sec. 30.20.015. Public Trespassing. (a) It shall be unlawful for any person except those classified as prescribed in Sec. (b) hereafter to be upon any of the public harbor floats between the hours of 9:00 p.m. and the following 8:00 a.m., and violation shall constitute a criminal trespass against the public. This restriction shall not apply to the public wharf, dock and warehouse commonly known as "Wrangell Wharf."

(b) Persons Exempt. The following persons and classes of persons shall be exempt from the above criminal trespass provision: Owners of vessels moored in the harbor at either of the public floats and guests of said vessel owners, persons residing in a boat moored in Wrangell Harbor whether or not owned by them, tradespeople performing maintenance or repairs on vessels while moored, fishermen and employees on a vessel moored in the harbor. This exemption shall be limited to the above referenced persons only as to the float at which their vessel is moored, not other floats.

(c) Enforcement and Intent. The intent of this section is to reduce the occurrence of larcenies and other crimes occurring on the public floats in Wrangell Harbor and to assist the Police Department with respect to law enforcement during evening hours by restricting access to the subject places to those persons having a legitimate purpose thereat. This law is not to be enforced in a discriminatory manner and its purpose is not to punish a condition or status; application of subsection (a) above is intended against those who cannot give a purposeful account of themselves from the goal of enforcement being protection of the property and person of those legitimately using the boat harbor facilities.

CITY OF WRANGELL, ALASKA

Ordinance No. 334

AN ORDINANCE AMENDING THE HOSPITAL BOARD DESIGNATION TO WRANGELL GENERAL HOSPITAL AND LONG-TERM CARE FACILITY BOARD.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and shall become part of the Code for the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals Secs. 3.63.010 through and including 3.63.030 of Wrangell Ordinance No. 250 adopted December 9, 1969.

Sec. 5. Adoption of Sections. The following annexed sections bearing Code numbers Sec. 3.63.010 through 3.63.030 are hereby adopted as a part of this ordinance and Title 03 of the Code of ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: July 8, 1975.

[Signature]  
Mayor

ATTEST:

[Signature]  
City Clerk



CITY OF WRANGELL, ALASKA

Ordinance No. 333

AN ORDINANCE PROHIBITING AND PRESCRIBING A CRIMINAL TRESPASS PENALTY FOR UNAUTHORIZED PERSONS BEING UPON THE PUBLIC FLOATS IN WRANGELL HARBOR BETWEEN 9:00 P.M. AND THE FOLLOWING 8:00 A.M.; EXEMPTING CERTAIN PERSONS FOR LIMITED PURPOSES; PRESCRIBING A PENALTY FOR VIOLATION; AND DECLARING THE EXISTENCE OF AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Sec. 3. Emergency Declared. An emergency is declared to exist in the City of Wrangell affecting the health, safety and property of its residents; specifically the occurrence of frequent and reoccurring thefts and larcencies of property occurring on the public floats in Wrangell Harbor, jeopardizing the safety and welfare of boat harbor users and impairing the economic viability of this important municipal facility.

Sec. 4. Effective Date. This ordinance shall be effective for sixty days, commencing immediately upon adoption.

Sec. 5. Adoption of Sections. The following annexed section bearing code number Sec. 30.20.015 is hereby adopted as part of this ordinance and Title 30 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Penalty Adopted By Reference. Violations of the above section shall be punishable as a minor misdemeanor in the manner prescribed by Wrangell Code Sec. 30.10.010(a) adopted herein by reference.

PASSED AND APPROVED: June 10, 1975

[Signature]  
Mayor

ATTEST: [Signature]  
City Clerk

Sec. 30.20.015. Public Trespassing. (a) It shall be unlawful for any person except those classified as prescribed in Sec. (b) hereafter to be upon any of the public harbor floats between the hours of 9:00 p.m. and the following 8:00 a.m., and violation shall constitute a criminal trespass against the public. This restriction shall not apply to the public wharf, dock and warehouse commonly known as "Wrangell Wharf."

(b) Persons Exempt. The following persons and classes of persons shall be exempt from the above criminal trespass provision: Owners of vessels moored in the harbor at either of the public floats and guests of said vessel owners, persons residing in a boat moored in Wrangell Harbor whether or not owned by them, tradespeople performing maintenance or repairs on vessels while moored, fishermen and employees on a vessel moored in the harbor. This exemption shall be limited to the above referenced persons only as to the float at which their vessel is moored, not other floats.

(c) Enforcement and Intent. The intent of this section is to reduce the occurrence of larcenies and other crimes occurring on the public floats in Wrangell Harbor and to assist the Police Department with respect to law enforcement during evening hours by restricting access to the subject places to those persons having a legitimate purpose thereat. This law is not to be enforced in a discriminatory manner and its purpose is not to punish a condition or status; application of subsection (a) above is intended against those who cannot give a purposeful account of themselves from the goal of enforcement being protection of the property and person of those legitimately using the boat harbor facilities.

CITY OF WRANGELL, ALASKA

Ordinance No. 332

AN ORDINANCE AMENDING THE WRANGELL TRAFFIC CODE BY ADOPTING THE STATE OF ALASKA MOTOR VEHICLE LAWS, UNIFORM TRAFFIC BAIL SCHEDULE, PRESCRIBING DUTIES AND TRAFFIC CONTROL AUTHORITY AND ADMINISTRATIVE PROCEDURES FOR THE WRANGELL POLICE DEPARTMENT, AMENDING PARKING REGULATIONS, PRESCRIBING VEHICLE OWNER AND OPERATOR DUTIES AND RESPONSIBILITIES AND RULES OF THE ROAD FOR MOTOR VEHICLE OPERATION AND ADOPTING PENALTIES FOR VIOLATIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provisions of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals all of the sections contained in Chapters 5, 10, 20, 25, 35, and 55, and Sec. 63.30.010 of Chapter 30 of Wrangell Ordinance No. 209 adopted May 9, 1966 and Sec. 63.35.290 adopted May 13, 1967, by Wrangell City Ordinance No. 224, and Section 63.30.017 adopted by Wrangell Ordinance No. 259, and the application of, without repealer, Section 30.10.010 adopted September 25, 1973 by Wrangell Ordinance No. 290.

Sec. 5. Adoption of Sections. The following sections and appendices contained in Chapters 1, 2, 4, 6, 7, 8, 9, 10, and 12, being Sections 63.01.005 through Sec. 63.12.240, and Sections 63.30.010, 63.30.012, 63.30.017, and all of the sections in Chapter 90 being Sec. 63.90.005 through Sec. 63.90.040 annexed hereto are hereby adopted as a part of this Ordinance constituting the Traffic Code and Title 63 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: May 22, 75 1975.

[Signature]  
Mayor

ATTEST: [Signature]  
Clerk

CITY OF WRANGELL CODE

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TITLE 63. TRAFFIC CODE.

Chapter - Section

01 Duties and Authorities

- 63.01.005. Adoption and Applicability
- 63.01.010. Duties of Police Department-Authority of Police & Fire Department Officials
- 63.01.015. Record of Traffic Violations
- 63.01.020. Police Department to Investigate Accidents
- 63.01.025. Traffic Accident Reports
- 63.01.030. Written Accident Report Confidential.
- 63.01.035. Traffic Accident Studies
- 63.01.040. Police Department - Annual Report.
- 63.01.045. Experimental Regulations
- 63.01.050. Authority to Increase or Decrease Speed Limits
- 63.01.055. Regulation of Speed by Traffic Control Signals
- 63.01.060. Arterial Streets or Highways-Special Stops
- 63.01.065. Intersections Where Stop Required
- 63.01.070. Authority to Install Traffic Control Devices.
- 63.01.075. Crosswalks and Safety Zones
- 63.01.080. Traffic Lanes
- 63.01.085. Authority to Sign One-Way Streets and Alleys
- 63.01.090. Street Closed to Traffic.
- 63.01.095. Authority to Place Markers.
- 63.01.100. Authority to Place Restricted Turn Signs.
- 63.01.105. Authority to Restrict Pedestrians and Operation of Certain Vehicles
- 63.01.110. Signs or Markings Indicating Angle Parking
- 63.01.120. Specifications for Stop Signs
- 63.01.125. Types of Parking Zones
- 63.01.130. Public Carrier Stops and Stands - Truck Passenger Loading Zones
- 63.01.135. Method of Identifying Funeral Processions
- 63.01.140. Annual Inspection

CITY OF WRANGELL CODE

Chapter - Section

02 Rules of the Road

- 63.02.005. Obedience to Traffic Control Device
- 63.02.010. Traffic Control Signal Legend
- 63.02.015. Pedestrian Control Signals
- 63.02.020. Flashing Signal
- 63.02.025. Lane Direction Control Signal
- 63.02.030. Display of Unauthorized Sign, Signal or Marking
- 63.02.035. Traffic Control Device Upon City Street Forming Part of State Highway
- 63.02.050. Driving on Right Side of Roadway
- 63.02.055. Overtaking on Right
- 63.02.060. Driving on Left Side of Roadway
- 63.02.065. Overtaking on Left
- 63.02.070. Passing Vehicle Proceeding in Opposite Direction
- 63.02.075. No Passing Zone
- 63.02.080. One-Way Roadway and Rotary Traffic Island
- 63.02.085. Driving on Roadway Laned for Traffic
- 63.02.090. Following Too Close
- 63.02.100. Restricted Access
- 63.02.105. Restriction on Use of Controlled Access Highway.
- 63.02.120. Vehicle Approaching or Entering Intersection
- 63.02.125. Vehicle Turning Left
- 63.02.130. Vehicle Entering Stop or Yield Intersection.
- 63.02.135. Vehicle Entering Highway from Alley, Private Road or Driveway
- 63.02.140. Approaching Authorized Emergency Vehicle or Vehicle using Blue Light
- 63.02.150. Pedestrian Subject to Traffic Regulations
- 63.02.155. Pedestrian Right-of-Way in Crosswalk
- 63.02.160. Crossing at Other than Crosswalk
- 63.02.165. Driver to Exercise Due Care
- 63.02.170. Pedestrian to Use Crosswalk
- 63.02.175. Pedestrian on Roadway.
- 63.02.180. Pedestrian Soliciting Ride or Business.
- 63.02.185. Driving Through Safety Zone Prohibited.
- 63.02.190. Use of Device for Bline by Others Prohibited
- 63.02.200. Required Position and Method of Turning at Intersection



CITY OF WRANGELL CODE

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Chapter - Section

02 (Continued)

- 63.02.205. Turning on Curve or Crest of Grade
- 63.02.210. Starting Parked Vehicle
- 63.02.215. Turning Movement and Required Signal.
- 63.02.220. Signal by Hand and Arm or Signal Lamps
- 63.02.225. Method of Giving Signal
- 63.02.260. Overtaking and Passing School Bus
- 63.02.275. Basic Rule and Maximum Speed Limit
- 63.02.280. Exceeding Speed Limit Lowered by State
- 63.02.285. Alteration of Maximum Limit
- 63.02.295. Minimum Speed Regulation
- 63.02.305. "Stop" Sign at Intersection with Increased Speed Highway
- 63.02.310. Maximum Speed Limit When Passing School or Playground Crosswalk
- 63.02.315. Maximum Speed, Weight or Size - Bridge, Elevated Structure, Tunnel and Underpass
- 63.02.320. Special Speed Limitation on Motor Scooter
- 63.02.325. Special Limit on Buses and Trailers
- 63.02.330. Racing Vehicle on Highway
- 63.02.340. Stopping, Standing or Parking on Highway
- 63.02.345. Officer Authorized to Remove Illegally Stopped Vehicle
- 63.02.350. Custody of Vehicle When Operator Arrested
- 63.02.355. Other Removal of Vehicles
- 63.02.360. Stopping, Standing or Parking in Specified Place
- 63.02.370. Abandoned Vehicle
- 63.02.375. Inventory of Impounded Vehicle
- 63.02.380. Bicycles - Parental Responsibility
- 63.02.385. Bicycles - Application of Provisions
- 63.02.390. Bicycles - Traffic Laws and Regulations Apply to Person Riding
- 63.02.395. Bicycles - Riding on
- 63.02.400. Bicycles - Riding on Roadway, Trail and Path
- 63.02.405. Bicycles - Carrying Article.
- 63.02.410. Bicycles - Lamps and Other Equipment
- 63.02.430. Snow Vehicles - Parental Responsibility
- 63.02.435. Snow Vehicles - Application of Provisions
- 63.02.440. Traffic Laws and Regulations Apply to Operation

CITY OF WRANGELL CODE

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Chapter - Section

02 (Continued)

- 63.02.445. Snow Vehicles - Riding On
- 63.02.450. Snow Vehicles - Towing Other Person
- 63.02.455. Snow Vehicles - Operation on Highway or City Street
- 63.02.460. Snow Vehicles - Lamps and Ohter Equipment
- 63.02.465. Snow Vehicles - Speed Restrictions
- 63.02.480. Unattended Motor Vehicle
- 63.02.485. Limitation on Backing
- 63.02.490. Riding on Motorcycle or Motor Scooter
- 63.02.495. Obstruction to Driver's View or Driving Mechanism
- 63.02.500. Opening and Closing Vehicle Door
- 63.02.510. Riding in Trailer
- 63.02.515. Coasting Prohibited
- 63.02.520. Following Authorized Emergency Vehicle
- 63.02.525. Crossing Fire Hose.
- 63.02.530. Littering or Depositing Material on Highway or Elsewhere
- 63.02.535. Carrying or Towing Person on Outside Part of Vehicle
- 63.02.540. Embracing Another While Driving.
- 63.02.545. Drinking While Driving
- 63.02.550. Leaving Chile Unattended in Standing Vehicle with Motor Running
- 63.02.560. Application of Traffic Regulations
- 63.02.565. Obedience to Police Officer, Flagman and Fireman
- 63.02.570. Required to Give Information and Cooperate With Police Officer
- 63.02.575. Person Riding Animal or Driving Animal Drawn Vehicle
- 63.02.580. Fireman's Private Vehicle
- 63.02.585. Authorized Emergency Vehicle
- 63.02.590. Vehicle Rules at Airport

04 Vehicle Lighting, Brakes and Other Equipment

- 63.04.005. Scope and Effect of Regulations
- 63.04.010. When Lighted Lamps Required
- 63.04.015. Visibility Distance and Mounted Height of Lamps and Reflectors
- 63.04.020. Headlamps on Motor Vehicle.

CITY OF WRANGELL CODE

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Chapter - Section

04 - (Continued)

- 63.04.025. Tail Lamps.
- 63.04.030. Reflectors
- 63.04.035. Stop Light and Turn Signals on Vehicles and Trailers
- 63.04.040. Additional Lighting Equipment Required on Certain Vehicles
- 63.04.045. Color of Clearance, Identification, Side Marker and Back-up Lamp and Reflector
- 63.04.050. Mounting of Reflector, Clearance, and Side Marker Lamp.
- 63.04.055. Visibility Requirement for Reflector, Clearance, Identification and Marker Lamp
- 63.04.060. Obstructed Light Not Required
- 63.04.065. Lamp or Flag on Projecting Load
- 63.04.070. Lamps on Parked Vehicle
- 63.04.075. Lamps on Farm Tractor, Road Tractor, Farm Equipment and Implement of Husbandry
- 63.04.080. Lamps on Other Vehicles and Equipment
- 63.04.085. Spotlamp and Auxiliary Lamp
- 63.04.090. Flashing Red Lights on Emergency Vehicle and School Bus
- 63.04.095. Flashing Amber Warning Light on Vehicle
- 63.04.100. Flashing Blue Light on Fireman's Private Vehicle
- 63.04.105. Stoplamp and Electric Turn Signals
- 63.04.110. Additional Lighting Equipment
- 63.04.115. Multiple Beam Road-Lighting Equipment
- 63.04.120. Use of Multiple Beam Road-Lighting Equipment
- 63.04.125. Single Beam Road-Lighting Equipment
- 63.04.130. Lighting Equipment on Motor Scooter
- 63.04.135. Alternate Road-Lighting Equipment.
- 63.04.140. Number of Driving Lamps Required or Permitted
- 63.04.145. Special Restrictions on Lamps
- 63.04.150. Special Equipment on School Bus
- 63.04.160. Selling or Using Lamps or Equipment
- 63.04.180. Brake Equipment Required.

CITY OF WRANGELL CODE

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Chapter - Section

04 (Continued)

- 63.04.185. Performance Ability of Brakes
- 63.04.190. Brakes on Other Vehicles and Equipment
- 63.04.195. Maintenance of Brakes
- 63.04.200. Hydraulic Brake Fluid
- 63.04.210. Horn and Audible Warning Devices
- 63.04.215. Muffler-Prevention of Noise
- 63.04.220. Mirrors
- 63.04.225. Windshield Required Must be Unobstructed and Equipped with Wipers and Defrosters
- 63.04.230. Restrictions as to Tire Equipment
- 63.04.235. Safety Glazing Material in Motor Vehicle
- 63.04.240. Certain Vehicle to Carry Flares or Other Warning Devices
- 63.04.245. Display of Warning Devices When Vehicle Disabled.
- 63.04.250. Vehicle Transporting Explosives and Flammables
- 63.04.255. Air-Conditioning Equipment
- 63.04.260. Television Viewer
- 63.04.265. Anti-Spray Device
- 63.04.270. Seatbelts Required
- 63.04.275. Safety Chain on Towed Vehicles
- 63.04.280. Motorcycle, Motor Scooter - Mirrors, Goggles, Face Shield and Helmet
  
- 63.04.285. Helmet Required When Motorcycle or Motor Scooter Rented
- 63.04.290. Maximum Height for Handlebars
- 63.04.295. Motorcycle and Motor Scooter Windshield
- 63.04.300. Helmet, Goggles and Face Shield Standards
- 63.04.305. Minimum Equipment Required on Vehicle - Sale
- 63.04.310. Minimum Equipment Required on Rent or Lease Vehicle
- 63.04.320. Snowmachines; Equipment Required.

06 Inspection of Vehicles

- 63.06.010. Inspection By Officer
- 63.06.020. Owner or Driver to Comply with Inspection Requirements
- 63.06.030. Roadside Inspection
- 63.06.040. Inspection Sticker
- 63.06.050. Prohibited Practices
- 63.06.060. Notice and Approval of Repair or Adjustment

CITY OF WRANGELL CODE

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Chapter - Section

07 Permits and Licenses

- 63.07.010. Operator Must be Licensed
- 63.07.020. License to be Carried and Displayed
- 63.07.030. Out-of-State License Use During Revocation or Suspension
- 63.07.040. Permitting Unauthorized Minor to Drive
- 63.07.050. School Bus Driver Permit; Display.
- 63.07.060. Snowmachine Registration
- 63.07.065. Snowmachines; Certificate and Decals
- 63.07.070. Snowmachines; Accident Report Required
- 63.07.075. Snowmachines; Permits for Racing
- 63.07.080. Operating Unregistered Vehicle
- 63.07.085. Registration Certificate to be in Vehicle
- 63.07.090. License Plate for Vehicle Issued
- 63.07.095. Display of License Plates on Vehicle
- 63.07.100. Registration must be Current
- 63.07.105. New Owner Obtain Title and Registration
- 63.07.110. Non-Resident Owners Obtain Alaska Plates.
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## Chapter 01. Duties and Authorities

### Sec. 63.01.005. Adoption and Applicability.

Adopted herein by reference as a part of this title and traffic code as if fully set forth, are various provisions of the Alaska Statutes and Alaska Administrative Code comprising the Motor Vehicle Laws of the State of Alaska, which adoption shall be indicated in this code by the prefatory notation: "AK." A citation to such a provision which is incorporated by reference will subsequently designate a section of the codified Alaska Statutes by "AS" or designate a provision of the Alaska Administrative Code by "AAC." The statutory authority for adoption of the respective Alaska Administrative Code provisions is recited at the end of each Alaska Administrative Code provision which is incorporated herein by reference. The term Alaska State Trooper or peace officer as incorporated by reference shall be deemed to mean and construed as identical with chief of police, police officer, marshal, deputy marshal, or such other local police officer sworn to undertake the duties prescribed in Sec. 63.01.010. The term "department" appearing in the Alaska Statutes and Administrative Code provisions adopted by reference shall be construed to mean the local police department or marshal's office, whichever is applicable.

Sec. 63.01.010. Duties of Police Department - Authority of Police and Fire Department Officials. (a) It shall be the duty of the police department and such officers as are assigned by the chief of police to enforce all traffic regulations and all of the State Motor Vehicle Laws applicable to street and highway traffic of the city, to make arrests for traffic violations, to investigate accidents and to carry out those duties especially imposed upon the department by this title.

(b) Officers of the police department and such officers as are assigned by the chief of police are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws; provided, that, in the event of a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

(c) Officers of the fire department, when at the scene of a fire or when operating fire-fighting apparatus on public streets, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

Sec. 63.01.015 Record of Traffic Violations. (a) The police department or the traffic division thereof shall keep a record of all moving violations of the traffic code of the city or the State Motor Vehicle Laws of which any person has been charged. Such records shall be so maintained as to show all such types of moving violations and the total of each. The records shall accumulate during at least a five year period and from that time on the records shall be maintained for at least the most recent five year period.

(b) All forms for records of the herein mentioned violations and notices of the violations shall be serially numbered. For each month and year a written record shall be kept available to the public, showing the disposal of all such forms.

Sec. 63.01.020 Police Department to Investigate Accidents. It shall be the duty of the police officers of the department, to investigate traffic accidents, to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

Sec. 63.01.025. Traffic Accident Reports. The police department shall receive and properly record all traffic accident reports made under any provision of this code.

Sec. 63.01.030. Written Accident Report Confidential. All written reports made by drivers, owners, or occupants of vehicles involved in accidents shall be without prejudice to the individual so reporting and shall be for the confidential use of the police department. Except that the police department may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident. No such report shall be used as evidence in any trial, civil or criminal, arising out of an accident except that the police department shall furnish upon demand of any person who has or claims to have, made such a report or upon demand of any court a certificate showing that the specified accident report has or has not been made to the police department solely to prove the compliance or failure to comply with the requirement that the report be made to the department.

Sec. 63.01.035 Traffic Accident Studies. Whenever the accidents in any particular location become numerous, the police department shall cooperate with the engineer in conducting studies of such accidents and determining the remedial measures.

Sec. 63.01.040 Police Department - Annual Report. The police department shall annually prepare a traffic report which shall be filed with the manager. Such report shall contain information on traffic matters in the city as follows:

(a) The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data.

(b) The number of traffic accidents investigated and other pertinent data on the safety activities of the police.

(c) The plans and recommendations of the department for future traffic safety activities.

Sec. 63.01.045 Experimental Regulations. (a) The manager or his designee is hereby empowered to make emergency and experimental regulations; such regulations not to remain in effect more than ninety days.

(b) The manager or his designee may test traffic control devices under actual conditions of traffic.

Sec. 63.01.050 Authority to Increase or Decrease Speed Limits. Whenever the manager or his designee determines upon the basis of an engineering and traffic investigation that a speed greater or less than the speed limits set forth in this title would facilitate the orderly movement of vehicular traffic, he may determine and declare a speed limit which is found to be most appropriate to facilitate an orderly movement of traffic and is reasonable and safe, which declared speed limit shall be effective when appropriate signs giving notice thereof are erected upon said street or highway.

Sec. 63.01.055 Regulation of Speed by Traffic Control Signals. The manager or his designee is authorized to regulate the timing of traffic control signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance with the speeds otherwise applicable under this title.

Sec. 63.01.060 Arterial Streets or Highways - Special Stops. The manager or his designee may designate and describe arterial streets or highways and when so designated it shall be the duty of the engineer to place and maintain a "stop" sign on each and every street or highway intersecting such arterial street or highway or intersecting that portion thereof described and designated as such unless traffic at any such intersection is controlled at all times by traffic control signals; provided, however, that at the intersection of two such arterial streets or highways or at the intersection of an arterial street and a heavy traffic street not so designated, "stop" signs shall be erected at the approaches of either of said streets as may be determined by the manager or his designee on the basis of a traffic study.

Sec. 63.01.065 Intersections Where Stop Required. The manager or his designee is hereby authorized to determine and designate intersections where particular hazard exists upon other than arterial streets or highways and to determine whether vehicles shall stop at one or more entrances to any such intersection, and shall erect a "stop" sign at every such place where a stop is required.

Sec. 63.01.070 Authority to Install Traffic Control Devices. The engineer shall place and maintain traffic control signs, signals and devices when required under the traffic laws of the city to make effective the provisions of the laws, and may place and maintain such additional traffic control devices as the manager or his designee may deem necessary to regulate traffic under the traffic laws of the city or under state law, or to guide and warn traffic. The manager or his designee may determine those intersections at which it would facilitate the orderly movement of traffic and would be reasonable and safe to permit vehicles to turn right after stopping and shall place proper signs at such intersections. Vehicular traffic facing the red signal and sign permitting a right turn shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection, and after stopping, may proceed with caution to make a right turn but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.

Sec. 63.01.075 Crosswalks and Safety Zones. The manager or his designee may hereby be empowered:

(1) To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadways, and at such other places as he may deem necessary.

(2) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

Sec. 63.01.080 Traffic Lanes. The engineer may mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

Sec. 63.01.085 Authority to Sign One-Way Streets and Alleys. (a) The manager or his designee may designate any one-way street or alley and when so designated the engineer shall place and maintain signs giving notice thereof, and no such regulations shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

(b) Upon those streets and parts of streets and in those alleys designated as one-way vehicular traffic shall move only in the indicated direction when signs or other markings indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

(c) The manager or his designee is hereby authorized to determine and designate streets, parts of streets, or specific lanes thereon upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day and shall place and maintain appropriate markings, signs, barriers or other devices to give notice thereof. The engineer may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.

Sec. 63.01.090 Street Closed to Traffic. (a) The manager or his designee may be authorized to close streets to traffic.

(b) Whenever any street is closed to the use of traffic and the same so indicated by authorized signs or barriers, no vehicle shall proceed into the street or any portion thereof except as directed by the signs. Whenever a street is closed, notice shall immediately be given to the fire chief and police chief by the person who closed the street.

Sec. 63.01.095 Authority to Place Markers. The engineer is authorized to place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled so as indicated may conform to or be other than as prescribed by law.

Sec. 63.01.100 Authority to Place Restricted Turn Signs. (a) The manager or his designee is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right or left turn and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.

(b) Whenever authorized signs are erected indicating that no right or left turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

Sec. 63.01.105 Authority to Restrict Pedestrians and Operation of Certain Vehicles. The manager or his designee is authorized to post signs where necessary:

(1) To prohibit the operation of commercial vehicles on certain residential streets or highways where such operation would create exceptional hazardous conditions or cause undue public inconvenience.

When signs are erected giving notice thereof, no person shall operate any commercial vehicle at any time upon any of the streets or highways or parts of streets or highways so designated, except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise and then only by entering such street or highway at the intersection nearest the destination of the vehicle and proceeding thereon no further than the nearest intersection thereafter.



(2) To prohibit pedestrians and non-motorized vehicles on certain heavily traveled streets or highways. No person shall do any act in violation of such sign.

Sec. 63.01.110. Signs or Markings Indicating Angle Parking. The manager or his designee shall determine upon what streets or highways angle parking shall be permitted and shall mark or sign such streets. Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive on the left side of the roadway or where angle parking would create a hazard to passing traffic.

Sec. 63.01.115. Specifications for Traffic Control Devices. At all traffic control signs, signals, and devices shall so far as practicable conform to the "Manual of Uniform Traffic Control Devices for Street and Highways." All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the city. All traffic control devices so erected and not inconsistent with the provisions of state law or this chapter shall be official traffic control devices.

Sec. 63.01.120. Specifications for Stop Signs. Every sign erected pursuant to this chapter shall be of hexagonal design and in conformance with the National Safety Council Standards and shall bear the word "STOP" in letters not less than eight inches in height and such sign shall at nighttime be rendered luminous by efficient reflecting elements on the face of the sign. Every stop sign shall be located as near as practicable at the nearest line of the crosswalk on the near side of the intersection or, if none, at the nearest line of the roadway and shall be placed on the right side of such street.

Sec. 63.01.125. Types of Parking Zones. All curbing painted red shall mean "no parking at any time." Other restrictions shall be shown by standard parking signs. No person shall park or stand a vehicle in violation of any parking sign or in violation of a parking prohibition indicated by curbing which is painted red.

Sec. 63.01.130. Public Carrier Stops and Stands - Truck and Passenger Loading Zones. Upon recommendation by the manager, the council, by resolution, may establish bus stops, taxi cab stands, truck loading zones and passenger loading zones in such number and places as it shall determine to be of the greatest benefit and convenience to the public.

Sec. 63.01.135 Method of Identifying Funeral Processions. The chief of police shall designate a type of pennant or other identifying insignia to be displayed upon, or other method to be employed to identify the vehicles in funeral processions.

Sec. 63.01.140 Annual Inspection. Once each year the chief of police may conduct a general inspection of all motor vehicles using the streets of the city. The chief will provide the manner and place in which these inspections shall be conducted. A decal or sticker shall be affixed to the inspected vehicle's windshield, in the lower right-hand corner of the passenger side of same. The decal or sticker shall be placed only on those vehicles meeting all requirements for safe equipment as prescribed in this title. The drivers of all motor vehicles using the city streets shall submit the vehicle they are driving to inspection when required to do so. A reasonable fee, set by resolution of the council, may be charged by the chief of police to cover the costs of general inspection. The chief of police may, from time to time, conduct spot checks of one or more components of vehicles using the streets of the city. No fee may be charged for any such spot checks.

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Sec. 63.12.120 Action by City For Damages. The city has a right of action for damage caused by violation of any provisions of this traffic code, whether such provisions be fully recited or a provision of the state motor vehicle laws incorporated by reference. Damages recovered under this section shall be deposited in the general fund.

Sec. 63.12.125 Interference at Scene of Accident Prohibited. No person shall proceed to the scene of an accident or other emergency or stop and park a vehicle or congregate in the vicinity thereof so as to interfere with police officers or other persons performing their duties at the scene of such accident or other emergency or for the purpose of advertising or offering any service.

Sec. 63.12.130 Compliance With State Law. No person shall operate any vehicle, or permit the same to be operated, on any street or highway unless such operation complies with the laws of the state.

Sec. 63.12.135. Public Employees to Obey Traffic Regulations. The provisions of this title shall apply to the driver of any vehicle owned by or used in the service of the United States Government, the State of Alaska, or the City, and it is unlawful for any driver to violate any of the provisions of this title except as otherwise permitted in this title or by state statute.

Sec. 63.12.145. Stop When Traffic Obstructed. No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

Sec. 63.12.150. Driving on Sidewalks. (a) The driver of any vehicle except a bicycle shall not drive within any sidewalk area except at a permanent or temporary driveway.

(b) No person shall ride a bicycle upon a sidewalk within the central business traffic district or any business district.

(c) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.



Sec. 63.12.155. "U" Turns Prohibited. A driver of a vehicle shall not turn within a street or intersection such vehicle so as to proceed in the opposite direction upon any street.

Sec. 63.12.165. Projections on Wheels or Tracks Prohibited. No person shall drive or propel any vehicle or object upon any street or highway in the city which shall have any wheel, tire or track made or equipped with spikes, cleats, lugs or other attachments or projections, except tire chains. Studded tires which fall within the exclusion from the definition of "metal tires" are not prohibited.

Sec. 63.12.170. Dragging Objects Prohibited. No person shall drag or haul any timber, pipe or any other material or object along any street or highway in such a manner that a portion of such object shall rest upon or come in contact with the surface of the street or highway.

Sec. 63.12.175. Projecting Loads on Passenger Vehicles. No passenger type vehicle shall be operated on any street or highway with any load carried thereon extending beyond the line of the hub caps on its left side or more than eight inches beyond the line of the hub caps on the right side.

Sec. 63.12.180. Driving Through Funeral or Other Processions. (a) No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this title. This provision shall not apply at the intersections where traffic is controlled by traffic control signals or police officers.

(b) No person shall board or alight from any vehicle while such vehicle is in motion.

(c) No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise.

Sec. 63.12.190. Carrying Animals on Outside of Vehicles. It is unlawful for any person to transport any living animal on the running board, fenders, hood or other outside part of any vehicle, unless suitable harness, cage, or enclosure be provided and so attached as to protect such animal from falling or being thrown therefrom.

Sec. 63.12.195. Injurious Materials on Highway Prohibited. (a) No person shall throw or deposit upon any highway any glass, nails, tacks, wire, cans or other substance likely to injure any person, animal or vehicle upon such street or highway.

(b) Any person who drops, or permits to be dropped or thrown upon any street or highway, any destructive, injurious or unsightly material shall immediately remove the same or cause it to be removed.

Sec. 63.12.200. Use of Coaster, Roller Skates, Sleds and Skis. No person upon roller skates, skis, or riding in or by means of any coaster, sleds, toy vehicles, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing such person shall be granted all of the rights and shall be subject to all the duties applicable to pedestrians.

Sec. 63.12.210. Sound Amplifying Devices. (a) Permit Required. No person shall use any sound amplifying device, recorded music or radio in or from any vehicle on any street or highway for the purpose of attracting the attention of persons to the sounds issued therefrom, (excluding factory horn) except after receiving a permit from the chief of police.

(b) Application. Each person desiring to use a sound truck with its sound amplifying equipment in operation for noncommercial purposes in the city shall make application to, and be issued a permit by, the chief of police if the application indicates that the applicant's proposed operation meets the requirements and regulations of this section and if the application contains the following information:

- (1) Name and home address of the applicant;
- (2) Address of place of business of applicant;
- (3) License number and motor number of the sound truck to be used by applicant;
- (4) Name and address of person who owns the sound truck;
- (5) Name and address of person having direct charge of sound truck;
- (6) Names and addresses of all persons who will use or operate the sound truck;
- (7) The purpose for which the sound truck will be used;
- (8) A general statement as to the section or sections of the city in which the sound truck will be used;
- (9) The proposed hours of operation of the sound truck;
- (10) The number of days of proposed operation of the sound truck;
- (11) A general description of the sound amplifying equipment which is to be used;
- (12) The maximum sound producing power of the sound amplifying equipment to be used in or on the sound truck. State the following:
  - (A) The wattage to be used,
  - (B) The approximate maximum distance at which the sound will be audible from the sound truck.

(c) Approval and Issuance. Within three business days of the receipt of the application, the chief of police must either approve the application and issue the permit or disapprove the application and provide the applicant a statement of the reasons for disapproval. Failure of the chief to take final action on the application within three business days of the receipt of the application shall constitute a waiver of any of the conditions or regulations of this code.

(d) Regulations For Use. Noncommercial use of sound trucks in the city with sound amplifying equipment in operation shall be subject to the following regulations:

(1) The only sounds permitted are music or human speech;

(2) Operations are permitted for four hours each day, except on Sundays and legal holidays when no operations shall be authorized. The permitted four hours of operation shall be between the hours of eleven-thirty a.m. and one-thirty p.m. and between the hours of four-thirty p.m. and six-thirty p.m.;

(3) Sound amplifying equipment shall not be operated unless the sound truck upon which such equipment is mounted when the truck is stopped or impeded by traffic. Where stopped by traffic the sound amplifying equipment shall not be operated for longer than one minute at each such stop;

(4) Sound shall not be issued within one hundred yards of hospitals, schools, churches holding services, or courthouses;

(5) The human speech and music amplified shall not be profane, lewd, indecent, or slanderous;

(6) The volume of sound shall be controlled so that it will not be audible for a distance in excess of one hundred feet from the sound truck and so that said volume is not unreasonably loud, raucous, jarring, disturbing, or a nuisance to persons within the area of audibility;

(7) No sound amplifying equipment shall be operated with an excess of ten watts of power input to the last stage of amplification.

(e) Cancellation. Any operation of a sound truck in violation of the terms of the application or in violation of this section constitutes grounds for cancellation of a permit issued under this section.

(f) Commercial Advertising by Sound Truck Prohibited.  
No person shall operate, or cause to be operated, any sound truck for commercial sound advertising purposes in the city with the sound amplifying equipment in operation.

28.25.010. Sec. 63.12.215 Canes For Blind Only. AK: AS

section. Sec. 63.12.220 Approaching Blind Person at Inter-  
AK: AS 28.25.020.

Sec. 63.12.225 Preservation of Blind's Rights. AK:  
AS 28.25.030.

Sec. 63.12.240. Littering and Depositing Material  
on Highway. AK: AS 11.20.590.

Chapter 30. Prohibited and Restricted Parking;  
and Other Related Prohibitions  
and Restrictions.

Sec. 63.30.010 Prohibited Parking Areas Specified.  
It shall be unlawful at any time for the owner or operator of any motor or other vehicle to leave, place or park the same, whether same is or is not attended or occupied by any person, on or upon any of the following prohibited parking areas in the City of Wrangell, which prohibited parking areas shall be marked by appropriate prohibited parking signs, to-wit:

- (a) In any area, on any street, immediately fronting the curb, between fixed signs, or where the curb is marked with red paint and a sign is either erected along the curb or painted in red or white on the street fronting the curb, indicating the area between the fixed signs, or fronting the red curb line, to be a bus stop, loading zone, drive-way, or licensed vehicle stand.
- (b) Within any area entirely enclosed by red lines painted on the curb and street, or painted on the street, and designated by the words "No Parking" painted within the enclosed area in red and white, or otherwise marked by an appropriate sign, or by a combination of placed and painted signs, indicating no parking permitted.
- (c) Within any area where a parking meter is installed, excepting as provided by such parking meter and the Traffic Code of Wrangell.

Sec. 63.30.012. Parking During Snow Removal. It shall be unlawful for any person to park any vehicle or to allow any vehicle owned or under his control to continue to be parked on any public street during the time, day or night, that snow removal from such street is reasonably necessary for the movement of vehicular traffic. Any vehicle found parked during such periods on a public street where such snow removal is reasonably necessary may be removed by the Superintendent of Public Works or persons under his control and such vehicle shall be impounded until the cost of such removal shall have been paid to the City of Wrangell or to the person removing such vehicle at the direction of the Superintendent of Public Works or other persons under his supervision and control. Any such charge remaining unpaid shall constitute a lien against said vehicle and shall be collectable in the same manner as personal property taxes.

Sec. 63.30.015. Prohibited 24-Hour Parking: Impounding Vehicles. It shall be unlawful for the owner or operator of any motor or other vehicle, to leave, place or park the same for twenty-four (24) hours continuously on any street, highway, alley, walk, or other public thoroughfare within the City of Wrangell that is posted or otherwise marked by an appropriate sign, or by a combination of placed and painted signs, indicating 24-hour parking prohibited. Signs shall be required for enforcement of this section. In addition to the penalty provided for violation of the Traffic Code of Wrangell, any vehicle found parked for 24 hours continuously as herein prohibited shall be removed and impounded by any Police Officer of the City; and the removal and impounding costs shall be charged against the offending vehicle and paid before release of such vehicle.

Sec. 63.30.017. Time Limit Parking. It shall be unlawful for the owner or operator of any motor or other vehicle to leave, place, stand, or park the same on any street, highway, alley, walk, or other public thoroughfare within the City of Wrangell on or within any area and/or zone designated as a time limit parking area and/or zone for a period of time greater than as specified by a posted appropriate sign. Such vehicles found to be in violation are subject to impound at the owner or operator's expense.

Sec. 63.30.018. Overtime Parking Penalty. Any person, firm or corporation violating overtime parking provisions of this chapter or Sec. 63.40.025, in addition to specific penalties herein prescribed, shall pay such fine not exceeding Fifty Dollars (\$50.00) as the Court shall, in its discretion, impose. The time for payment and method of payment of the penalty shall be prescribed by the Court.

CHAPTER 90.. PENALTIES.

Sec. 63.90.005. Maximum Penalty Superseded. A provision of the State Motor Vehicle laws adopted by reference in this Title shall not be rendered invalid because it prescribes a maximum penalty exceeding municipal jurisdiction or authority; instead the maximum penalty shall be a fine not to exceed Three Hundred Dollars (\$300) or imprisonment not more than thirty (30) days, or both.

Sec. 63.90.007. Lesser Penalty Controlling. In the event conflicting maximum penalties are prescribed by adopted Statute or regulation, or by Uniform Traffic Bail Schedule, or by separate code section, the lesser penalty shall be the controlling maximum.

Sec. 63.90.008. State or Municipal Offense; Disposition of Fines. Municipal peace officers commissioned to enforce State laws shall indicate a violation of a State Motor Vehicle law by completing the standard citation adopted in Sec. 63.90.010 with reference appropriate to the State Statute or Alaska Administrative Code section, deleting reference to any section of the Wrangell Traffic Code, and proceeds from court fines shall be retained by the State of Alaska. Violations of the Wrangell Traffic Code which are adopted by reference from the State Motor Vehicle Laws shall reference both the appropriate Statute or AAC section and the corresponding section of the Wrangell Traffic Code, and the proceeds from court fines shall be remitted to the City of Wrangell. Violations of Wrangell Traffic Code not constituting provisions adopted from the State Motor Vehicle laws shall reference only the Wrangell Code section on the citation, and the proceeds from court fines shall be remitted to the City of Wrangell.



Sec. 63.90.010. Disposition of Certain Traffic Offenses. (a) When a person is arrested for the commission of a motor vehicle or traffic offense which is a misdemeanor, the arresting officer shall except when otherwise required by law or the immediate circumstances, issue a citation to the person in charge of, or operating, the motor vehicle involved. A copy of the standard citation and its contents are annexed hereto as Appendix "A" and incorporated herein by reference as if fully set forth.

(b) The citation shall have printed on it a schedule of motor vehicle and traffic offenses, as determined by the Alaska Supreme Court in its rules to be amendable to payment by fine without a court appearance, with an appropriate fine for each offense, also to be determined by the court in its rules.

(c) If the offense for which the citation is issued is one for which a fine may be paid without a court appearance, the person to whom it is issued may plead guilty to the offense by signing an appropriate blank on the citation and paying the fine specified on the citation, either in person or by mail within five days from the date of arrest, to the clerk of the district court having jurisdiction over the place where the offense occurred. Acceptance and payment of the prescribed fine is a complete satisfaction for the offense, and the offender shall be given a receipt which so states.

(d) A motor vehicle and traffic offense citation shall also contain a blank for a cited person to sign acknowledging receipt of the citation and promising to appear in the court and at the time specified on the citation. However, the person need not appear in court if he pleads guilty and pays the fine as provided in (c) of this section.

(e) If the offender refuses to accept the citation or refuses to sign the acknowledgement of receipt and promise to appear, the arresting peace officer shall proceed with the arrest in the manner otherwise provided by law. If the offender accepts the notice, but fails to pay the fine or appear in court as required, the citation shall be considered a summons as for a charge of a misdemeanor and the offender shall be proceeded against in the manner prescribed by law. However, the maximum penalty which may be imposed for the original offense may not exceed the penalty set out in the schedule of fines as determined by the supreme court under (b) of this section.

Sec. 63.90.020. Mandatory Appearance. Commission of offenses listed in Appendix "B" annexed hereto and incorporated by reference shall require mandatory court appearance.

Sec. 63.90.030. Mail-in Bail; Amenable Optional.

(a) Commission of the offenses listed in Appendix "C" annexed hereto and incorporated by reference may be satisfied by payment of the prescribed fine without a court appearance. The person to whom such citation is issued may plead guilty to the offense by signing the appropriate blank and paying the fine specified on the citation, either in person or by mail within five (5) days from the date of arrest, to the Clerk of the District Court having jurisdiction over the place where the offense occurred. Acceptance and payment of the prescribed fine is a complete satisfaction for the offense, and the offender shall be given a receipt which so states.

(b) Commission of the Wrangell Traffic Code violations listed in "Appendix D" annexed hereto and incorporated by reference may be satisfied in the same manner as subsection (a) preceeding.

Sec. 63.90.040. Penalties Generally. (a) Violations of the Wrangell Traffic Code shall constitute lesser offenses deemed regulatory in nature and for which a maximum fine of \$150.00 shall be imposed upon conviction.

(b) Violations for Driving While Under the Influence (Sec. 63.12.010), Reckless Driving (Sec. 63.12.015) and Negligent Driving (Sec. 63.12.020) constitute serious misdemeanors which shall, upon conviction, be punishable by a fine not exceeding \$300 or imprisonment not more than 30 days, or both.

Front Page

Reverse Side

UNIFORM TRAFFIC CITATION AND COMPLAINT
WRANGELL POLICE DEPARTMENT

IMPORTANT - READ CAREFULLY

MANDATORY COURT APPEARANCE. You must appear in court for arraignment... if you are under 18 years of age you must bring one of your parents or your legal guardian to court with you.

OPTIONAL COURT APPEARANCE. If the above block is not checked you may elect to appear in court for arraignment and entry of plea of guilty... To enter a plea without appearing before the court, you must sign either Section A or B and present in person or by mail the signed citation along with the amount of bail shown below to the clerk of the court.

NOTE: The court will not accept a plea and bail if postmarked or presented after the first day if you fail to notify the Court or your intent to waive appearance when that time you must appear for arraignment at the time and place indicated.

Plaintiff Judicial District SS No. W 00 018
IN THE COURT OF THE UNDERIGNED, BEING DULY SWORN, UPON HIS OATH DEPOSES AND SAYS:
ON THE DAY OF 19 AT A.M. P.M.
NAME DEFENDANT LAST (PLEASE PRINT) FIRST MIDDLE
STREET CITY - STATE PHONE
AGE BIRTH DATE RACE SEX HT. WT.
DRIV. LIC. NO. KIND NUMBER STATE
VEH. LIC. NO. STATE YR.
MAKE STYLE COLOR
UPON A PUBLIC HIGHWAY, NAMELY AT (LOCATION)

WAIVER OF APPEARANCE, ENTRY OF PLEA AND POSTING OF BAIL (Check A or B)

A. CONTEST THE CITATION. I wish to contest this citation. I have checked the box to the left. A signed copy of this citation and my bail are enclosed. I request a jury trial. I understand the court will send me a listing of my rights, the time, date and place of trial, and notice of the type of trial granted. I hereby waive my right to appear for arraignment, agree to post bail and enter a plea of not guilty to the offense charged.

Signature Date
Mailing Address

B. NO CONTEST AND BAIL FORFEITURE. I do not wish to contest this citation. I have checked the box to the left. A signed copy of this citation and my bail are enclosed. By pleading NO-CONTEST I understand that I give up my right to a trial... I understand that the conviction cannot be used in any civil action arising out of this charge... I hereby plead NO CONTEST and WAIVE MY RIGHTS as a defendant.

Signature Date
Mailing Address

BAIL AMOUNT. The amount of bail for this offense is \$ if you mail in your bail under Section A or B, The Court will send you a receipt. Mail only a check or money order. DO NOT MAIL CASH.

OTHER. If the box at the top is checked you may have this charge... if you appear before the court appearance date at the office of the agency... along with satisfactory evidence of compliance with the applicable statute, regulation or ordinance.

POINTS. A judgment of conviction for this offense will result in the assessment of points. An accumulation of 12 points in 12 months or 24 points in 18 months may result in the loss of your Drivers license.

NOTE: The court will issue a warrant for your arrest if you fail to respond to this citation within the production time.

PLACED OF EMPLOYMENT
DID UNLAWFULLY (PARK) (OPERATE) IN THE JUDICIAL DISTRICT AND STATE AFORESAID AND DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE:

Leading Causes of Accidents
SPEEDING (over limit) S-10 m.p.h. 11-15 m.p.h. over 15 m.p.h.
Improper LEFT TURN No signal Cut Corner From wrong lane
Improper RIGHT TURN No signal Into wrong lane From wrong lane
Disobeyed TRAFFIC Signal (When light turned red) Post middle intersection Middle of intersection Not reached intersection
Disobeyed STOP SIGN Wrong place Walk speed Fuster
Improper PASSING AND LANE USAGE At intersection Cut-in Wrong side of pavement
Following too closely Other Violations in violation of Sec.
State Statute State Traffic Regulations Parking Violation
Local Ordinance in such case made and provided Borough Ordinance

Slippery Pavement CAUSED PERSON TO DODGE
DARKNESS JUST MISSED ACCIDENT
OTHER TRAFFIC PRESENT
AREA Business Industrial School Residential Rural
HIGHWAY TYPE 2 lane 3 lane 4 lane 4 lane divided

THE UNDERIGNED FURTHER STATES THAT HE HAS JUST AND REASONABLE GROUNDS TO BELIEVE, AND DOES BELIEVE, THAT THE PERSON NAMED ABOVE COMMITTED THE OFFENSE HEREIN SET FORTH, CONTRARY TO LAW. SWORN TO AND SUBSCRIBED BEFORE ME

THIS DAY OF 19 (Signature and identification of officer or other complainant)
(Name and title) (Unit No.)

COURT APPEARANCE: DAY OF 19 AT M.
ADDRESS OF COURT:

SIGNATURE
By signing this citation, I am agreeing ONLY that I have received a copy of it, and that I will respond as required.
WARNING: A person who violates his written promise is guilty of a misdemeanor.

APPENDIX "B" (Sec. 63.90.020)

<u>Statute/ Reg</u>	<u>Offense</u>	<u>Bail</u>
11AAC12.020	SPEED 20MPH OR MORE OVER POSTED LIMITS	***
13AAC02.140	YIELD EXEMPT	**
13AAC02.175(A-E)	USE SLOWLK/LFT EDGE RDWY/NOT UNDR INFLU	**
13AAC02.260(A)	RED. SIGNL SCH BUS	**
13AAC02.275(B)	SPEED 20MPH OR MORE OVER POSTED LIMITS	**
13AAC02.280	SPEED 20MPH OR MORE OVER LIMIT LOWERED BY ST	**
13AAC02.310	SPEEDING IN SCHOOL ZONE, PLAYGROUND, CROSSWLK	**
13AAC02.315	SPEED 20MPH/MORE VIOL OVERWGT/OVERSIZ	**
13AAC02.315	VIOL 50% OVER MAX LIMIT-BRIDGE/ELEV'D STRUCT	**
13AAC02.325(A-D)	SPECIAL LIMIT ON BUSES, TRAILERS-20MPH/MORE	**
13AAC02.330(A)	RACE OR CONST SPD	**
13AAC02.460(A)	SNOWMACHINE TAILLIGHT/REFLECTOR REQUIRED	**
13AAC02.465	SNOW MACHINE OBFY SPEED LAWS/REG MOTOR VEH	2MI
13AAC02.530	LITTERING/DEPOSITING MATERIAL ON HIGHWAY	**
13AAC04.005(A)	DRIVING/MOVING VEHICLE UNSAFE CONDITION	**
13AAC04.010	USE LIGHTS ON VEHICLE DURING HOURS DARKNESS	**
13AAC04.015(A-C)	LIGHTS, GENERAL REQUIREMENTS	**
13AAC04.020(A-C)	HEADLIGHTS ON MOTOR VEHICLE R&L	**
13AAC04.025(A-C)	TAILLIGHTS ON MOTOR VEHICLE AND TRAILERS, R&L	**
13AAC04.030(A-B)	REFLECTORS ON MOTOR VEHICLE AND TRAILERS, R&L	**
13AAC04.035(A-B)	STP LGT AND TURN SIGN MTR VEH/TRAILRS R&L	**
13AAC04.040(A-B)	ADDNL LGT/REFLECTR, BUS, TRUCK, TRAILRS R&L	**
13AAC04.045(A-B)	COLOR LIGHTS, MARKERS AND REFLECTORS	**
13AAC04.050(A-B)	MOUNTING OF LIGHTS, REFLECTOR/CLEARANCE LIGHT	**
13AAC04.055(A-C)	VISIBL REQ LIGHTS, REFLECTORS CLEAR LIGHT	**
13AAC04.065	LIGHTS OR FLAG ON PROJECTING LOAD	**
13AAC04.070(A-D)	LIGHTS ON PARKED VEHICLES, R&L	**
13AAC04.070(F)	PK LGTS NOT USED VEH MOTION UNLES HOLPS USED	**
13AAC04.075(A-F)	LIGHTS AND EMBLEM ON FARM EQUIPMENT, R&L	**
13AAC04.080(A)	LIGHTS ON OTHER VEHICLES/EQUIPMENT, R&L	**
13AAC04.085(A)	WHEN LIGHTS MISDIRECTED	**
13AAC04.085(B-D)	AUXILIARY SPOTLIGHTS, FBGLIGHTS, R&L	**
13AAC04.090(A-F)	EMERGENCY VEHICLES/SCHOOL BUS RED LIGHTS, R&L	**
13AAC04.095(A-C)	VEHICLES DISPLAYING FLASHING AMBER LIGHTS, R&L	**
13AAC04.100(A-D)	FIREMANS VEHICLE DISPLAYING FLASHING BLUE LGT	**
13AAC04.105(A-B)	STOPLIGHTS, TURN SIGNALS, R & L	**
13AAC04.110(A-E)	ADDITIONAL LIGHTS FOR MOTOR VEHICLES, R&L	**
13AAC04.115(A-B)	MULTIPLE BEAM ROADLIGHTING EQUIPMNT, R&L	**
13AAC04.120(1-2)	USE OF MULTIPLE BEAM ROADLIGHTING EQUIPMENT	**
13AAC04.125(1-2)	SINGLE BEAM ROADLIGHTING EQUIPMENT, R&L	**
13AAC04.130(1-3)	LIGHTS FOR MOTOR SCOOTERS, R&L	**
13AAC04.135	ALTERNATE ROADLIGHTING EQUIPMENT, R&L	**
13AAC04.140	NUMBER OF DRIVING LIGHTS LIMITATIONS	**
13AAC04.145(A-C)	SPECIAL RESTRICTIONS ON LIGHTS	**
13AAC04.150(A-C)	SIGNS AND LIGHTS REQUIRED FOR SCHOOL BUSES	**
13AAC04.180(1-10)	MTR VEH AND TRAILR BRAKES R&L	**
13AAC04.185(1-3)	PERFORM ABILITY BRAKES R&L	**
13AAC04.190(A)	BRAKES OTHER VEHICLES	**
13AAC04.195	BRAKES GOOD WORKING ORDER	**
13AAC04.210(A)	VEHICLE EQUIPPED WITH HORN	**
13AAC04.210(B)	HORNS AND OTHER AUDIBLE DEV	**
13AAC04.210(C-D)	HORNS AND OTHER AUDIBLE DEV	**
AS 28.35.040	Reckless Driving	***
AS 28.35.045	Negligent Driving	***

APPENDIX "B" (Continued)

<u>Statute/ Reg</u>	<u>Offense</u>	<u>Bail</u>
13AAC04.215(A-C)	MUFFLER, MODIFICATION OF EXHAUST SYSTEM	**
13AAC04.220(A-B)	MIRRORS MTR VEH EXCLD MTRCYCLE AND MTRSCOOTER	**
13AAC04.225(A-C)	WINDSHIELD WIPERS R&L	**
13AAC04.235	SAFETY GLAZING WINDOWS R&L	**
13AAC04.240(A-B)	FLARES CARRIED CERTAIN VEHICLES	**
13AAC04.245(A-G)	WARNING DEVICES DISPLAYD DISABLED VEH R&L	**
13AAC04.255(B-E)	AIR CONDITIONING EQUIP P&L	**
13AAC04.260	TV IN A MOTOR VEHICLE, LIMITATIONS	**
13AAC04.265	SPLASH GUARDS MUST BE USED	**
13AAC04.270(A-B)	SEATBELT INSTALLED AFTER 1966	**
13AAC04.275	SAFETY CHAIN REQUIRED TOWING VEHICLE	**
13AAC04.280(A-B)	MTRCYCLE RIDRS, HELMT/OTHER EQUIP REQ	**
13AAC04.285	MOTORCYCLE-HELMET REQUIRED WHEN RENTING	**
13AAC04.290	MOTORCYCLE-MAXIMUM HEIGHT FOR HANDLEBARS	**
13AAC04.295	MOTORCYCLE WINDSHIELD-REQUIRED HEIGHT	**
13AAC04.300	PROTECTIVE HDGEAR/HELMET STANDARDS	**
13AAC04.305	MOTOR VEHICLE-MINIMUM EQUIP REQUIRED SALE	**
13AAC04.310	MOTOR VEHICLE-MINIMUM EQUIP REQUIRED RENT	**
13AAC06.020(A)	SUBMIT VEH INSPCTN	**
13AAC06.020(B-C)	VEHICLE REPAIR AND EQUIPMENT OPERATIONS LIMIT	**
13AAC06.030(A)	PSIDE VEH INSPCTN MECH AND EQUIP	**
13AAC06.030(B)	PSIDE VEH INSPCTN REPAIR REQ	**
13AAC06.040(B-C)	VEHICLE INSPECTION STICKER, LIMITATIONS	**
13AAC06.060(C)	REPAIR EQUIP VIO DISMISSAL UTC	**
13AAC08.030	SCH BUS DR PERMIT/OL REQ IN POS AND DISPLAYED	**
14AAC10.030(A-2)	PECKLESS DRIV ST AIRPORTS	***
14AAC10.030(A-2,C-3)	SPEED 20MPH OR MORE OVER SPEED LIMIT	***
14AAC10.030(C-2)	VEHICLE MUST BE SAFE CONDITION OPERATE AIRPPT	**
AS05.30.080	SNOWMACHINE EQUIPMENT REQUIRED HEADLAMPS	**
AS05.30.080(1)	BRAKES ON SNOWMACHINES	**
AS05.30.080(3-4)	MUFFLER AND THROTTLE FOR SNOWMACHINE	**
AS11.20.590	LITTERING/DEPOSITING MATERIAL ON HIGHWAY	***
AS20.15.010	OPERATOR MUST BE LICENSED	**
AS20.15.090	LICENSE TO BE CARRIED AND DISPLAYED	**
AS20.15.280	OUTST OL AK OL REV	***
AS20.15.200	OUTST OL AK OL SUSP	***
AS20.15.310	PERM UNAUTH MINR TO DR	***
AS20.35.030	DMVI	***
AS20.35.050	LEAVING SCENE ACCIDENT	***

APPENDIX "C" (Sec. 63.90.030(a))

MAIL-IN BAIL (Optional Amenable) VIOLATIONS

<u>Statute/ Reg</u>	<u>Offense</u>	<u>Bail</u>
3AAC64.050	COMM APPRVL REQ CARRIER LEASED VEH	150
3AAC64.300	INS AND BOND REQ COMMON/CONTR CARRIERS	150
3AAC64.500(1-6)	IDEN PERM MTR VEH CARRIER/LEASEE	150
3AAC64.400(1-4)	VID SAFETY REQ APPLICBL MTR CARRIERS	150
3AAC66.010	CERTIFIC BUSES REQ	150
3AAC66.100	VID SAFETY REQ APPLICBL MTR CARRIERS	150
3AAC66.180	VID SAFETY REQ APPLICBL MTR CARRIERS	150
3AAC66.200(1-3)	IDEN BUS REQ AND LIMIT	150
11AAC12.005(A)	OBEDIENCE TO TRAFFIC CONTROL DEVICE STATE PK	35
11AAC12.020	URED TO TR CONTRL DEV POSTED ST PARKS	35
11AAC12.020	EXCEEDING MAXIMUM SPEED LIMIT	.2MI
11AAC12.100	DRIVING IN A CLOSED AREA	35
13AAC02.005(A)	OBEDIENCE TO TRAFFIC CONTROL DEVICE	35
13AAC02.010(A-3A)	OBEDIENCE TO TRAFFIC CONTROL DEVICE	50
13AAC02.010(A-1-2,B)	OBEDIENCE TO TRAFFIC CONTROL DEVICE	35
13AAC02.015(1-2)	PEDESTRIAN CONTROL SIGNALS	20
13AAC02.020(A-1)	FLASHING SIGNALS	50
13AAC02.020(A-2,B)	FLASHING SIGNALS	35
13AAC02.025	LANE DEFECT CONTROL SIGN	35
13AAC02.030(A-D)	UNAUTH TR SIGN, SIGNAL, MRKG/ADV	20
13AAC02.050(1,3-5)	FAILURE TO DRIVE ON RIGHT SIDE	35
13AAC02.050(2)	FAILURE TO DRIVE ON RIGHT SIDE	50
13AAC02.055(A-R)	OVERTAKING ON RIGHT SIDE	35
13AAC02.060(A-R)	ILLEGAL DRIVING ON LEFT SIDE	35
13AAC02.065(A1,B)	ILLEGAL OVERTAKING ON LEFT SIDE	35
13AAC02.065(A2)	ILLEGAL OVERTAKING ON LEFT SIDE	50
13AAC02.065(A1)	WHEN CUT IN DEFOPE SAFE	35
13AAC02.070	ILLEGAL PASSING OF ONCOMING VEHICLE	35
13AAC02.075(A-C)	PASSING IN NO PASSING ZONE	35
13AAC02.080(B-C)	WRONG WAY ON ONE WAY STREET	35
13AAC02.085(1-4)	ILLEGAL CHANGING OF LANES	35
13AAC02.090(A-C)	FOLLOWING TOO CLOSE	50
13AAC02.095	CROSS MERIDIAN	35
13AAC02.095	OTHERWISE	35
13AAC02.100	ILLEGAL ENTRY ONTO RESTRICTED ACCESS HI-WAY	35
13AAC02.105	VID RESTRICTN USE CONTRLD XCESS HI-WAY	35
13AAC02.120(A-B)	YIELD AT INTERSECTION VEHICLE ON RIGHT	50
13AAC02.125	YIELD AT INTERSECTION WHEN TURNING LEFT	50
13AAC02.130(B)	WHEN NO STOP IS CITED	50
13AAC02.130(B-C)	OTHERWISE	50
13AAC02.135(A)	STOP BEFORE ENTER PDRAY W/IN BUSINESS DIST	50
13AAC02.135(B)	YIELD B-4 ENTER HI-WAY NON BUS DIST	50
13AAC02.150	PEDESTRIAN-SUBJ TO TRAFFIC REGULATIONS	10
13AAC02.155(A)	YIELD TO PEDESTRIAN IN CROSSWALKS	50
13AAC02.155(B)	EXERCISE DUE CAUTION	10
13AAC02.155(C)	VEH NOT PASS VEH STP FOR PED	50
13AAC02.160(A-F)	CROSSING AT OTHER THAN CROSSWALKS	10
13AAC02.165	EXERCISE DUE CAUTION WITH REGARD PEDESTRIANS	35
13AAC02.170(A-B)	USE OF CROSSWALKS	10
13AAC02.180	DISTRACT DRIVERS SOLICIT PIDF	10
13AAC02.185	DRIVING THROUGH OR IN SAFETY ZONE PROHIBITED	35
13AAC02.190	NOT USE DEVICE INTNDOD FOR THE BLIND	10

APPENDIX "C" (Continued)

Statute/ Reg	Offense	Bail
13AAC02.200(A-B)	INCORP POSIT TURN AT INTER	35
13AAC02.205	TUPN AROUND CURV OR CPST OF HILL	35
13AAC02.210(A)	INCORRECT STARTING PARKED VEHICLE	35
13AAC02.210(B)	INCORR ACCELERATION PKD VEH	35
13AAC02.215(A)	WHEN IMPROPER TURN	35
13AAC02.215(A-D)	SIGN REQ TUPN STP AND LINE CHG	35
13AAC02.215(E)	CANC SIGN AFTER EXECUT TUPN	35
13AAC02.220(A)	REQ USE SIGNAL LGTS OR HAND/ARM	35
13AAC02.220(B)	REQ INSTL SIGNAL LIGHTS & USE - USEAGE	35
13AAC02.220(B)	REQ INSTL SIGNAL LIGHTS & USE -EQUIPMENT	20
13AAC02.225(A-B)	METHOD SIGN BY ARM OR LGTS	35
13AAC04.230(A-C)	TYPES, RESTRICTIONS AND PERMITS	20
13AAC02.240(A-B)	TRAIN SIGNAL AND BARRIERS	50
13AAC02.245	STOP SIGN ERECTED RAILROAD CROSSING	50
13AAC02.250(A-B)	CERTAIN VEHICLE AT RAILROAD CROSSING	50
13AAC02.255(A)	HEAVY EQUIPMENT AT RAILROAD CROSSING	50
13AAC02.255(C)	HEAVY EQUIPMENT AT RAILROAD CROSSING	50
13AAC02.255(B-D)	HEAVY EQUIPMENT AT RAILROAD CROSSING	20
13AAC02.260(B)	SLOW DOWN FOR AMRR SIGNALS	50
13AAC02.275(A)	BASIC SPEED, REASONABLE AND PRUDENT	35
13AAC02.275(B)	EXCEEDING MAXIMUM SPEED LIMIT	20
13AAC02.275(C)	REDUCE SPD HI-WAY HZRDS	35
13AAC02.275(D)	EXCEED PATE SPD AND DISTN NECESRY PASS VEH	35
13AAC02.280	EXCEEDING SPEED LIMIT LOWERED BY STATE	2MI
13AAC02.295(A-B)	IMPD TR TRVLG SLOW/ DR SLWR MINM SPD	35
13AAC02.315	VIOL MAX SIZE BRIDGE/ELEV'D STRUCT, ETC-LENGTH	10FT
13AAC02.315	VIOL MAX SIZE BRIDGE/ELEV'D STRUCT, ETC-WIDTH	25FT
13AAC02.315	VIOL MAX WGT BRDG/ELEV'D STRUCT/UNDRPASS,ETC	05LB
13AAC02.315	SPEEDING VIOL OVERWEIGHT/OVERSIZE	2MI
13AAC02.320	LIMITATION MOTOP SCOOTERS AT NIGHT	35
13AAC02.325(A-D)	SPECIAL LIMITATION ON BUSES, TRAILERS	2MI
13AAC02.330(B)	PROM NON-SANCT RACE BETHN VEH	20
13AAC02.340(A-B)	DISABLD VEH INTERF W/TRELO	20
13AAC02.360(A-B)	ILLEGL MOVNG VEH PROH AREA	20
13AAC02.365(A-C)	POSITION VEHICLE STOPPED OR PARKED ALONG RDWY	20
13AAC02.370(A-C)	ABANDONMENT, IMPOUNDING VEHICLE	20
13AAC02.375	TWO ON BIKE	10
13AAC02.400(A)	FAILED TO KEEP RIGHT	10
13AAC02.400(B)	RIDING HOPE THAN 2 APEAST	10
13AAC02.400(C)	FAILED TO USE BIKE PATH	10
13AAC02.405	CARRYING ARTICLES TO INTERFERE WITH OPERATE	10
13AAC02.410(A)	LIGHTS OR REFLECTOR	10
13AAC02.430	PARENTAL RESPONSIBILITY	20
13AAC02.485(A-B)	LIMIT BACKING VEHICLE	35
13AAC02.445(A-B)	RIDE UPON/OTHER RIDERS	20
13AAC02.450	TOWING ANOTHER PERSON ON A ROADWAY	20
13AAC02.455(A-F)	OPERAT UPON AND XING STS AND RDWY	20
13AAC02.490	REQUIREMENTS UNATTENDED MOTOR VEHICLE	20
13AAC02.490(A-C)	RIDG, PDRS MTRCYCLE, SCOOTER	35
13AAC02.495(A-B)	INSTRUCTIONS DRIVERS CONTROL/VIEW OF VEHICLE	35
13AAC02.500	OPENING/CLOSING OF VEHICLE DOOR	20
13AAC02.510	RIDER IN A TRAILER-PROHIBITIONS	20
13AAC02.515	VEHICLE COASTING IN NEUTRAL GEAR	35



APPENDIX "C" (Continued)

<u>Statute/ Reg</u>	<u>Offense</u>	<u>Bail</u>
13AAC02.520	FOLLOW EMERGENCY VEH CLOSER THAN 500 FT	50
13AAC02.525	DRIVING OVER FIRE HOSE	35
13AAC02.535(A-3)	CARRYING/TOWING PERSON ON OUTSIDE OF VEHICLE	35
13AAC02.540	EMBRACING ANOTHER DRIVING CREATES HAZARD	35
13AAC02.545	DRINKING WHILE DRIVING	35
13AAC02.550	CHILD UNATTEND VEH MTR RUN	20
13AAC02.565	CHD AUTH OFFCL EMER SCENE	35
13AAC02.570	PEO GIVE INFO POLICE OFFICER	35
13AAC02.575	PPSN DRIV ANIMAL VEH SURJ PROVSNS DRIVR VEH	35
13AAC02.580(B)	FIREMAN RESPONDG PRIVT VEH XEPCS SAFFTY	35
13AAC02.585(U-E)	DRIV EMER VEH AUDBL/VISUL SIGNS/RE SAFTY PRSN	35
13AAC10.170	TIRES-STUDDFD	20
14AAC10.030(A-1)	OPEN TR CONTRL DEV AS POSTED AIRPORTS	35
14AAC10.030(A-1)	CONFIRM RULES AIRPORT	20
14AAC10.030(A-2,C-3)	EXCEEDING MAXIMUM SPEED LIMIT	2MI
14AAC10.030(B)	PERMIT FOR ALL FOR HIRE VEHICLE	10
14AAC10.030(B-5)	NOT SOLICIT BUSINESS FOR HIRE VEHICLE	10
14AAC10.030(C-1)	ILLEGAL OPERATION ON RUNWAYS, TAXIWAYS, ETC	35
14AAC10.030(C-4)	OBTN RAMP OPER PERM MTR VEH	10
14AAC10.030(D-1),D-3)	ILLFGL PKG ABANDMT VEH	5
14AAC10.030(D-2)	EXPIRED METER	2
14AAC10.030(E)	ILLFGL OPERAT VEH IN BLDG	35
17AAC25.010	PERM OVERWEIGHT/OVERSZ VEH DRIV HIWAY	50
17AAC25.020(A-R)	XCEED MAX VEH WIDTH 8FT 0 INCHES	25/F
17AAC25.030(A)	XCEED MAX VEH HGT 13FT 6 INCHES	50
17AAC25.030(B-0)	XCEED MAX VEH LGTH TYPE VEH	10/F
17AAC25.030(F)	LOAD EXT LIMIT FRNT AND REAR	50
17AAC25.040(A-B)	SHIFTING OF LOAD, COVERING OF LOAD	50
17AAC25.050	TOWBAR REQUIREMENTS FOR TOWING VEHICLES	50
17AAC25.060(I-3)	XCEED MAX GROSS WGT	05/L
17AAC25.070(C-0)	ENFORCE PROCDRS/PEO DRIVR STP ENFORCE OFFICER	50
17AAC25.080(A-J)	PEPM XCESS SZ AND WGT	50
17AAC25.090(A-G)	SIGNS PILOT CARS REQ XCESS LOADS	50
17AAC25.100	RD CLOSURES AND RESTRICTNS	50
AS05.30.010	SNOW MACHINE OPERAT W/O BEING REGISTERED	20
AS05.30.040(B)	DISPLAY REGISTRATION CERTIFICATE/AND DECALS	20
AS05.30.080	BRAKES, THROTTLE, MUFFLER-REQUIRED	20
AS05.30.100	ACCIDENT REPORTING IF DAMAGE IS \$100	20
AS05.35.020	VIOLATION SPECIAL RACE PERMIT	20
AS25.05.030(B)	STUDDFD TIRES	20
AS28.10.030	OPERATE UNREGISTERED VEHICLE	35
AS28.10.030	PERMIT OPERATION OF UNREGISTERED VEHICLE	20
AS28.10.110(D)	CERTIFICATE OF REGISTRATION CARRIED IN VEH	35
AS28.10.120	LICENSE PLATES BE USED FOR VEHICLE ISSUED	35
AS28.10.140	LICENSE PLATES MUST BE DISPLAYED-VEH	35
AS28.10.170	REGISTRATION MUST BE CURPENT	35
AS28.10.360	NEW OWNR OBTN TITLE/REG 20 DAYS	35
AS28.10.540	NON-RES OWNS OBTN AK PLATES	35
AS28.10.590	OPERT OR PERM OPERTN UNREG VEH OR UNTITLD VEH	35
AS28.15.010	DRIV W/EXPIRD OL	35
AS28.15.110	RESTRICTED LICENSE VIOL	35
AS28.15.110	RESTRICTED LICENSE VIOLATION	35
AS28.15.320	PEPM UNAUTH PFR TO DR	20
AS28.25.020	FAIL TO YIELD TO BLIND PERSON	50
AS28.35.160	OBSTRUCTING OR BLOCKING TRAFFIC	20
AS28.35.150	CAUSING INJURY TO ROAD, BRIDGE, OR FERRY	20
AS28.35.160	CAUSING INJURY TO TRAFFIC REG/GUID DEVICE	20
AS28.35.170	OPERAT VEH MORE 3 PEOPLE FRNT SEAT	35
AS28.35.180	OREY SIGN POLICE OFFICER	35
AS42.10.113	VEHICLE IDENTIFICATION REQUIREMENTS	150
AS42.10.130	OPERATING WITHOUT A PERMIT	150
AS42.10.240	WEIGHT FEES	150

APPENDIX D (Sec. 63.90.030(b))

<u>Wrangell Traffic Code Section</u>	<u>Offense</u>	<u>Bail</u>
All of Chapter 30	Parking Violations	\$ 20
All of Chapter 40	Licensed Vehicle Stands	\$ 15
All of Chapter 45	U-Drive Business	\$ 15
Sec. 63.12.125	Interference at Scene of Accident Prohibited	\$ 25
Sec. 63.12.145	Stop When Traffic Obstructed	\$ 25
Sec. 63.12.150	Driving on Sidewalks	\$ 25
Sec. 63.12.155	"U" Turns Prohibited	\$ 25
Sec. 63.12.165	Projections on Wheels or Tracks Prohibited	\$ 20
Sec. 63.12.170	Dragging Objects Prohibited	\$ 20
Sec. 63.12.175	Projecting Loads on Passenger Vehicles	\$ 20
Sec. 63.12.180	Driving Through Funeral or Other Processions	\$ 20
Sec. 63.12.190	Carrying Animals on Outside of Vehicles	\$ 20
Sec. 63.12.195	Injurious Materials on Highway Prohibited	\$ 50
Sec. 63.12.200	Use of Coaster, Roller Skates, Sled and Skis	\$ 20
Sec. 63.12.210	Sound Amplifying Devices	\$ 25

CITY OF WRANGELL, ALASKA

Ordinance No. 331

AN ORDINANCE REPEALING CRIMES RELATED TO PUBLIC INTOXICATION AND VAGRANCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage and publication.

Sec. 4. Repealer. This ordinance repeals Secs. 30.20.015 and 30.20.100 of Wrangell Ordinance No. 204, and Sec. 30.20.110 of Wrangell Ordinance No. 287, adopted August 28, 1973.

PASSED AND APPROVED: May 27, 1975.

James J. Moore  
Mayor

ATTEST: James Rasmussen  
City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 330

AN ORDINANCE AMENDING THE ELECTRICAL UTILITY CODE TO PROVIDE FOR A NINETEEN PERCENT (19%) INCREASE IN ELECTRICITY RATES, AND CALCULATING THE APPLICABLE RATE ON JOINT SERVICE CONNECTIONS AS IF SEPARATELY METERED.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Ordinances and shall be effective on June 17 and the rates herein first be reflected on the utility statement mailed the end of July, 1975.

Sec. 4. Repealer. This ordinance repeals Section 54.20.070, Section 54.20.080, 54.20.090, and 54.20.100 of Wrangell Ordinance No. 308 adopted May 29, 1974 as well as all other ordinances and parts of ordinances inconsistent herewith.

Sec. 5. Adoption of Sections. The following annexed sections bearing code section 54.20.055, 54.20.070, 54.20.080, 54.20.090, and 54.20.100 are hereby adopted as a part of this Ordinance and Title 54, Chapter 20 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: May 13, 1975

[Signature]  
Mayor

ATTEST: [Signature]  
Clerk

Sec. 54.20.055. Joint Service Connections. Joint service connections in the form of a single meter to measure the electrical consumption of two or more separate units will be permitted only for dwellings designed for habitation and then only at the discretion of the City Light Department. The installation of separate meters may subsequently be required. The reading of a meter on a joint service connection shall be calculated by dividing the meter reading by number of units served and the rate imposed by Sec. 54.20.070 applied as if each unit was metered separately.

Sec. 54.20.060. Demand. (a) Definition; Demand is defined as being the greatest average rate at which energy is used within any 15 consecutive minute period.

(b) Determination: The demand of any power installation will ordinarily be determined by assessment in proportion to the connected load. It may be determined, at the City option, by test. The customer may, at his own expense, install a demand meter for the measurement of the billing demand. Meter for such purpose to be approved by the City and to be tested for accuracy at the City's option. Where a demand meter is used, the demand for billing purposes will never be less than that determined as outlined under Motors, Sec. 54.20.060(e).

(c) Heating: Non-inductive heating and cooking appliances will be included in the determination of the demand.

(d) High Frequency Equipment: The demand of all such equipment shall be assessed in the same manner as are motors under power schedules and the full demand so determined shall be included in the total demand under the applicable schedule.

(e) Motors: Each horsepower of manufacturer's rating shall be considered as 750 watts.

Sec. 54.20.070. Residential Service Meter Rate.

AVAILABILITY: Residential service under this schedule shall be limited to single phase, two or three wire service. All installations shall be subject to the approval of the Light Plant Superintendent.

The Superintendent shall specify the maximum requirements for, and the maximum size of any motor over one (1) horsepower seventy-five hundredths KW (1.75KW) which may be used under Schedule "A".

The City reserves the right to control the use of all water heating units during such hours as said superintendent deems advisable.

RATE: Schedule "A"

0 to 50 KWH	\$9.45 per mo. min.
51 to 100 KWH	13.2 cents per KWH
101 to 200 KWH	9.5 cents per KWH
201 and over	5.7 cents per KWH

Sec. 54.20.080. Commercial Rates.

CLASSIFICATION: Lighting, cooking, appliances and motors in professional, mercantile, commercial and other establishments not classed in Schedule "A".

AVAILABILITY: Single phase 115 and/or 230 volt service. Motors not to exceed 2-1/2 horsepower.

A special application in writing for three phase service under the above schedule, shall be filed with the City Clerk.

All installations for such rate shall be subject to the approval of the Light Plant Superintendent, or his authorized agent.

RATE: Schedule "B"

0 to 40 KWH	\$9.45 mo. min.
40 to 100 KWH	17.0 cents per KWH
101 to 200 KWH	13.2 cents per KWH
201 to 300 KWH	9.5 cents per KWH
301 and over	5.7 cents per KWH

Sec. 54.20.090. Industrial Rates.

CLASSIFICATION: All classes of customers.

AVAILABILITY: Available for electric motors 5 HP and larger. For 3 phase and other industrial loads. Reduced voltage starter required on all motors 20 HP or larger. 5 HP maximum for single phase motor. Special consideration required on all motors 50 HP or larger and for loads which fluctuate to such an extent that the quality of service on the system may be impaired.

POWER FACTOR: A monthly charge will be made in addition to demand-energy or minimum charges whenever the average monthly factor is less than 0.85.

Unless specifically otherwise agreed, the City shall not be obligated to deliver electric energy to the consumer at any time at a power factor below 0.75.

The average power factor is determined as follows: The kilowatt hours divided by the square root of kilowatt hours plus the square root of reactive-kilovolt-ampere hours.

The meter for measurement of reactive-kilovolt-ampere hours shall be ratcheted to prevent reverse registration, or at the City's option, the power factor may be determined with a power factor meter.

All installations of power factor corrective equipment shall be subject to the approval of the Superintendent.

The monthly charge for each 0.01 of average monthly power factor below 0.85 shall be:

From 0.84 to 0.70 9.5 cents per KW of maximum demand  
From 0.69 and below, 15.1 cents per KW of maximum demand.

Sec. 54.20.090 (continued)

Charges will be based on primary metering and where secondary metering is used transformer losses will be charged on the basis of connected transformer capacity for no load losses plus 2 per cent of KWH consumption for operational losses.

Monthly no-load transformer losses:

5 KW . . . . .	29 KWH
10 KW . . . . .	43 KWH
15 KW . . . . .	60 KWH
25 KW . . . . .	82 KWH
37.5 KW . . . . .	105 KWH
50 KW . . . . .	134 KWH
75 KW . . . . .	202 KWH
100 KW . . . . .	256 KWH
167 KW . . . . .	432 KWH
300 KW . . . . .	768 KWH
500 KW . . . . .	1296 KWH

Demand Charges: \$1.95 per month per KW of maximum demand or major portion thereof.

RATE: Schedule "C". (Plus Energy Charge)

0 to 500 KWH	7.6 cents per KWH
500 to 1000 KWH	5.7 cents per KWH
All over 1000 KWH	4.2 cents per KWH
All over 1000 KWH (temp)	4.9 cents per KWH--This

power rate will be charged to users of strictly temporary or seasonal character on a month-to-month basis, providing customer furnishes all necessary material and equipment incidental to the furnishing of such service plus all connection and disconnection costs.

Minimum Charges: 94 cents per month per HP connected load but not less than \$8.95 per month.



Sec. 54.20.100. Shore Service for Boats -- Flat Rate.

CLASSIFICATION: This schedule applies to any and all vessels, irrespective of size.

AVAILABILITY: To all locations where shore service facilities are provided by the City. This is a combination rate applying for lighting and heating only.

Only single phase service, 110 volts will be furnished from controlled shore outlets limiting the demand to the billing demand. Shore outlets under control of the City exclusively. All boats and vessels shall be flat rate based on a 20-amp fuse as follows:

RATE: 20-amp fuse \$17.85 per month

TERMS OF CONTRACT: Not less than one month or fraction thereof. Payable in advance at monthly rate.

Sec. 54.20.110. Service Rates Outside City Limits.  
City rates plus 15% surcharge.

Sec. 54.20.120. Unlawful to Divert Electrical Energy.  
It shall be unlawful for any person, firm or corporation, by any manner or means whatever, to divert, acquire, take, or use, any electricity or electric energy of or from the Utility or any of its facilities, with the intent of stealing or embezzling the same, or to avoid payment thereof, or in any manner to defraud the City of Wrangell or the Utility.

Sec. 54.20.130. City Council to Promulgate Regulations.  
The City Council by Resolution, in its discretion excepting as in this section hereinafter provided may make and provide such rules and regulations as may be deemed necessary, suitable or advisable in order to clarify any of the provisions of this chapter, and/or to make adjustments in any particular case or situation, and/or to suspend the provisions of this chapter in any particular case or situation, and/or to safeguard or to provide for the capacity, welfare, or other interests of the Utility: Provided, that no penal sections of this chapter shall be modified, affected or changed by Resolution; nor shall any general rates or charges specified in this chapter be modified or changed by Resolution.

ORIGINAL

CITY OF WRANGELL, ALASKA  
Ordinance No. 329

AN ORDINANCE AMENDING THE CRIMINAL CODE TO PERMIT THE DISCHARGE OF FIREARMS AT ESTABLISHED AND POSTED RANGES DURING DAYLIGHT HOURS; AND ADOPTING A PENALTY FOR VIOLATIONS BY REFERENCE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

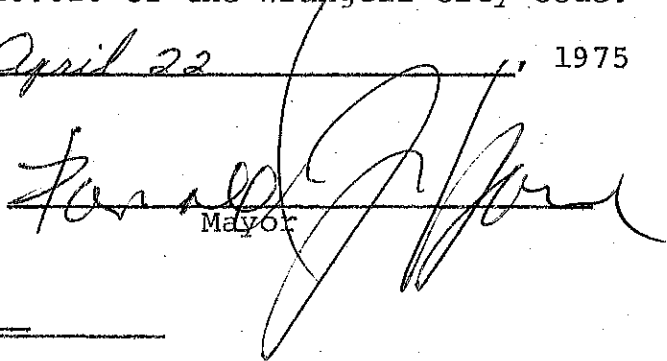
Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This Ordinance repeals Sec. 30.20.060 of Wrangell Ordinance No. 215, adopted September 24, 1968.

Sec. 5. Adoption of Sections. The following annexed section bearing code number Section 30.20.060 is hereby adopted as part of this ordinance and Title 30 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Adoption of Penalty by Reference. Violations of the section herein enumerated shall be punishable as specified in Section 30.10.010 of the Wrangell City Code.

PASSED AND APPROVED: April 22, 1975

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Clerk

CHAPTER 20. CRIMES

Sec. 30.20.060. Discharging Firearms. (a) It is unlawful for any person excepting a peace officer on duty, to discharge any pistol, gun, rifle or any other type of firearm within one-half mile of any public street, road or highway within the City of Wrangell which is maintained for public use.

(b) Exceptions:

(1) That it is not unlawful to discharge a firearm at a rifle range, target shooting range, trap shooting range or other area which is posted for such purpose during daylight hours providing that the Chief of Police shall have approved the area as being safe for such purpose and providing that such shooting is adequately supervised and safely conducted.

(2) It is not unlawful to discharge shotguns for skeet or trap shooting at that location known as "the Old Pull-Out" at approximately 4 mile Zimovia Highway in the area of Shoemaker Bay, shooting only in the direction of the water and at such times as boats and vessels are safely beyond range.

Sec. 30.20.070. Carrying Loaded Firearms. It is unlawful for any person, except authorized police personnel to carry any firearm, air pistol, B-B, dart or other ammunition within the chamber or magazine thereof, within the corporate limits of the City of Wrangell except as provided in Sec. 30.20.060.

Sec. 30.20.080. False Fire Alarm. It shall be unlawful for a person with knowledge that it is false, to intentionally make, or tune in, a false alarm for fire, or aid or abet the commission of such act. It shall be unlawful for any person to tamper with the fire alarm system of the City, or any part thereof, or to be in the unauthorized possession of keys for operating fire alarm boxes.

Ordinance No. 328

AN ORDINANCE AMENDING THE MOORAGE RATES AND NINETY-DAY PERMIT PROCEDURE APPLYING IN THE WRANGELL BOAT HARBOR.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the city ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals all of Schedule A of Section 15.40.010 adopted by Wrangell Ordinance No. 309 dated June 25, 1974 and Wrangell Ordinance No. 315 adopted September 10, 1974.

Sec. 5. Adoption of Sections. The following annexed Schedule A adopted by reference as a part of Wrangell Code Section 15.40.010 is hereby adopted into that section as a part of this Ordinance and Title 15 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: April 22, 1975.

[Signature]  
Mayor

ATTEST: [Signature]

City Clerk

SCHEDULE A (Sec. 15.40.010)

Part I - Annual Moorage Fee

- (a) \$3.00 per foot annually, for the length of the vessel or length of the stall, whichever is greater. A minimum of 20 feet shall be charged for stalls.
- (b) \$1.50 per foot if the criteria of paragraph 9 of the Rules and Regulations are met.
- (c) Payments for rentals may be semi-annually to-wit: July and January.
- (d) Additional charge of \$10.00 per person per month living aboard a vessel; however, the Port Commission in their discretion may waive such portion of said charge for persons who have performed incidental and/or emergency services enuring to the benefit of the harbor upon application.

Part II - Seasonal and Transient Moorage Fees

<u>Length of Vessel</u>	<u>Charge Per Day</u>
under 36 feet	\$1.50
37 - 60 feet	\$2.00
over 60 feet	\$3.00

Vessels moored in designated free space may occupy such space without charge for a period not to exceed 72 hours. Vessels occupying such space for longer periods shall be charged in accordance with the rates set forth above at the discretion of the Port Director.

On 15 October of each year, the above rate will be modified to the extent that the owners of vessels desiring to winter in the Wrangell Small Craft Harbor may obtain a mooring permit for a three-month period in accordance with the following: such permits shall be renewable for a second three-month period provided that the termination date does not exceed 15 April of each year.

Due to the possible rebuilding of the Reliance Float, 90-Day permits will be issued at the discretion of the Port Director, and those issued shall be subject to revocation upon ten (10) days notice.

The rates for the 90-Day Permits shall be \$.75 per foot of the vessel for a three (3) month period.

Ninety-Day permits shall be signed by the owner or authorized agent on behalf of the owner of the vessel, and the permit shall designate the (1) duration of the permitted moorage, (2) rate applicable, (3) name of vessel, (4) owners of vessel, and (5) name and mailing address of person signing permit. The person signing the 90-Day permit shall be responsible for payment. Fees shall be paid within 30 days of permit issuance.

Part III - Gridiron Fees.

Three day free time, \$10.00 per day thereafter.

Part IV - Delinquent Payment Fee

Persons failing to pay the appropriate rental charges within thirty (30) days after date of bill shall be assessed a delinquency charge of ten dollars (\$10.00), and will lose their right to moorage space if delinquent in excess of ninety (90) days.

CITY OF WRANGELL, ALASKA

Ordinance No. 327

AN ORDINANCE AMENDING THE COUNCIL ORGANIZATION PROCEDURES TO DELETE THE PRESCRIBED AGENDA OUTLINE AND ALLOWING THE AGENDA TO BE PRESCRIBED BY RESOLUTION.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage and publication.

Sec. 4. Repealer. This ordinance repeals Sec. 27.10.090 of Wrangell Ordinance No. 296 adopted April 23, 1974.

Sec. 5. Adoption of Sections. The following annexed section, bearing code number Sec. 27.10.090 is hereby adopted as a part of this Ordinance and Title 27 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: February 25, 1975.

[Signature]  
Mayor

ATTEST: [Signature]  
City Clerk

Sec. 27.10.040. Appointments and Removals. Neither the Council nor any of its members may direct or request the appointment of any person to, or his removal from office for employment by the Mayor or City Manager except as may be hereafter otherwise provided in Wrangell Code Title 3, Administration. Except for the purpose of inquiry, the Council and its individual members shall deal with the administrative service of the municipality solely through the City Manager; and neither the Council nor its individual members may give orders on administrative matters to any subordinate of the City Manager either publicly or privately.

Sec. 27.10.050. Special Committee. Special committees for the purpose of considering any special matter may be appointed by the Mayor with the consent of the Council.

Sec. 27.10.060. Quorum. At all meetings of the Council, five (5) Council members or four (4) members and the Mayor shall constitute a quorum for the transaction of business, but a smaller number may adjourn from day to day or from time to time. In the absence of a quorum, any number less than a quorum may adjourn a meeting to a later date.

Sec. 27.10.070. Regular Council Meetings. Regular meetings of the Council shall be held on the second and fourth Tuesdays of each month, except that no regular meetings shall be held on the fourth Tuesday of December. The meetings shall be held at 7:30 o'clock p.m. in the Council Chambers, City Hall, Wrangell. If any such Tuesday shall fall on a legal holiday as defined by the laws of the State of Alaska, the meeting scheduled for that day shall be held at the same hour on the next succeeding day which is not a holiday. Separate notice for regular Council meetings shall not be required; instead, the Clerk shall cause to be published in the local newspaper a semi-annual notice indicating the above-described regular Council meeting plan.



Sec. 27.10.080. Special Council Meetings. Unless otherwise designated in the notice, special meetings of the Council shall be held at the regular meeting place of the Council. Special meetings shall be called by the City Clerk on the written request of the Mayor, or of the City Manager, or of any two members of the Council. At least forty-eight (48) hours of written notice shall be given designating the time and purpose of a special meeting. A duplicate copy of such notice shall be served personally on each member of the Council, or left at his usual place of residence or business by the City Clerk, and the Councilmen shall acknowledge receipt of the notice on the original copy thereof and the original shall be returned to the Clerk and made a part of the journal of a special meeting. If the Councilmen cannot be served personally, a copy of the notice of special Council meeting shall be left at his usual place of residence or business by the City Clerk or by someone designated by him, and that fact noted on the original notice to be filed for record. A copy of the notice of special Council meeting shall also be delivered at the place of business of the local newspaper published and circulated in the City, but this requirement shall not be jurisdictional to the holding of any such meeting. Public notice of the special meeting shall be given by posting notice at four places in the City, one of which shall be City Hall, and one of which shall be the Post Office. Until resolution is passed to the contrary, the other two places shall be the bulletin boards of the Wrangell Sentinel and Alaska Wood Products, Inc. If practicable, notice of the special meeting shall also be given by the City Clerk causing such notice, and an abbreviated description of the subject matters to be considered thereat, on the local television mini scanner, but such additional requirement shall not be jurisdictional to the holding of a special Council meeting. The Councilmen may subsequently sign a waiver of notice of a special meeting, which such notice shall be attached to and made a part of the journal of the meeting. No business shall be transacted at any special meeting of the Council, except that stated in the notice of the meeting. As with regular meetings, special Council meetings shall be public meetings and the public shall have a reasonable opportunity to be heard.

Sec. 27.10.090. Agenda. An agenda is not required for special Council meetings; the list of topics contained in the notice given for such special meeting shall instead suffice. An agenda shall be prepared before all regular Council meetings and shall be posted at City Hall by noon of the Monday preceding the meeting. All items and subject matters for agenda consideration shall be submitted by the public by noon of the Friday preceding the meeting. The Council may amend the agenda at the beginning of its meeting. The outline of the agenda shall be as from time to time prescribed and amended by resolution of the Council.

CITY OF WRANGELL, ALASKA

Ordinance No. 326

AN ORDINANCE AMENDING THE WRANGELL FIRE CODE TO REQUIRE INSTALLATION OF EARLY FIRE WARNING ALARM DEVICES IN ALL RENTAL PREMISES FOR HABITATION AND PRESCRIBING THE STANDARDS THEREFOR, PROVIDING FOR AN EFFECTIVE DATE AND ADOPTION OF PENALTY BY REFERENCE FOR VIOLATIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals all ordinances and provisions thereof inconsistent herewith.

Sec. 5. Adoption of Section. The following annexed Sec. 39.50.010 is hereby adopted as a part of this ordinance and Title 39 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Penalty Adopted by Reference. Violation of Sec. 39.50.010 shall be punishable as specified in Title 30 of the Wrangell City Code.

PASSED AND APPROVED: January 14, <sup>1975</sup>~~1974~~

[Signature]  
Mayor

ATTEST:

[Signature]  
City Clerk

Chapter 50.

Sec. 39.50.010. Early Fire Warning Alarm. (a) All apartment residential, hotels, motels, and other rental premises for habitation, including single and double-family dwellings and mobile homes for rental purposes, shall have installed an early fire warning alarm formally known as a "products of combustion (other than heat) alarm."

(b) The required minimum standards for such alarms and systems are:

(1) Single-family, double-family and tri-plexes shall have at least one fully operable products of combustion (other than heat) alarm meeting the requirements of N.F.P.A. standard No. 74 in each dwelling unit, located as to protect the sleeping area.

(2) Motels, hotels and apartment residential structures of four-plex or greater capacity shall have installed a products of combustion (other than heat) alarm system meeting the requirements of N.F.P.A. standard No. 72-A.

(c) The requirements of subsection (a) shall be effective upon effective date of this ordinance as to newly constructed premises. Existing structures shall be modified to comply with the requirements of subsection (a) on or before October 1, 1975.

(d) The Building Official is empowered to withhold issuance of a building permit as to any plan submitted which fails to indicate prospective installation of an appropriate early fire warning alarm. He shall not issue a building permit for construction of a structure requiring installation of an N.F.P.A. standard No. 72-A alarm system until such proposed plan has been approved by the State Fire Marshal's Office, Division of Fire Prevention for the Alaska Department of Public Safety.

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 325

AN ORDINANCE REQUIRING NUMBERING ON ALL HOUSES, COMMERCIAL STRUCTURES AND OTHER PRIMARY STRUCTURES IN THE CITY OF WRANGELL BEFORE MARCH 15, 1975, AND PROVIDED A PENALTY BY REFERENCE FOR VIOLATIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective 30 days after final passage or publication, but the requirement of structure numbering shall not be enforced until March 15, 1975.

Sec. 4. Repealer. This ordinance repeals all ordinances and parts thereof inconsistent herewith.

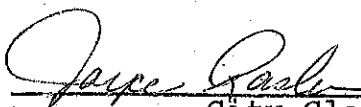
Sec. 5. Adoption of Sections. The following annexed sections, Sec. 18.40.010 through 18.40.030 are hereby adopted as a part of this ordinance and Title 18 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Adoption of Penalty by Reference. Violations of the sections herein enumerated, unless specifically provided for in the section, shall be punishable as specified in Title 30, Chapter 10 of the Wrangell City Code.

PASSED AND APPROVED: January 14, 1975  
1974.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Published January 22, 1975

## Chapter 40. House Numbering

Sec. 18.40.010. House Numbering Required. Effective March 15, 1975, every house, dwelling, structure, and commercial premises constituting the primary structure or building on each lot in the City of Wrangell shall be numbered. The record owner appearing on the City's tax roles is responsible to undertake the required numbering. Numbering shall be accomplished by securing correct numbers in block form at least three inches in height of a color in appropriate contrast to the background placed on a prominent portion of the structure viewable from the street on which the structure fronts. In the case of buildings located on a street corner, the number shall be placed on the side of the structure facing that street to which the numbering pertains. In the case of two or more structures on a single lot being actively used for dwelling and/or commercial purposes, each such building shall have a separate number, but this shall not be construed to require duplex and apartment units to have separate numbering for each dwelling unit.

Sec. 18.40.020. General Description. Structures will be numbered, both north and south, from McKinnon Street starting with the 100 block. Exceptions will be Front Street and Cow Alley which will begin at Federal Street. Structures on the water side of streets running parallel to the water will be odd numbered. Structures on the left side of streets roughing perpendicular to the waterfront will be odd numbered. Numbers will be assigned to every 25 feet of frontage.

Sec. 18.40.030. Numbering Information. The general numbering scheme is as prepared by the Department of Public Works superimposed on a 1974 map drafted by General Telephone Company which document will be retained at City Hall and may be inspected by the public at any time during normal business hours. The office of the City Clerk will also respond to telephone inquiries requesting house and structure numbering identification. At least once prior to the above-mentioned effective date, the Clerk shall indicate correct structure numbers on the monthly utility statement.

CITY OF WRANGELL, ALASKA

Ordinance No. 355

AN ORDINANCE AMENDING THE ORDINANCE ON ORDINANCES TO MODIFY THE MANNER OF ADOPTING ORDINANCES AND RESOLUTIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a permanent and general nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage.

Sec. 4. Repealer. This ordinance repeals Sec. 27.20.010 of Wrangell Ordinance No. 312 and Secs. 27.20.030, 27.20.040, 27.20.045, 27.20.050, 27.20.055, 27.20.065, 27.20.070, 27.20.075, 27.20.080, 27.20.085, 27.20.090, 27.20.092 of Wrangell Ordinance No. 201.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers 27.20.010, 27.20.030, 27.20.040, 27.20.045, 27.20.050, 27.20.055, 27.20.065, 27.20.070, 27.20.075, 27.20.080, 27.20.085, 27.20.090, and 27.20.095 are hereby adopted as a part of this ordinance and Title 27 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: December 14, 1976.

Edward P. Churchill  
Mayor

ATTEST: Jayne Raskin  
Clerk

## Chapter 20. Ordinances

Sec. 27.20.010. Acts Which Shall be by Ordinance. Formal acts of the council intended to regulate any of the affairs of the City of Wrangell and such additional acts of the council as provisions of law require may be enacted by ordinance. (Ord. No. \_\_\_\_\_; Adopted \_\_\_\_\_)

Sec. 27.20.020. Emergency Ordinances. An emergency ordinance is an ordinance which in the judgment of the council is necessary for the immediate preservation of the public peace, health or safety and must become effective prior to the time when an ordinance of non-emergency nature would become effective. Every such ordinance shall contain as a part of its title the words "and declaring an emergency." A separate section, herein called the emergency section, shall declare the nature and existence of the emergency. An affirmative vote of at least five members of the council shall be required for the final passage of an emergency ordinance, which vote shall be by yeas and nays and shall be entered in the journal. (Charter 2-14)

Sec. 27.20.030. Introduction. An ordinance meeting the requirements of this chapter may be introduced by any member or committee of the council, by the mayor or by the chief executive at any regular or special meeting of the council. Upon introduction of any ordinance sufficient copies shall be furnished to the clerk in order for him to distribute immediately at least one copy each to the council members and to the mayor. At any council meeting at which the ordinance is considered, copies of the ordinance shall be distributed to all persons present who request them, or in the alternative the ordinance shall be read in full. All persons interested shall have an opportunity to be heard. The council shall then consider the ordinance and may adopt it with or without amendment or reject it, except that no ordinance other than an emergency ordinance may be finally passed on the same day that it is introduced. (Ord. No. \_\_\_\_\_; Adopted \_\_\_\_\_)

Sec. 27.20.040. Number of Readings. A proposed ordinance shall be introduced in the first reading by title or in full. After introduction, an ordinance may be amended by an affirmative vote of four members of the council. The council may, by an affirmative vote of four members of the council, move the ordinance to the second reading. At the next regular or special meeting, after the ordinance has been read in the second reading by title or in full, an affirmative vote of four council members is required for final adoption. (Ord. No. \_\_\_\_\_; Adopted \_\_\_\_\_)

Sec. 27.20.045. Vote Required. An affirmative vote of four members of the council is required on any ordinance question. The mayor shall not vote except in the case of a tie vote. The mayor has no power of veto. (Charter 2-13) (Ord. No. \_\_\_\_\_; Adopted \_\_\_\_\_)

Sec. 27.20.050. Effective Date. Emergency ordinances and ordinances making, repealing, transferring, or otherwise changing appropriations shall be effective immediately upon passage, unless specifying a later date. All other ordinances shall become effective 30 days after passage unless a later effective date is specified. (Charter 2-13) (Ord. No. \_\_\_\_\_; Adopted \_\_\_\_\_)

Sec. 27.20.055. Publication. Within 10 days after passage every ordinance shall be published by number and title. Ordinances which are to be submitted to the voters for enactment shall be published in full as provided by Charter, Sec. 10-9. (Charter 2-13) (Ord. No. \_\_\_\_\_; Adopted \_\_\_\_\_)

Sec. 27.20.060. Number. Immediately upon passage each ordinance shall be assigned the next consecutive number indicating the total number of ordinances passed.

Sec. 27.20.065. Form of Ordinances. All ordinances to be eligible for introduction shall be in the following form and contain and conform to the following requirements:

- a. Heading. "City of Wrangell, Alaska".
- b. Number Provisions. "Ordinance No. \_\_\_\_\_".
- c. Title. A descriptive title, including reference to penalties if imposed by the ordinance.
- d. Premises. Whereas clauses may be necessary to describe the reasons for the proposed ordinance.
- e. Enacting Clause. The enacting clause of all ordinances passed by the council shall be: "BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA" and all ordinances proposed by the voters under their power of initiative "BE IT ORDAINED BY THE PEOPLE OF THE CITY OF WRANGELL, ALASKA".

f. Classification. Section 1 of each ordinance shall classify the contents of the ordinance as between those of a general and permanent nature intended to be filed as a part of the city code, and contents of a less permanent or less general interest not intended as a part of the code.

If of a permanent nature the section shall read:

"Sec. 1. This ordinance is of a general and permanent nature and the code sections adopted hereby shall become part of the city code."

An ordinance authorizing the conveyance of property is an example of an ordinance of temporary nature. (Ord. No. \_\_\_\_\_; Adopted \_\_\_\_\_)



Sec. 27.20.070. Code Ordinances. a. Ordinances classified and intended for code filing shall also contain on the first page, and subsequent pages if necessary, additional sections containing the formal parts of the ordinances not necessary for filing in the code, as follows: (Sections may be altered as to sequence)

- Sec. 1. Classification.
- Sec. 2. Severability Clause.
- Sec. 3. Effective Date.
- Sec. 4. Repealer Clause
- Sec. 5. Adoption of Sections
- Sec. 6. Penalty Clause

Sec. 5 shall read as follows:

"Sec. 5. The following annexed sections, bearing code number sections \_\_\_\_\_ are hereby adopted as parts of this ordinance and Title \_\_\_\_\_ of the code of ordinances of the City of Wrangell, Alaska."

b. Code Sections. The text of the ordinance shall be arranged in sections bearing the appropriate section number indicating the code title, the code chapter and the code section. In the event of the ordinance being prepared by a person unfamiliar with the code classification each section shall be headed as follows: "Sec. \_\_\_\_\_. \_\_\_\_\_. \_\_\_\_\_.", thereby reserving spaces for two title numbers, two chapter numbers and three section numbers.

c. Paper. All ordinances shall be submitted on clear white paper 8 1/2 inches by 11 inches.

d. Margins. Left margin 2 inches, right margin 1 inch, top 1 inch, bottom 1 inch.

e. Type or Printing. All ordinances shall be submitted typed in black pica type or equivalent size, or printed equivalent single spaced on one side only in a manner and form suitable for photocopy or other means of duplication for permanent filing as required by law and ordinance.

f. Signatures. Appropriate places at the end of the title page shall be provided for the signatures of the mayor and clerk.

g. Number of Copies. All ordinances shall be submitted in at least 12 copies. (Ord. No. \_\_\_\_\_; Adopted \_\_\_\_\_)

Sec. 27.20.075. Non-Code Ordinances. a. Ordinances of less than general and permanent nature and not intended to become a part of the code shall conform to the requirements of subsections a, b, c, d, e, f of Sec. 065 of this chapter and to subsections c, d, e and g of Sec. 070 of this chapter.

b. Section 1 shall classify the contents as non-code. Subsequent sections shall contain the appropriate text and provision for date of passage and signature. (Ord. No. \_\_\_\_\_; Adopted \_\_\_\_\_)

Sec. 27.20.080. Adoption by Reference. The Council by ordinance may adopt by reference codes, ordinances, standards and regulations, and amendments thereto, relating to building, plumbing, electrical installations, milk and milk products and other matters which it has power to regulate otherwise. Such code, ordinance, standard, or regulation so adopted need not be enrolled in the book of ordinances, but at least 5 copies of the subject reference document shall be filed in the office of the City Clerk and be kept available for public use, inspection and examination at the time the ordinance is proposed. After its adoption the subject reference document shall be kept available for public use, inspection and examination so long as it remains in force. Nothing contained in this section relieves the city from the requirement of publishing the ordinance which adopts a code or amended code of technical regulations, nor may the city adopt penalties by reference to a reference document other than provisions of city code. (Ord. No. \_\_\_\_\_; Adopted \_\_\_\_\_)

Sec. 27.20.085. Resolutions. a. Formal acts by the Council not required by law to be enacted by ordinance (such as authorizing a municipal officer to undertake a certain act) and not being acts of a general and permanent nature which should become part of the code may be adopted by resolution bearing (1) the heading "City of Wrangell"; (2) space for the serial number to be assigned "Resolution No. \_\_\_\_\_"; (3) a short and concise title descriptive of the subject and purpose; (4) short premises or whereas clauses descriptive of the reasons for the resolution if necessary; (5) resolving clause "BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA" and (6) provision for date after the text "Adopted \_\_\_\_\_ (date) \_\_\_\_\_" and designated lines for the signatures of the mayor and clerk. All resolutions adopted by the council, whether at the instance of and presented by third parties or on the motion of and instance of the council, shall conform to that set forth in a. above.

b. Serial numbers shall be assigned as follows: the first digit(s) shall denote the month, the second digits shall denote the year and the last digits shall be the next consecutive numbers indicating the total number of resolution passed.

c. Formal acts by the council required to be enacted by resolution include the annual determination of the rate of general property tax levy; dates when general property taxes are payable and delinquent and penalties and interest thereon; establishing salaries and compensation for officers and employees; and establishing classes of positions in the city's personnel system. (AS 29.53.170)

d. An affirmative vote of four members of the council is required for adoption of a resolution. (Ord. No. \_\_\_\_\_; Adopted \_\_\_\_\_)

Sec. 27.20.090. Codification. The ordinances of the city shall be codified by perpetually keeping the ordinance provisions of permanent nature updated by use of a loose-leaf system. Titles, enacting clauses and emergency sections may be omitted from the codes, and temporary and special sections and parts of ordinances omitted from the code. Permanent general ordinances and parts of ordinances which are to be repealed by the code shall be omitted therefrom. The ordinances and parts of ordinances included in the code may be revised without the necessity for separate, superseding ordinance amendments to conform to changes in the State Constitution, laws applicable to home rule cities, and the City Charter, but the margin of the code page shall identify the authority for the superseding provision without ordinance enactment. Resolutions adopted by the Council shall be given a permanent identifying number and be entered by the clerk in a properly indexed book of resolutions. (Charter 2-16, AS 29.48.180) (Ord. No. \_\_\_\_\_; Adopted \_\_\_\_\_)

Sec. 27.20.095. Repeal of Ordinances. Ordinances and parts of ordinances shall be specifically repealed by ordinance number or by section if only amended or partially repealed. (Ord. No. \_\_\_\_\_; Adopted \_\_\_\_\_)

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 354

AN ORDINANCE AMENDING THE PROPERTY TAX  
EXEMPTIONS BY CREATING A NEW EXEMPTION  
FOR BOATS AND VESSELS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective January 1, 1977.

Sec. 4. Repealer. This ordinance repeals Sections 60.20.010, 60.20.030 of Wrangell Ordinance No. 267 adopted January 25, 1972 and Section 60.20.020 of Wrangell Ordinance No. 343 adopted November 25, 1975 and all other ordinances or parts of ordinances in conflict herewith.

Sec. 5. Adoption of Sections. The following annexed sections bearing code number Sections 60.20.010, 60.20.020 are hereby adopted as part of this ordinance and Title 60 of the Wrangell City Code.

PASSED AND APPROVED: November 9, 1976.

Edward P. Churchill  
Mayor

ATTEST: Jayne Rasker  
City Clerk

Chapter 20. Property Tax.

Sec. 60.20.010. Levy of Tax; Nature; Limitation. There shall be assessed, levied and collected a general tax for school and municipal purposes upon all real property and upon all inventory, business machines and equipment, and commercial personal property of every kind and nature within the City. The levies for school and municipal purposes shall not be separately made and fixed, and the aggregate levy shall not exceed three per cent (3%) of the assessed value of the property assessed. (Ord. No. \_\_\_\_\_; Adopted \_\_\_\_\_)

Sec. 60.20.020. Exemptions from Tax. (a) All property exempt from taxation as prescribed by State Statute. (AS 29.52.020).

(b) An exemption not exceeding two hundred dollars (\$200) in value shall apply to the imposition of the personal property tax on inventories, business machines and equipment, and other commercial personal property of any nature.

(c) An exemption on all residential personal property, household goods, furniture and motor vehicles.

(d) Exempted from inventory taxation shall be all natural resources stockpiled in the jurisdiction awaiting primary treatment, such as lumber in the round, sand and gravel, shot rock before crushing, fish, or other resources of similar nature.

(e) "Raw natural resources before processing" as used herein shall be defined as tangible personal property derived as a natural resource product not intended by the owner for sale or commerce in present physical condition and which is not customarily offered as a merchantable product in the ordinary course of the owner's business.

(f) Boats and vessels of every kind and description.  
(Ord. No. \_\_\_\_\_; Adopted \_\_\_\_\_)

CITY OF WRANGELL, ALASKA

Ordinance No. 353

AN ORDINANCE REPEALING THE U.S. PUBLIC  
HEALTH SERVICE ORDINANCE REGULATING  
EATING AND DRINKING ESTABLISHMENTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage.

Sec. 4. Repealer. This ordinance repeals Sec. 42.30.010 of Wrangell Ordinance No. 226 adopted May 13, 1969.

PASSED AND APPROVED October 26, 1976.

Edward P. Churchill  
Mayor

ATTEST: Jayne Paslin  
City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 352

AN ORDINANCE ADOPTING PROVISIONS FOR THE USE AND OPERATION OF SNOWMOBILES IN THE CITY OF WRANGELL, INCLUDING EQUIPMENT REQUIREMENTS, AREA RESTRICTIONS, AND OPERATION LIMITATIONS; AND ADOPTING BY REFERENCE A PENALTY FOR VIOLATIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage.

Sec. 4. Repealer. This ordinance repeals all ordinances or parts of ordinances in conflict herewith.

Sec. 5. Adoption of Sections. The following annexed sections, bearing code numbers Sec. 63.75.010, 63.75.020, 63.75.030, 63.75.040, 63.75.050 and 63.75.060 are hereby adopted as a part of this ordinance and Title 63 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Penalty Adopted by Reference. Violations of the sections herein enumerated shall be punishable as specified in Sec. 63.55.010 of the Wrangell City Code.

PASSED AND APPROVED: September 26, 1976.

Samuel R. Prineas  
Mayor

ATTEST: Jaymie Rusk  
City Clerk

## Chapter 75. Snowmobiles

Sec. 63.75.010. Definition. The terms "snow vehicle" and "snowmobile" shall be used interchangeably and mean a vehicle propelled by mechanical power, supported in part by skis, belts, cleats, or low pressure tires, and primarily designed to travel over ice or snow.

Sec. 63.75.020. Registration and Licensing. Local snowmobile registration and licensing of operators is deemed presently unnecessary. Owners and operators are cautioned to comply with State regulations.

Sec. 63.75.030. Equipment Required. (a) The City of Wrangell adopts and incorporates into its traffic code the following snow vehicle basic equipment requirements:

(1) Brakes adequate to control <sup>The</sup> and movement of and to stop and hold the vehicle under normal conditions of operation;

(2) At least one head lamp so aimed and of sufficient intensity to reveal persons and objects at a distance of at least 100 feet ahead during hours of darkness under normal atmospheric conditions;

(3) A throttle which, when released by the hand, will return the engine speed to idle;

(4) An exhaust muffler in good working order.

(b) Additional requirements may be adopted in the rules and regulations.

Sec. 63.75.040. Restricted Area. In addition to restricted areas of operation which may be prescribed from time to time by the State of Alaska pertaining to snowmobile usage, no snow vehicle shall be operated on Front Street between its intersection with St. Michaels's to the intersection with Stikine Avenue.

Sec. 63.75.050. Designated Rights-of-Way Required. Unless prohibited by the State of Alaska or Wrangell City Code Sec. 63.75.040 the operation of snowmobiles on City of Wrangell right-of-ways shall be restricted to those right-of-ways designated by the Wrangell City Council from time to time by Resolution.

Sec. 63.75.060. Operation of Snowmobiles. The operation of snowmobiles on certain streets and rights-of-way within the City of Wrangell shall be regulated by the adoption of resolutions.



ORIGINAL

CITY OF WRANGELL, ALASKA  
Ordinance No. 351

AN ORDINANCE AMENDING THE SALES TAX ORDINANCE TO CLARIFY THE DATE FOR SUBMITTING QUARTERLY RETURNS AND PRESCRIBING THAT FAILURE TO TIMELY FILE SHALL BE PRESUMPTIVELY WILLFUL AND PROVIDING LIMITATIONS OF USE OF TAX PROCEEDS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the Code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage.

Sec. 4. Repealer. This ordinance repeals Sec. 60.10.080 and 60.10.090 of Wrangell Ordinance No. 248, adopted November 25, 1969, and all other ordinances or parts of ordinances inconsistent herewith.

Sec. 5. Adoption of Sections. The following annexed sections bearing code number Sec. 60.10.060; 60.10.080 and 60.10.090 are hereby adopted as a part of this ordinance and Title 60 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED September 14, 1976, 1976.

  
Samuel Privett, Vice-Mayor

ATTEST:   
Joyce Rasler, City Clerk

- (11) Gross receipts or proceeds derived from servicing, freezing, storing, handling or wharfing of fish, or lumber or any other commodities awaiting shipment or in the process of being shipped.
- (12) Gross receipts or proceeds derived from sales to the United States Government, State of Alaska, City of Wrangell and any of its political sub-divisions.
- (13) All sales for consumption outside of the City of Wrangell, if delivered by a common carrier by air, land or water to the purchaser.
- (14) All sales of any single article of which the price exceeds One Thousand Dollars (\$1,000.00), and all services, including contract prices for any single job of which the price exceeds One Thousand Dollars (\$1,000.00), shall be taxable only to the limit of One Thousand Dollars (\$1,000.00).

Sec. 60.10.060. Limitations of Use of Tax Proceeds.

The proceeds of the tax hereby levied shall be used in such amounts as the Council of the City shall determine from time to time, depending upon the rate of tax collected, as follows:

- (1) Forty per-cent of the total amount of tax collected shall be used only for any of the following purposes:
  - (a) To operate and maintain school facilities;
  - (b) To construct and maintain sewers within the City and other purposes relating to the health and sanitation of the City.
- (2) Twenty per-cent of the total amount of tax collected shall be used only for the following purpose:
  - (a) To plan, design and construct street and sidewalk improvements.

(3) Forty per-cent of the total amount of tax collected shall be used only for any of the following purposes:

(a) For any general fund purpose for which monies of the City may be disbursed for any purpose authorized by law or charter.

Sec. 60.10.070. Duty to Collect and Make Return. The tax is hereby assessed and levied upon the purchaser or consumer but it is the duty of the retailer or person furnishing such services to collect the tax from the purchaser or consumer and make a return thereof to the City Clerk of the City of Wrangell as herein stated.

The sellers or furnishers of the services shall add the tax imposed under this ordinance to the sales price or charge and when so added, such tax shall constitute a part of such a debt from the purchaser or consumer to the seller or furnisher until paid, and shall be recoverable by law in the same manner as other debts.

The sellers or furnishers of such services shall add and collect the tax strictly in accordance with Section 60.10.020 hereof.

Sec. 60.10.080. Quarterly Returns. The City Clerk shall provide appropriate forms for the use of taxpayers in making returns of the taxes payable under this chapter, however, the City Clerk's failure to mail said forms or provide notice of delinquency or prospective delinquency shall not be a waiver of the retailer or person furnishing said services duty to collect and remit the appropriate tax. Every person, firm or corporation making such sales or supplying such services as are taxable hereunder shall furnish the City Clerk with a return containing such information as is necessary to fill in or complete the forms supplied by the City Clerk, including the total sales price collected during each quarter for which the return is made and the amount of such sales and services as are exempt hereunder and the tax due and payable for such quarter.

(b) Sales tax returns shall be submitted on a quarterly basis and the forms and tax shall be remitted to the office of the City Clerk within one (1) month after the preceding

calendar quarter. When such sales are made on credit, for the purpose of making a return and paying the tax, such sales shall be considered made or services furnished during the quarter in which payment is received for such sales or services unless the taxpayer elects to make his returns on an accrual basis.

Sec. 60.10.090. Penalty and Interest. In the event a return is not made or the appropriate tax not paid within thirty (30) days following the reporting quarter, such failure is presumed willful and regardless of willful or inadvertent, a penalty of five percent (5%) of such tax as is unpaid shall be added to such tax for the first month of delinquency or any fraction thereof, and an additional five percent (5%) shall be added for each additional month of delinquency or fraction thereof, until the total penalty of fifteen percent (15%) has accrued. Interest at the rate of six percent (6%) per annum from the date of delinquency until paid shall accrue in the same manner. Such penalty and interest shall be collected in the same manner as the tax.

Sec. 60.10.100. Lien for Unpaid Taxes. All taxes, penalties and interest assessed are hereby declared to be lien prior paramount and superior to all other liens or encumbrances upon all the real and personal property of the person, firm or corporation liable thereof, and also upon all the real and personal property used with the permission of the owner thereof in prosecuting the various industries or lines of business involved. The special remedies for the recovery of this tax shall not be deemed exclusive of any other remedy, civil or criminal or both, now provided by law for the recovery of monies due and owing the City of Wrangell.

Sec. 60.10.110. Payment to Clerk. The taxes hereby imposed shall be paid to and collected by the City Clerk of the City of Wrangell, shall be deposited in special accounts and withdrawn therefrom only for the purposes mentioned in Section 60.10.030 of this ordinance.

Sec. 60.10.120. Sales Tax Inspector - Duties. The City Council shall from time to time designate not to exceed one person at any one time to make investigations and inspections of the books and records of the persons, firms and corporations who are liable for taxes under this ordinance. Such persons shall be the Sales Tax Inspector of the City of Wrangell. The Sales Tax Inspector is hereby authorized and empowered to make inspections from time to time of all the books and records pertaining to purchases and sales,

## CITY OF WRANGELL, ALASKA

Ordinance No. 350

AN ORDINANCE EXEMPTING THE CITY OF WRANGELL FROM THE CONFLICTS OF INTERESTS ACT, SUBJECT TO REFERENDUM APPROVAL BY THE VOTERS AT THE GENERAL MUNICIPAL ELECTION OCTOBER 5, 1976.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of an impermanent and transitory nature and shall not be codified in the Wrangell City Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell City Code and its effective date, contingent upon referendum approval of the voters of the City of Wrangell at the general election October 5, 1976, shall be one month after ordinance adoption.

Sec. 4. Repealer. This ordinance repeals no existing or effective Wrangell ordinances.

Sec. 5. Recitals. WHEREAS, the first session of the Ninth Alaska Legislature has adopted House Committee Substitute for Committee Substitute for Senate Bill No. 62, and subsequent amendments thereto entitled "An Act Relating to Conflicts of Interests; and Providing for an Effective Date" requiring public officials and candidates to file a statement of financial disclosure pertaining to said public official and his spouse and dependent children, the source of income over one hundred dollars, identity of businesses and interests therein owned, identity and nature of each interest in real property, identity of trusts wherein a beneficial interest is held, loans or loan guarantees and source thereof, list of contracts or offers to contract with the State or instrumentality of the State, and listing of all mineral, timber, oil and any other natural resource leases held, offered or made during the preceding calendar year;

AND WHEREAS, the "public official" defined in said Act includes each appointed or elected municipal officer as enumerated in the Act;

and whereas, the Act as amended by CS HB 418 codified in Title 39, Chapter 50 of the Alaska Statutes, specifically AS 39.50.145, confers local option with respect to the Act and permits the municipality to exempt its municipal officers from the requirements thereof if a majority of the voters voting on the question at a special or general election so vote;

AND WHEREAS, the Council of the City of Wrangell deems said issue worthy of referendum to the voters because the Act relating to conflict of interest may impinge upon the right of privacy, may discourage otherwise qualified persons from seeking local public office, may be lacking in public purpose as to application at the municipal level of government, and may be violative of the constitutional mandate conferring maximum local self-government to Alaska's municipalities;

Sec. 6. Local Exemption Exercised. Subject to voter referendum approval as provided in Sec. 7, the City of Wrangell elects to exercise local option and exempt its municipal officers and public officials from application of An Act Relating to Conflicts of Interests (AS 39.50.010-AS 39.50.200).

Sec. 7. Referendum Proposition. The Clerk of the City of Wrangell, Alaska is hereby directed to place upon the ballot at the forthcoming general election of the City of Wrangell for the purpose of referring to the qualified voters of Wrangell, Alaska, the following:

PROPOSITION

EXEMPTION FROM CONFLICTS OF INTERESTS ACT

SHALL THE CITY OF WRANGELL, ALASKA, EXERCISE LOCAL OPTION TO EXEMPT ITS MUNICIPAL OFFICERS FROM THE REQUIREMENTS OF "AN ACT RELATING TO CONFLICTS OF INTERESTS" CONTAINED IN AS 39.50.010 THROUGH AS 39.50.200?

YES / NO

Sec. 8. General Election. The Clerk of the City of Wrangell, Alaska, is hereby directed to call a general election of the qualified voters of the City of Wrangell for October 5, 1976.

Sec. 9. Precincts, Qualifications and Notice. For the purpose of voter referendum on the foregoing proposition, the voter qualifications shall be as stated in the Sec. 36.10.020 of the Wrangell City Code, the City Clerk shall give notice of the general election in the manner prescribed by Sec. 36.15.020 of the Wrangell City Code, the hours of voting on October 5, 1976 shall commence at 8:00 a.m. and the polls shall close at 8:00 p.m., and the precincts and places of voting shall be as follows:

Wrangell Precinct No. 1: For qualified voters of the City residing north of St. Michaels Street, the place for voting shall be the City Library on Church Street.

Wrangell Precinct No. 2: For qualified voters of the City residing south of St. Michaels Street and extending down to the Pat's Creek area, the place for voting shall be the American Legion Hall on Zimovia Highway.

Sec. 10. Act Availability. The City Clerk is instructed to have available for inspection and copying the Conflict of Interest Act codified in Alaska Statutes as AS 39.50.010 through and including AS 39.50.200 at City Hall from the date of this ordinance's adoption through October 5, 1976.

PASSED AND APPROVED: September 7, 1976.

Edward P. Churchill  
E. P. Churchill, Mayor

ATTEST: Joyce Rasler  
Joyce Rasler, City Clerk

<u>Proposition No. 1</u>	
Yes	239
No	384

I, Joyce Rasler, City Clerk of the City of Wrangell, Alaska, do hereby certify the foregoing is the true and correct results of the election held October 5, 1976.

Joyce Rasler  
Joyce Rasler, City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 349

AN ORDINANCE AMENDING THE WRANGELL ZONING CODE AND OFFICIAL ZONING MAP; RECOGNIZING NON-CONFORMING USES IN THE NEWLY-ANNEXED PORTION OF THE CITY SUBJECT TO LIMITATIONS, ESTABLISHING A FUTURE USE ZONE, AND MODIFYING THE DEVELOPMENT REQUIREMENTS AND CONDITIONAL USES PERMITTED IN OTHER ZONES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals Sections 95.15.010, 95.15.030, 95.25.020, 95.25.060, 95.25.070, 95.25.080, 95.30.010 - 95.30.050, 95.31.010 - 95.31.050, 95.32.010 - 95.32.040, 95.34.020, 95.35.010 - 95.35.040, 95.80.020 adopted by ordinance No. 219 on January 28, 1969, and Section 95.32.050 adopted by Ordinance No. 323 on December 10, 1974, and all other ordinances or parts of ordinances inconsistent herewith.

Sec. 5. Adoption of Sections. The following annexed Sections bearing Code numbers 95.15.010, 95.15.030, 95.25.020, 95.25.060, 95.25.070, 95.25.075, 95.25.080, 95.30.010 - 95.30.050, 95.30.055, 95.31.010 - 95.31.050, 95.31.055, 95.32.010 - 95.32.050, 95.32.055, 95.34.020, 95.35.010 - 95.35.040, 95.35.050, 95.35.060, 95.35.070, 95.37.010, 95.37.020, and 95.80.020 are hereby adopted as a part of this ordinance and Title 95 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: July 13, 1976.

Edward P. Churchill  
Mayor

ATTEST Jorge Raala  
Clerk



Chapter 15. Establishment of Zones and Provision for Official Zoning Map.

Sec. 95.15.010. Adoption of Zones and Zoning Map. The City of Wrangell is hereby divided into the following zones:

Low Density Residential - 1  
Low Density Residential - 2

Medium Density Residential - 1  
Medium Density Residential - 2

Apartment Residential - 1  
Apartment Residential - 2

Commercial

General Industrial

Light Industrial - 1  
Light Industrial - 2

Heavy Industrial

Future Use

These zones shall be bounded and defined as shown on the Official Zoning Map, a certified copy of which shall be kept in the office of the Zoning Administrator. The Official Zoning Map, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this ordinance.

Sec. 95.15.020. Adoption of Regulations. Regulations applying to each zone as set forth in the following sections of this ordinance and all other requirements of this ordinance are hereby adopted.

Sec. 95.15.030. Map Changes. No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this ordinance and punishable as provided under Section 95.55.040 of this ordinance.

Regardless of the existence of purported copies of the Official Zoning Map, which may from time to time be made or published, the Official Zoning Map, located in the office of the Zoning Administrator, shall be the final authority as the current zoning status of land and water areas, buildings, and other structures in the City.

The Official Zoning Map is amended as of this date to include the territory annexed March 7 and certified March 19, 1975, and further amended to indicate additional and reclassification of zones. The Official Zoning Map shall be identified by the date and signature of the Mayor and the seal of the City of Wrangell under the following words: "This is to certify that this is the official zoning map referred to in Chapters 15 and 20, Title 95 as adopted by Ordinance No. \_\_\_\_\_ of the City of Wrangell adopted on \_\_\_\_\_, 1976."

Sec. 95.15.040. Map-Replacement. In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Commission may by resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Zoning ordinance or any subsequent amendment thereof. The new Official Zoning Map shall be identified by date and the signature of the Mayor, and shall bear the seal of the City of Wrangell under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of map being replaced) as part of Ordinance No. \_\_\_\_\_ of the City of Wrangell, Alaska.

Chapter 25. Existing Uses and Structures  
(Non-Conforming Uses)

Sec. 95.25.010. Definition. When a lot, structure or use legally exists prior to the adoption of this ordinance but does not meet the requirements of this ordinance, it shall be permitted to continue within the limits set forth in this Section. Under such circumstances it is said to have "non-conforming" status. There are three types of non-conforming status:

1. Non-conforming lots

The lot width or acreage is smaller than the minimum permitted in the zone in which it is located.

2. Non-conforming structures

The structure is designed to accommodate a non-conforming use or fails to meet, yard, coverage, height or other development requirements established for the zone in which it is located.

3. Non-conforming uses of land and/or structures

The use to which land and/or structures is being put is not a principal, accessory or conditional use permitted in the zone in which it is located, and is not otherwise permitted in this ordinance.

Sec. 95.25.020. Intent. Within the zones established by this ordinance and any future amendments there exist lots, structures, and uses of land and structures which were lawful before this ordinance was passed or amended, but which would be prohibited under the terms of this ordinance or future amendments.

It is the intent of this ordinance to permit these non-conformities to continue until they are removed, but not to encourage their survival. Such uses are declared by this ordinance to be incompatible with permitted uses in the zones involved. It is further the intent of this ordinance that non-conformities shall not be enlarged upon, expanded nor be used as grounds for adding other structures or uses prohibited elsewhere in the same zone.

With the regard to the land and territory annexed by the City of Wrangell on March 7, 1975 and within the zones established by the official zoning map, comprehensively amended to include the above-referenced territory incorporated within the City's municipal boundaries pursuant to annexation, previously unzoned structures and uses have historically existed to-date which fail to conform to the official zoning map as adopted herein.

In recognition of the fact that the annexation of March 7, 1975 placed a large land area of low-density development within a zoned local governmental unit for the first time, resulting in long-established uses and structures becoming non-conforming, the intent of this ordinance is to allow continuance of these uses under grandfather rights and to permit some of the non-conforming uses and structures to continue if there has been substantial investment and improvements to the land constructed for a specific business venture. These previously existing uses, as identified by permit, shall be allowed to continue until removed, and such uses may be maintained or replaced to their original value if destroyed, but shall not be enlarged upon, expanded nor extended, nor used as the grounds or predicate for adding other structures or uses prohibited elsewhere in the same zone.

Sec. 95.25.050 continued

5. When any non-conforming use of a structure, or structure and premises in combination, ceases for any reason for a period of twelve (12) consecutive months, any subsequent use of such land must conform to the regulations specified by this title and the zoning map for the district in which the land is located; and similarly, if any such non-conforming use of land is voluntarily abandoned the same requirements shall apply immediately upon abandonment and in this context six months of discontinuance of the non-conforming use shall create a rebuttable presumption that the non-conforming use has been abandoned and twelve months of discontinuance shall create a conclusive presumption of abandonment.
6. Where non-conforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land.

Sec. 95.25.060. Non-Conforming Uses of Land. Where, at the effective date of adoption or amendment of this ordinance, lawful use of land exists that is made no longer permissible under the terms of this ordinance as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

1. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance;
2. No such non-conforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this ordinance;
3. If any such non-conforming use of land ceases for any reason for a period of twelve (12) consecutive months, any subsequent use of such land must conform to the regulations specified by this title and the zoning map for the district in which the land is located; and similarly, if any such non-conforming use of land is voluntarily abandoned the same requirements shall apply immediately upon abandonment and in this context six months of discontinuance of the non-conforming use shall create a rebuttable presumption that the non-conforming uses has been abandoned and twelve months of discontinuance shall create a conclusive presumption of abandonment.

Sec. 95.25.070. General Provisions.

1. Construction begun prior to passage of the ordinance.

To avoid undue hardships, nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner, and demolition, elimination, and removal of an existing structure in connection with such construction, provided that actual construction work shall be diligently carried on until the completion of the building involved.

2. Construction in annexed districts.

To avoid undue hardship, nothing in this ordinance shall be deemed to require a change in the plans, construction or designated use of a building or land which is non-conforming in the subject district when the structure or land use legally existed in the district prior to annexation on March 7, 1975 and it shall be permitted to continue as a non-conforming use if meeting the further specifications described below:

- a. There must have been a substantial financial investment defined as a commitment or expenditure for building materials before March 7, 1975. Construction as defined herein shall mean materials in permanent position and fastened in a permanent manner with a permanent foundation.
- b. There must have been substantial construction in existence before or diligent progress toward construction completion immediately following March 7, 1975. Construction as defined herein shall mean materials in permanent position and fastened in a permanent manner with a permanent foundation.
- c. Construction commenced on a non-conforming structure or on a non-conforming use of land after March 7, 1975 but before the effective date of this ordinance shall similarly enjoy grandfather rights and be recognized as a non-conforming use if the investment and construction requirements prescribed in the previous subsections are met, but only if a building permit was previously obtained therefore.

Sec. 95.25.070 continued

3. Conditional Uses

Any use for which a conditional use permit is granted as provided in Section 95.60.010 of this ordinance shall not be deemed a non-conforming use, but shall without further action be deemed a conforming use in such zone.

4. Repairs and maintenance

On any non-conforming structure or on any buildings devoted in whole or in part to any non-conforming use, work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring or plumbing, to an extent not exceeding 10 percent of the current replacement value of the building not provided that the cubical content of the building as it existed at the time of passage or amendment of this ordinance shall not be increased.

5. Casualty destruction and rebuilding

In the event of fire or other extended casualty loss of a non-conforming structure resulting in damage exceeding fifty per cent (50%) of its assessed value, the structure may not be replaced if its permitted non-conforming use was for residential purposes of any classification. A non-conforming structure so damaged of commercial or industrial classification may be replaced to its original value, but the use shall not be enlarged upon, expanded nor extended, nor be used as the grounds or predicate for adding other non-conforming structures or prohibited uses.

Sec. 95.25.075. Non-Conforming Use Permits/Annexed Area. The continuation of non-conforming uses of land or structures, stated differently as the conferring of "grandfather rights" thereto in districts subject to zoning classification following annexation to the City of Wrangell on March 7, 1975 shall be allowed only by securing appropriate permits which will be granted by the Planning and Zoning Commission. Applications for non-conforming use permits (or grandfather rights permits) as to structures and/or land must be filed with the City Zoning Administrator at City Hall on or before February 15, 1977, and no applications will be accepted thereafter.

Sec. 95.25.080. Exception - Outside Storage of Junk.  
Notwithstanding the provisions of this chapter, no junked vehicle or junk shall be stored outside and no junk or wrecking yard shall be maintained in a location which is visible from a major road as defined in Section 95.80.020 unless it is screened from view by a sight-obscuring fence of good appearance or hedge of good appearance. For these purposes, the term "junk" shall be defined as worn out and discarded material in general that may be turned to some use; especially old rope, chain, iron, copper, parts of machinery and bottles gathered or bought up by tradesmen called junk dealers, but not limited to commercial venture, and shall further include parts of buildings, fixtures and appliances; hence rubbish of any kind; odds and ends.



Chapter 30. RL Zone - Low Density Residential

Zone-1

Sec. 95.30.010. Intent. The Low Density Residential Zone is intended to provide for the development of stable and attractive residential districts occupied principally by homes built upon large lots.

Sec. 95.30.020. Principal Uses Permitted.

1. One and two family dwellings.
2. Public parks and playgrounds.

Sec. 95.30.030. Accessory Uses Permitted.

1. Private garages and required off-street parking
2. Greenhouses and tool sheds
3. Home occupations as defined in Sec. 95.80.020
4. Private docks, moorage, boat houses and net houses
5. Uses and structures which are customarily accessory and clearly subordinate to permitted uses.

Sec. 95.30.040. Conditional Uses. Uses which may be permitted by action of the Commission under the conditions and procedure specified in Section 95.60.

1. Public and private elementary and secondary schools and colleges.
2. Nursery schools, private kindergartens and child care centers.
3. Public buildings and structures.
4. Hospitals, sanitariums, homes for the aged, nursing homes, convalescent homes
5. Churches and cemeteries.
6. Radio and television transmitters or towers

7. Trailer courts subject to the requirements of Ordinance No. 194 as well as the requirements of this ordinance.

Sec. 95.30.050. Development Requirements.

1. Minimum lot area: 7,500 square feet, provided that where public water and sewer are not available, the minimum lot area shall be 15,000 square feet.
2. Minimum lot width - 75 feet, provided that where public water and sewer service is not available, the minimum lot width shall be 100 feet.
3. Minimum yards:
  - a. Front yard - 20 feet, provided that, in addition, setbacks from major roads shall be as specified in Sec. 95.40.060.
  - b. Side yards - 10 feet, provided that the minimum side yards on the street side of a corner lot shall be 20 feet.
  - c. Rear yard - 25 feet.
4. Maximum lot coverage:
  - a. Single family structures - 25%
  - b. Duplexes - 30%
5. Maximum height - 2 1/2 stories or 25 feet
6. Off-street parking shall be as stated in Sec. 95.50.
7. Other development requirements shall be as stated in Chapter 95.40.

Zone-2

Sec. 95.30.055. Intent. The Low Density Residential Zone-2 is intended for the same purposes as Zone-1 and has all the same uses and restrictions, except that under the conditional use provisions, mobile home units may be placed on single lots.

Chapter 31. RM Zone - Medium Density Residential

Zone-1

Sec. 95.31.010. Intent. The Medium Density Residential Zone is intended to provide for the development of stable and attractive residential districts occupied principally by homes built upon medium sized lots.

Sec. 95.31.020. Principal Uses Permitted.

1. One and two family dwellings.
2. Public parks and playgrounds.

Sec. 95.31.030. Accessory Uses Permitted.

1. Private garages and required off-street parking
2. Greenhouses and tool sheds
3. Home occupations as defined in Sec. 95.80.020.
4. Private docks, moorage, boat houses and net houses.
5. Uses and structures which are customarily accessory and clearly subordinate to permitted uses.

Sec. 95.31.040. Conditional Uses. Uses which may be permitted by action of the Commission under the conditions and procedure specified in Chapter 95.60.

1. Public and private elementary and secondary schools and colleges.
2. Nursery schools, private kindergartens and child care centers.
3. Public buildings and structures
4. Hospitals, sanitariums, homes for the aged, nursing homes, convalescent homes
5. Churches and cemeteries
6. Radio and television transmitters or towers

7. Other development requirements shall be as stated in Chapter 95.40.
8. Trailer courts subject to the requirements of Ordinance No. 194 as well as the requirements of this ordinance.

Sec. 95.31.050. Development Requirements.

1. Minimum lot area - 5,000 square feet, provided that where public water and sewer service are not available the minimum lot area shall be 15,000 square feet.
2. Minimum lot width - 50 feet at set back, provided that where public water and sewer is not available, the minimum lot width shall be 100 feet.
3. Minimum yards:
  - a. Front yard - 20 feet, provided that, in addition, setbacks from major roads shall be as specified in Sec. 95.40.
  - b. Side yards - 7 feet, provided that the minimum side yard on the street side of a corner lot shall be 20 feet.
  - c. Rear yard - 20 feet.
4. Maximum lot coverage - 35%, provided that where public water and sewer service are not available, the maximum lot coverage shall be 30%
5. Maximum height - 2 1/2 stories or 25 feet.
6. Off-street parking shall be as stated in Sec. 95.50.
7. Other development requirements shall be as stated in Sec. 95.40.

Zone - 2

Sec. 95.31.055. Intent. The Medium Density Residential Zone-2 is intended for the same purposes as Zone-1 and has all the same uses and restrictions, except that under the conditional use provisions, mobile home units may be placed on single lots.

## Chapter 32. AR Zone - Apartment Residential Zone

### Zone-1

Sec. 95.32.010. Intent. The Apartment Residential Zone is intended to provide for the development of higher density residential districts located conveniently to shopping and places of employment. It is intended that this district shall be occupied principally by apartment structures and by single family and duplex structures on smaller lots. A number of non-residential uses have been permitted as conditional uses in this zone. Such uses have been included on the basis of whether or not they are compatible with the close-in, densely developed, predominantly residential character of this zone. For instance, uses requiring large sites and some degree of isolation such as elementary schools and hospitals are not permitted in this zone; whereas, homes for the aged and boarding and rooming houses are included as conditional uses.

### Sec. 95.32.020 Principal Uses Permitted.

1. One and two family dwellings
2. Multi-family structures
3. Public parks and playgrounds

Sec. 95.32.030. Accessory Uses Permitted. Uses and structures which are clearly incidental and subordinate to principal uses permitted and which will not create a nuisance or hazard.

Sec. 95.32.040. Conditional Uses. Uses which may be permitted by action of the Commission under the conditions and procedure specified in Section 95.60.

1. Office buildings
2. Governmental and civic buildings
3. Churches
4. Charitable institutions
5. Trailer courts subject to the requirements of ordinance No. 194 as well as the requirements of this ordinance.
6. Mortuaries
7. Private clubs, lodges and halls except those whose chief activity is customarily carried on as business

8. Homes for the aged
9. Boarding and rooming houses
10. Commercial parking lots
11. Nursery schools, private kindergartens and child care centers for pre-elementary school children.

Sec. 95.32.050. Development Requirements.

1. Minimum lot area - 5,000 square feet provided that where public water and sewer service are not available, the minimum lot area shall be 15,000 square feet.
2. Minimum square feet per dwelling unit within the lot:

<u>Stories</u>	<u>Square feet per Unit</u>	<u>On a 5,000 sq. ft. lot this allows:</u>
1	1,000	5 units
2	800	6 units

3. Minimum lot width - 50 feet, provided that where public water and sewer service are not available the minimum lot width shall be 100 feet.
4. Minimum yards:
  - a. Front yard - 15 feet, provided that, in addition, setbacks from major roads shall be as specified in Chapter 95.40.
  - b. Side yards - 5 feet, provided that, the minimum side yard on the street side of a corner lot shall be 15 feet.
  - c. Rear yard - 15 feet.
5. Maximum coverage - 50% - provided that where public water and sewer service are not available the maximum lot coverage shall be 30%.
6. Maximum height - 3 stories (excluding gable which is included in and considered part of the top story) or 35 feet, whichever is less. (Note: Also see Fire Warning Device, Title 39, Chapter 50).

7. Off-street parking shall be as stated in Chapter 95.50.
8. Other development requirements shall be as stated in Chapter 95.40.

Zone-2

Sec. 95.32.055. Intent. The Apartment Residential Zone-2 is intended for the same purposes as Zone-1 and has all the same uses and restrictions, except that under the conditional use provisions, mobile home units may be placed on single lots.

Chapter 34. IG Zone - General Industrial Zone

Sec. 95.34.010. Intent. The General Industrial Zone is intended to provide for an area with a broad range of industrial establishments. Development requirements are intended to provide for a safe and sightly environment and to allow adequate space for off-street parking, storage and expansion. Residential construction is limited in this zone because it is intended that land in this zone be reserved for primarily industrial purposes.

Sec. 95.34.020. Principal Uses Permitted.

1. Uses permitted in the Commercial Zone, Sec. 95.33.020 (a) - (e) and (g)
2. Docks and wharfs
3. Transportation and transhipment facilities
4. Warehouses and storage
5. Lumber mills and log storage
6. Fish processing plants
7. Marinas, small boat harbors, and other facilities for boat storage and repair.
8. Manufacturing, fabricating, assembling and storage
9. Dwellings for a watchman, caretaker or owner-operator of a plant within the Industrial Zone

Sec. 95.34.030. Accessory Uses Permitted. Uses and structures which are clearly incidental and subordinate to principal uses permitted and which will not create a nuisance or hazard.

Sec. 95.34.040. Development Requirements.

1. Minimum lot area - 5,000 square feet
2. Minimum lot width - 50 feet



Chapter 35. IL Zone - Light Industrial Zone

Zone-1

Sec. 95.35.010. Intent. The Light Industrial Zone is intended to provide for an area of light industrial and residential uses. Uses are regulated to protect residential uses from incompatible commercial and heavy industrial uses while, at the same time, permitting net and boat storage, warehousing and other light industrial uses which are characteristically combined with residential development. Development requirements are intended to protect areas without public sewers from contamination, and to allow space for storage, expansion and off-street parking.

Sec. 95.35.020. Principal Uses Permitted.

1. Docks and wharfs.
2. Transportation and trans-shipment facilities
3. Warehouses and storage
4. Marinas, small boat harbors and other facilities for boat storage and repair.
5. Manufacturing, fabricating, assembling, and storage of a light industrial nature meeting the development requirements stated herein.
6. One and two family dwellings.
7. Multi-family structures, dormitories and rooming and boarding houses.
8. Public parks or playgrounds

Sec. 95.35.030. Accessory Uses Permitted. Uses and structures which are clearly incidental and subordinate to principal uses permitted and which will not create a nuisance or hazard.

Sec. 95.35.040. Development Requirements.

1. Minimum lot area - 5,000 square feet, provided that where public water and sewer service are not available, the minimum lot area shall be 15,000 square feet.
2. Minimum lot width - 50 feet, provided that where public water and sewer services are not available, the minimum lot width shall be 100 feet.
3. Yard, coverage and height regulations - none except as necessary to provide off-street parking and to meet requirements specified in Chapter 95.40.
4. Off-street parking and loading shall be as specified in Chapter 95.50.
5. No uses shall involve any kind of manufacture, compounding, processing or treatment of products where such operations are objectionable due to odor, noise, dust, smoke, vibrations or similar nuisances.
6. Other development requirements shall be as stated in Chapter 95.40.

Zone - 2

Sec. 95.35.050. Intent. The Light Industrial Zone-2 is intended for the same purposes as Zone-1 and has all the same uses and restrictions and additional uses as specified in Sec. 95.35.070.

Sec. 95.35.070. Conditional Uses. Uses which may be permitted by action of the Commission under the conditions and procedures specified in Chapter 95.60.

1. Mobile home units on single lots.
2. Those commercial uses as specified in Sec. 95.33.020.

Chapter 37. Future Development Zone.

Section 95.37.010. Intent. The Future Development Zone is intended to be utilized as a reserve or holding zone in those areas that have no trend or pattern of development established. This land will be zoned for specific uses as the community grows or as needs for various types of land uses are demonstrated.

Sec. 95.37.020. Principal Uses Permitted. No building permits for or subdivision of property in the Future development Zone will be approved until the property is rezoned to reflect then existing surrounding development trends, the availability of public services and facilities and planned municipal capital improvements.

## Chapter 80. Definitions

### Sec. 95.80.010. General Interpretation.

Words used in the present tense include the future tense.

The singular number includes the plural.

The word "person" includes a corporation as well as an individual.

The word "lot" includes the word "plot" or "parcel".

The term "shall" is always mandatory.

The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied".

### Sec. 95.80.020. Specific Definitions.

Accessory Building. A detached building, the use of which is appropriate, subordinate and customarily incidental to that of the main building or to the main use of the land and which is located on the same lot as the main building or use. An accessory building shall be considered to be a part of the main building when joined to the main building by a common wall or when any accessory building and the main building are connected by a breezeway.

Accessory Use. A use customarily incidental and subordinate to the principal use of the land, building or structure and located on the same lot or parcel of land.

Alley. A public way designed and intended to provide only a secondary means of access to any property abutting thereon.

Alteration. Any change, addition or modification in the construction, location or use classification.

Apartment House. See Dwelling, Multiple.

Area, Building. The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of steps.

Automobile Wrecking. The dismantling of used motor vehicles or trailers or the storage or sale of parts from dismantled or partially dismantled, obsolete or wrecked vehicles.

Boarding House. A building other than a hotel where lodging, with or without meals, is provided for compensation for three or more persons, on other than day-to-day basis and which is not open to transient guests.

Building. Any structure built for the support, shelter or enclosure of persons, animals or property of any kind.

Building Code. The building code and/or other building regulations applicable in the City.

Building Existing. A building erected prior to the adoption of this ordinance or one for which a legal building permit has been issued.

Building Height. The vertical distance from the "Grade" as defined herein to the highest point of the roof.

Building, Principal or Main. A building in which is conducted the principal or main use of the lot on which said building is situated.

Center Line. The line which is in the center of a public right-of-way.

Commission. The Zoning and Planning Commission of the City of Wrangell.

Coverage. That percentage of the total lot area covered by the total building area.

Dwelling. A building or any portion thereof designed or used exclusively for residential occupancy including one-family, two-family and multiple-family dwellings, but not including any other building wherein human beings may be housed.

Dwelling Unit. One or more rooms and a single kitchen is a dwelling designed as a unit for occupancy by not more than one family for living or sleeping purposes.

Dwelling, One-Family. Any detached building containing only one dwelling unit.

Dwelling, Two-Family. Any building containing only two dwelling units.

Dwelling, Multiple-Family. Any building containing three or more dwelling units.

Essential Service. The erection, construction, alteration or maintenance by public utility companies or municipal departments or commissions, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith. This definition shall not be interpreted to include public buildings.

Family. Any number of individuals living together as a single housekeeping unit in a dwelling unit.

Fence, Height. The vertical distance between the ground directly under the fence and the highest point of the fence.

Floor Area. The total of each floor of a building within the surrounding outer walls but excluding vent shafts and courts.

Frontage. All the property fronting on one side of a street between intersecting streets.

Garage, Private. An Accessory building or any portion of a main building used in connection with residential purposes for the storage of passenger motor vehicles.

Garage, Public. Any garage other than a private garage, available to the public, operated for gain, and which is used for storage, repair, rental, greasing, washing, servicing, or adjusting or equipping of automobiles or other vehicles.

Grade (Ground Level). The average level of the finished ground at the center of all walls to a building. In case walls are parallel to and within five feet of a public sidewalk, the ground level shall be measured at the sidewalk.

Guest Room. Any room in a hotel, dormitory, boarding or lodging house used and maintained to provide sleeping accommodations for not more than two persons.

Home Occupation. A profession or use conducted entirely within a dwelling or premises by the residents with no other employees, when such use is clearly incidental and secondary to the home for dwelling purposes. Further and where there is no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, other than any permitted sign and where such use does not manifest any characteristics which are essentially different than the use of the building for permitted purposes, such as increased traffic volumes, noise, vibration, glare, fumes, odors, or electrical interferences which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltages off the premises.

Hotel. Any building or group of buildings in which there are guest rooms used, designed or intended to be used for the purpose of offering to the general public food or lodging, or both, on a day-to-day basis.

Junk Yard. Any space 100 square feet or more used for the storage, keeping or abandonment of junk or waste material including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles, other vehicles, machinery or any parts thereof.

Loading Space. An off-street space or berth on the same lot with a building or structure to be used for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

Lot. A parcel of land occupied or to be occupied by a principal use and having frontage on a public street.

Lot, Corner. A lot situated at the junction of, and bordering on, two intersecting streets.

Lot Line, Front - Interior Lot. A line separating the lot from the street.

Lot Line, Rear. Line that is opposite and most distant from the front lot line, and in the case of irregular, triangular, or gore shaped lot, a line not less than 10 feet in length, within a lot, parallel to and at the maximum distance from the front lot line.

Lot Line, Side. Any lot boundary line not a front lot line or a rear lot line.

Lot Depth. The horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

Lot Width. The mean horizontal distance separating the side lot lines of a lot and at right angles to its depth.

Major Road. State primary and secondary aid roads.

Mobile Home. A factory-assembled structure or structures equipped with the necessary service connections and made so as to be readily movable as a unit or units on its (their) own running gear and designed to be used as a dwelling unit(s) without a permanent foundation. Removal of wheels does not alter its character, nor does placement on a concrete or other foundation.



Motel. A group of one or more detached or semi-detached buildings containing two or more individual dwelling units and/or guest rooms designed for or used temporarily by automobile tourists or transients, with a garage attached or parking space conveniently located to each unit, including groups designated as auto courts, motor lodges, or tourist courts.

Non-conforming Lot. A lot lawfully existing at the time this ordinance becomes effective which by reason of area or dimensions does not meet the development requirements for the zone in which it is located.

Non-conforming Structure. A structure or portion thereof, lawfully existing at the time this ordinance became effective which by reason of its yards, coverage, height or other aspects of design does not meet the development requirements of this zone.

Non-conforming Use. A use of a structure, of land or of a structure and land in combination, lawfully existing at the time of this ordinance, or established on the premises of a previous non-conforming use as specified in Section 3, which is not in conformity with the uses permitted in the zone in which it exists.

Nursery, Children's. Any home or institution used and maintained to provide day care for children not more than 7 years of age.

Parking Space. An area of not less than 180 square feet exclusive of drives or aisles giving access thereto in area accessible from streets and alleys for the storage of passenger motor vehicles operated by individual drivers.

Person. A natural person, his heirs, executors, administrators, or assigns, and also including firm, partnership, or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

Principal Use. The major or predominant use of a lot or parcel of land.

Profession. An occupation or calling requiring the practice of a learned art through specialized knowledge based on a degree issued by an institution of high learning, e.g. Doctor of Medicine.

Property Owner. The owner shown on the latest tax assessment roll.

Service Station. Any building, structure, premises or other space used primarily for the retail sale and dispensing of motor fuels, tires, batteries, and other small accessories; the installation and servicing of such lubricants, tires, batteries and other small accessories, and such other services which do not customarily or usually require the services of a qualified automotive mechanic.

Sign. Any words, letters, parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names or trade marks by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business or a commodity or product, which are visible from any public street or highway and used to attract attention.

State Highway. A right-of-way classified by the State of Alaska as a Primary, Secondary A or Secondary B highway.

Street. A public right-of-way used as a thoroughfare and which is designed and intended to provide the primary means of access to property abutting thereon.

Structure. That which is built or constructed on edifice or a building of any kind, composed of part jointed together in some definite manner.

Trailer Coach. Any vehicle or structure used or intended for use as a dwelling and designed for transportation after fabrication on streets and highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or permanent foundations, connection to utilities and the like.

Trailer Court. An area of land designed, maintained, intended or used for the purpose of supplying a location or accommodation for two or more trailer coaches. Said use is hereby defined to include all buildings used or intended for use as a part of the equipment thereof, whether or not a charge is made for the use of the park and its facilities. A trailer court shall not be defined as including automobile or trailer sales lots on which unoccupied trailer coaches are parked for the purpose of inspection and sale.

Use. The purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied or maintained.

Variance. A relaxation of the development requirements under the procedures specified in Section 19 in cases where unusual physical features of the property involved would make strict application of the zoning regulations unreasonable. Variances shall not be defined as a means of permitting a use of land or structure which is not otherwise permitted in the zone. This can be accomplished only through amendment of the zoning ordinance (Section 21) to; (1) change zone boundaries or; (2) to add to uses permitted within a zone classification either by adding conditional uses, which require Planning Commission approval in each case (Section 18) or by adding to those uses which are permitted outright.

Yard. An open unoccupied space, other than a court, unobstructed from the ground to the sky, except where specifically provided by this ordinance, on the same lot on which a building is situated.

Yard, Front. A yard extending across the full width of a lot measured between the front lot line of the lot and the nearest exterior wall of the building which is the nearest to the front lot line.

Yard, Side. A yard on each side of a main building and extending from the front lot line to the rear lot line: The width of the required side yard shall be measured horizontally from the nearest point of a side lot line to the nearest part of the main building.

Zoning Change. The alteration or moving of a zone boundary; the re-classification of a lot, or parcel of land, from one zone to another, the change of any of the regulations contained in this ordinance.

Zoning Ordinance or Ordinances. The City of Wrangell Zoning Ordinance.

CITY OF WRANGELL, ALASKA

Ordinance No. 348

AN ORDINANCE AMENDING THE BOAT HARBOR ANNUAL MOORAGE FEE AND SEASONAL AND TRANSIENT MOORAGE FEE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage.

Sec. 4. Repealer. This ordinance repeals Schedule A incorporated by reference into Section 15.40.010 adopted December 9, 1975 by Ordinance No. 344.

Sec. 5. Adoption of Sections. The following annexed Schedule A, incorporated by reference into Section 15.40.010 is hereby adopted as a part of this ordinance and Title 15 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: May 25, 1976.

Edward P. Churchill  
Mayor

ATTEST: Joyce Rask  
Clerk

SCHEDULE A (Sec. 15.40.010)

Part I - Annual Moorage Fee

- (a) \$4.50 per foot annually for the length of the vessel or length of the stall, whichever is greater. A minimum of 20 feet shall be charged for stalls.
- (b) \$1.50 per foot annually for rafting
- (c) Skiff stalls or Ring stalls at Reliance float at a fee according to the length of the boat at \$4.50 per foot per annum.
- (d) Statements for annual moorage shall be mailed before July 10 of each year and shall be due and payable on July 31, but an owner may elect to pay one-half before July 31 and the balance before December 31. Owner's address for mailing purposes shall be that recited on the registration filed with the Port Director and the mailing of a statement thus addressed shall constitute notice to the owner.
- (e) Dolphin Fee. All Boats and Barges tied to City Dolphins shall be charged \$2.25 per foot annually. Rafting at City Dolphins shall be charged \$0.75 per foot annually.

Part II - Seasonal and Transient Moorage Fees

(a) Standard Rates:

<u>Length of Vessel</u>	<u>Charge per Day</u>
Under 36 feet	\$1.50
37 - 60 feet	\$2.00
over 60 feet	\$3.00

Vessels moored in designated free space may occupy such space without charge for a period not to exceed 72 hours. Vessels occupying such space for longer periods shall be charged in accordance with the rates set forth above. The above fees are applicable to boats mooring from one to three weeks.

(b) Permits for mooring on the outside of the Reliance Float shall be signed by the owner or authorized agent on behalf of the owner of the vessel, and the permit shall designate the (1) duration of the permitted moorage, (2) rate applicable, (3) name of vessel, (4) owners of vessel, and (5) name and mailing address of person signing permit. The person signing the 90-day permit shall be responsible for payment. Fees shall be paid within 30 days of permit issuance.

(c) Rates for mooring on the outside of Reliance Float shall be:

6 months or longer - 50% of regular moorage  
 less than 6 months - 33% of regular moorage

Part III - Gridiron Fees.

Three days free time, \$10.00 per day thereafter

Part IV. Delinquent Payment Fee.

Persons failing to pay the appropriate rental charges within thirty (30) days after the date of bill shall be assessed interest, financing fee and delinquency charge of 1-1/2% per month thereafter until the bill is paid, and a person whose bill is delinquent in excess of sixty (60) days shall automatically forfeit their right to moorage space. A person who has forfeited shall forthwith remove his vessel from the stall, slip or other moorage space and it shall become available to the next same-sized vessel owner on the waiting list.

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 347

AN ORDINANCE AMENDING THE WRANGELL TRAFFIC CODE WITH RESPECT TO VEHICLE SIZE AND WEIGHT RESTRICTIONS AND MODIFYING THE PENALTIES FOR VIOLATIONS UNDER THE MAIL-IN BAIL SCHEDULE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage and publication.

Sec. 4. Repealer. This ordinance repeals Sections 63.08.010, 63.08.020, 63.08.040, 63.08.050, 63.08.060, 63.08.070, 63.08.080, 63.08.090, 63.08.100, and 63.08.110 of Chapter 08, Appendix "B" of Section 63.90.020 and Appendix "C" of Section 63.90.030, adopted by Wrangell Ordinance No. 332 on May 27, 1975.

Sec. 5. Adoption of Sections. The following section and appendices bearing code number 63.08.010, 63.08.020, 63.08.030, 63.08.040, 63.08.050, 63.08.060, 63.08.070, 63.08.080, 63.08.090, 63.08.100, 63.08.110 and Appendix "B" incorporated by reference into Sec. 63.90.020 and Appendix "C" incorporated by reference as a part of 63.90.030, are hereby adopted as a part of this ordinance and Title 63 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: May 11, 1976.

Edward P. Churchill  
Mayor

ATTEST: Jayne Raskin  
Clerk

Publish May 19, 1976

Chapter 08. Size and Weight Restrictions.

- Sec. 63.08.010. Width of Vehicle and Load. AK 17 AAC 25.010
- Sec. 63.08.020. Height of Vehicle and Load. AK 17 AAC 25.020.
- Sec. 63.08.030. Length of Vehicle and Load. AK 17 AAC 25.030.
- Sec. 63.08.040. Gross Weight Limits of Vehicle and Load. AD 17 AAC 25.040.
- Sec. 63.08.050. Load must be Contained. AK 17 AAC 25.050.
- Sec. 63.08.060. Towed Vehicle. AK 17 AAC 25.060.
- Sec. 63.08.070. Vehicle Load Chart. AK 17 AAC 25.070.
- Sec. 63.08.080. Officers May Weight Vehicle and Require Removal of Excess Load. AK 17 AAC 25.080.
- Sec. 63.08.090. Permit for Excess Size and Weight. AK 17 AAC 24.090.
- Sec. 63.08.100. Road Closures and Restrictions. AK 17 AAC 25.100.
- Sec. 63.08.110. Definitions. AK 17 AAC 25.110.



## UNIFORM BAIL SCHEDULE

STATUTE	OFFENSE	BAIL
	B. MANDATORY APPEARANCE	
11AAC12.020	SPEED 20MPH OR MORE OVER POSTED LIMITS	***
13AAC02.140	YIELD EMER TR	***
13AAC02.175(A-E)	USE SDWLK/LFT EDGE RDWY/NOT UNDR INFLU	***
13AAC02.220(B)	REQ INSTL SIGNAL LIGHTS & USE -EQUIPMENT	**
13AAC02.260(A)	RED SIGNAL SCH BUS	***
13AAC02.275(B)	SPEED 20MPH OR MORE OVER POSTED LIMITS	***
13AAC02.280	SPEED 20MPH OR MORE OVER LIMIT LOWERED BY ST	***
13AAC02.285(A-C)	EXCEEDING SPEED LIMIT LOWERD BY LOCAL AUTHRTY	***
13AAC02.310	SPEEDING IN SCHOOL ZONE, PLAYGROUND, CROSSWLK	***
13AAC02.315	SPEED 20MPH/MORE VIOL OVERWGT/OVERSIZE	***
13AAC02.315	VIOL 50% OVER MAX LIMIT-BRIDGE/ELEVD STRUCT	***
13AAC02.325(A-D)	SPECIAL LIMIT ON BUSES, TRAILERS-20MPH/MORE	***
13AAC02.330(A)	RACE OR CONST SPD	***
13AAC02.460(A)	SNOWMACHINE TAILLIGHT/REFLECTOR REQUIRED	**
13AAC02.530	LITTERING/DEPOSITING MATERIAL ON HIGHWAY	***
13AAC04.005(A)	DRIVING/MOVING VEHICLE UNSAFE CONDITION	***
13AAC04.020(A-C)	HEADLIGHTS ON MOTOR VEHICLE RPL	**
13AAC04.025(A-C)	TAILLIGHTS ON MOTOR VEHICLE AND TRAILERS,R&L	**
13AAC04.030(A-B)	REFLECTORS ON MOTOR VEHICLE AND TRAILERS,R&L	**
13AAC04.035(A-B)	STP LGT AND TURN SIGN MTR VEH/TRAILRS R&L	**
13AAC04.040(A-B)	ADDNL LGT/REFLCTR, BUS, TRUCK, TRAILRS R&L	**
13AAC04.045(A-B)	COLOR LIGHTS, MARKERS AND REFLECTORS	**
13AAC04.050(A-B)	MOUNTING OF LIGHTS, REFLECTOR/CLEARANCE LIGHT	**
13AAC04.055(A-C)	VISIBIL REQ LIGHTS, REFLECTORS CLEAR LIGHT	**
13AAC04.070(A-D)	LIGHTS ON PARKED VEHICLES, RPL	**
13AAC04.070(E)	PK LGTS NOT USED VEH MOTION UNLES HDLMPS USED	**
13AAC04.075(A-F)	LIGHTS AND EMBLEM ON FARM EQUIPMENT, R&L	**
13AAC04.080(A)	LIGHTS ON OTHER VEHICLES/EQUIPMENT, R&L	**
13AAC04.085(A)	WHEN LIGHTS MISDIRECTED	**
13AAC04.085(B-D)	AUXILIARY SPOTLIGHTS, FOGLIGHTS, R&L	**
13AAC04.090(A-E)	EMERGENCY VEHICLES/SCHCOL BUS RED LIGHTS, R&L	**
13AAC04.095(A-C)	VEHICLES DISPLAYING FLASHING AMBER LIGHTS,R&L	**
13AAC04.100(A-D)	FIREMANS VEHICLE DISPLAYING FLASHING BLUE LGT	**
13AAC04.105(A-B)	STOPLIGHTS, TURN SIGNALS, R & L	**
13AAC04.110(A-E)	ADDITIONAL LIGHTS FOR MOTOR VEHICLES, R&L	**
13AAC04.115(A-B)	MULTIPLE BEAM ROADLIGHTING EQUIPMNT, R&L	**
13AAC04.125(1-2)	SINGLE BEAM ROADLIGHTING EQUIPMENT, R&L	**
13AAC04.130(1-3)	LIGHTS FOR MOTOR SCOOTERS, R&L	**
13AAC04.135	ALTERNATE ROADLIGHTING EQUIPMENT, R&L	**
13AAC04.140	NUMBER OF DRIVING LIGHTS LIMITATIONS	**
13AAC04.145(A-C)	SPECIAL RESTRICTIONS ON LIGHTS	**
13AAC04.150(A-C)	SIGNS AND LIGHTS REQUIRED FOR SCHOOL BUSES	**
13AAC04.180(1-10)	MTR VEH AND TRAILR BRAKES R&L	**
13AAC04.185(1-3)	PERFORM ABILTY BRAKES R&L	**
13AAC04.190(A)	BRAKES OTHER VEHICLES	**
13AAC04.195	BRAKES GOOD WORKING ORDER	**
13AAC04.215(A-C)	MUFFLER, MODIFICATION OF EXHAUST SYSTEM	**
13AAC04.220(A-B)	MIRRORS MTR VEH EXCLD MTRCYCLE AND MTRSCOOTER	**
13AAC04.225(A-C)	WINDSHIELD WIPERS R&L	**
13AAC04.235	SAFETY GLAZING WINDOWS R&L	**
13AAC04.245(A-G)	WARNING DEVICES DISPLYD DISABLED VEH R&L	**
13AAC04.255(B-E)	AIR CONDITIONING EQUIP R&L	**

## UNIFORM BAIL SCHEDULE

STATUTE	OFFENSE	BAIL
13AAC04.260	TV IN A MOTOR VEHICLE; LIMITATIONS	**
13AAC04.265	SPLASH GUARDS MUST BE USED	**
13AAC04.270(A-B)	SEATBELT INSTALLED AFTER 1966	**
13AAC04.280(A-B)	MOTORCYCLE RIDERS, HELMET/OTHER EQUIP REQ	**
13AAC04.290	MOTORCYCLE-MAXIMUM HEIGHT FOR HANDLEBARS	**
13AAC04.295	MOTORCYCLE WINDSHIELD-REQUIRED HEIGHT	**
13AAC04.305	MOTOR VEHICLE-MINIMUM EQUIP REQUIRED SALE	**
13AAC06.020(A)	SUBMIT VEH INSPCTN	**
13AAC06.020(B-C)	VEHICLE REPAIR AND EQUIPMENT OPERATIONS LIMIT	**
13AAC06.030(A)	RDSIDE VEH INSPCTN MECH AND EQUIP	**
13AAC06.030(B)	RDSIDE VEH INSPCTN REPAIR REQ	**
13AAC06.040(B-C)	VEHICLE INSPECTION STICKER, LIMITATIONS	**
13AAC06.060(C)	REPAIR EQUIP VIO DISMISSAL UTC	**
13AAC08.030	SCH BUS DR PERMIT/OL REQ IN POS AND DISPLAYED	**
14AAC10.030(A-2)	RECKLESS DRIV ST AIRPORTS	***
14AAC10.030(A-2,C-3)	SPEED 20MPH OR MORE OVER SPEED LIMIT	***
14AAC10.030(C-2)	VEHICLE MUST BE SAFE CONDITION OPERATE AIRPRT	**
AS05.30.080	SNOWMACHINE EQUIPMENT REQUIRED HEADLAMPS	**
AS05.30.080(1)	BRAKES ON SNOWMACHINES	**
AS05.30.080(3-4)	MUFFLER AND THROTTLE FOR SNOWMACHINE	**
AS11.20.590	LITTERING/DEPOSITING MATERIAL ON HIGHWAY	***
AS28.10.110(B)	CERTIFICATE OF REGISTRATION CARRIED IN VEH	**
AS28.15.010	OPERATOR MUST BE LICENSED ///	**
AS28.15.090	LICENSE TO BE CARRIED AND DISPLAYED	**
	ALL JUVENILE CITATIONS	
	/// IF VALID LICENSE DATED AFTER CITATN DATE	5

## APPENDIX "C" (Sec. 63.90.030(a))

## MAIL-IN BAIL (Optional Amenable) VIOLATIONS

## UNIFORM BAIL SCHEDULE

STATUTE	OFFENSE	BAIL
A. AMENABLE OPTIONAL/MAIL-IN		
3AAC62.100	HOURS OF SERVICE OF DRIVERS	100
3AAC64.050	COMM APPRVL REQ CARRIER LEASED VEH	100
3AAC64.300	INS AND BOND REQ COMMON/CONTR CARRIERS	100
3AAC64.500(1-6)	IDEN PERM MTR VEH CARRIER/LEASEE	100
3AAC66.010	CERTIFIC BUSES REQ	100
3AAC66.200(1-3)	IDEN BUS REQ AND LIMIT	100
11AAC12.020	OBED TO TR CONTRL DEV POSTED ST PARKS	15
11AAC12.020	EXCEEDING MAXIMUM SPEED LIMIT	2MI
11AAC12.100	DRIVING IN A CLOSED AREA	15
13AAC02.005(A-D)	OBEDIENCE TO TRAFFIC CONTROL DEVICE	15
13AAC02.010(A-3A)	OBEDIENCE TO TRAFFIC CONTROL DEVICE	25
13AAC02.010(A-1-2,B)	OBEDIENCE TO TRAFFIC CONTROL DEVICE	15
13AAC02.015(1-2)	PEDESTRIAN CONTROL SIGNALS	10
13AAC02.020(A-1)	FLASHING SIGNALS	25
13AAC02.020(A-2,B)	FLASHING SIGNALS	15
13AAC02.025	LANE DIRECT CONTROL SIGN	15
13AAC02.030(A-B)	UNAUTH TR SIGN, SIGNAL, MRKG/ADV	10
13AAC02.050(1,3-5)	FAILURE TO DRIVE ON RIGHT SIDE	15
13AAC02.050(2)	FAILURE TO DRIVE ON RIGHT SIDE	25
13AAC02.055(A-B)	OVERTAKING ON RIGHT SIDE	15
13AAC02.060(A-B)	ILLEGAL DRIVING ON LEFT SIDE	15
13AAC02.065(A1,B)	ILLEGAL OVERTAKING ON LEFT SIDE	15
13AAC02.065(A1)	WHEN CUT IN BEFORE SAFE	15
13AAC02.065(A2)	ILLEGAL OVERTAKING ON LEFT SIDE	25
13AAC02.070	ILLEGAL PASSING OF ONCOMING VEHICLE	15
13AAC02.075(A-C)	PASSING IN NO PASSING ZONE	15
13AAC02.080(B-C)	WRONG WAY ON ONE WAY STREET	15
13AAC02.085(1-4)	ILLEGAL CHANGING OF LANES	15
13AAC02.090(A-C)	FOLLOWING TOO CLOSE	25
13AAC02.095	CROSS MERIDIAN	15
13AAC02.095	OTHERWISE-STAY RIGHT SIDE DIVIDED HWY	15
13AAC02.100	ILLEGAL ENTRY ONTO RESTRICTED ACCESS HI-WAY	15
13AAC02.105	VIO RESTRICTN USE CONTRLD XCESS HI-WAY	15
13AAC02.120(A-B)	YIELD AT INTERSECTION VEHICLE ON RIGHT	25
13AAC02.125	YIELD AT INTERSECTION WHEN TURNING LEFT	25
13AAC02.130(B)	WHEN NO STOP IS CITED	25
13AAC02.130(B-C)	OTHERWISE-YEILD	25
13AAC02.135(A)	STOP BEFORE ENTER RDWAY W/IN BUSINESS DIST	25
13AAC02.135(B)	YIELD B-4 ENTER HI-WAY NON BUS DIST	25
13AAC02.150	PEDESTRIAN-SUBJ TO TRAFFIC REGULATIONS	10
13AAC02.155(A)	YIELD TO PEDESTRIAN IN CROSSWALKS	25
13AAC02.155(B)	EXERCS DUE CAUTION	10
13AAC02.155(C)	VEH NOT PASS VEH STP FOR PED	25
13AAC02.160(A-E)	CROSSING AT OTHER THAN CROSSWALKS	10
13AAC02.165	EXERCISE DUE CAUTION WITH REGARD PEDESTRIANS	15
13AAC02.170(A-B)	USE OF CROSSWALKS	10
13AAC02.180	DISTRACT DRIVRS SOLICIT RIDE	10
13AAC02.185	DRIVING THROUGH OR IN SAFETY ZONE PROHIBITED	15
13AAC02.190	NOT USE DEVICE INTENDED FOR THE BLIND	10
13AAC02.200(A-B)	INCORR POSIT TURN AT INTER	15
13AAC02.205	TURN AROUND CURV OR CRST OF HILL	15
13AAC02.210(A)	INCORRECT STARTING PARKED VEHICLE	15

## APPENDIX "C" (Continued)

## UNIFORM BAIL SCHEDULE

STATUTE	OFFENSE	BAIL
13AAC02.210(B)	INCCRR ACCELERATION PKD VEH	15
13AAC02.215(A)	WHEN IMPROPER TURN	15
13AAC02.215(A-D)	SIGN REQ TURN STP AND LINE CHG	15
13AAC02.215(E)	CANC SIGN AFTER EXECUT TURN	15
13AAC02.220(A)	REQ USE SIGNL LGTS OR HAND/ARM	15
13AAC02.220(B)	REQ INSTL SIGNAL LIGHTS & USE - USEAGE	15
13AAC02.225(A-B)	METHOD SIGN BY ARM OR LGTS	15
13AAC04.230(A-C)	TIRES, RESTRICTIONS AND PERMITS	10
13AAC02.240(A-B)	TRAIN SIGNL AND BARRIERS	25
13AAC02.245	STOP SIGN ERECTED RAILROAD CROSSING	25
13AAC02.250(A-B)	CERTAIN VEHICLE AT RAILROAD CROSSING	25
13AAC02.255(A)	HEAVY EQUIPMENT AT RAILROAD CROSSING	25
13AAC02.255(C)	HEAVY EQUIPMENT AT RAILROAD CROSSING	25
13AAC02.255(B-D)	HEAVY EQUIPMENT AT RAILROAD CROSSING	10
13AAC02.260(B)	SLOW DOWN FOR AMBER SIGNALS	25
13AAC02.275(A)	BASIC SPEED, REASONABLE AND PRUDENT	15
13AAC02.275(B)	EXCEEDING MAXIMUM SPEED LIMIT	10
13AAC02.275(C)	REDUCE SPD HI-WAY HZRDS	15
13AAC02.275(D)	EXCEED RATE SPD AND DISTN NECSRY PASS VEH	15
13AAC02.280	EXCEEDING SPEED LIMIT LOWERED BY STATE	2MI
13AAC02.285(A-C)	EXCEEDING SPEED LIMIT LOWERD BY LOCAL AUTHRTY	2MI
13AAC02.295(A-B)	IMPD TR TRVLG SLOW/ DR SLWR MINM SPD	15
13AAC02.315	VIOL MAX SIZE BRIDGE/ELEVD STRUCT, ETC-LENGTH	10FT
13AAC02.315	VIOL MAX SIZE BRIDGE/ELEVD STRUCT, ETC-WIDTH	25FT
13AAC02.315	VIOL MAX WGT BRDG/ELEVD STRUCT/UNDRPASS,ETC	05LB
13AAC02.315	SPEEDING VIOL OVERWEIGHT/OVERSIZE	2MI
13AAC02.320	LIMITATION MOTOR SCOOTERS AT NIGHT	15
13AAC02.325(A-D)	SPECIAC LIMITATION DN BUSES, TRAILERS	2MI
13AAC02.330(B)	PROM NON-SANCT RACE BETWN VEH	10
13AAC02.340(A-B)	DISABLD VEH INTERF W/TRFLO	10
13AAC02.360(A-B)	ILLEGL MOVNG VEH PROH AREA	10
13AAC02.365(A-C)	POSITION VEHICLE STOPPED OR PARKED ALONG RDWY	10
13AAC02.370(A-C)	ABANDONMENT, IMPOUNDING VEHICLE	10
13AAC02.380	PARENTAL RESPNSBLTY REGARD BICYCLE REGS	10
13AAC02.395(A-B)	TWO ON BIKE	10
13AAC02.400(A)	FAILED TO KEEP RIGHT	10
13AAC02.400(B)	RIDING MORE THAN 2 ABREAST	10
13AAC02.400(C)	FAILED TO USE BIKE PATH	10
13AAC02.405	CARRYING ARTICLES TO INTERFERE WITH OPERATE	10
13AAC02.410(A)	LIGHTS OR REFLECTOR	10
13AAC02.430	PARENTAL RESPONSIBILITY-SNOW VECHILE REGS	10
13AAC02.445(A-B)	RIDE UPON/OTHER RIDERS	10
13AAC02.450	TOWING ANOTHER PERSON ON A ROADWAY	10
13AAC02.455(A-F)	OPERAT UPON AND XING STS AND RDWY	10
13AAC02.465	SNOW MACHINE OBEY SPEED LAWS/REG MOTOR VEH	2MI
13AAC02.480	REQUIREMENTS UNATTENDED MOTOR VEHICLE	10
13AAC02.485(A-B)	LIMIT BACKING VEHICLE	15
13AAC02.490(A-C)	RIDG, RDRS MTRCYCLE, SCOOTER	15
13AAC02.495(A-B)	OBSTRUCTIONS DRIVERS CONTROL/VIEW OF VEHICLE	15
13AAC02.500	OPENING/CLOSING OF VEHICLE DOOR	10
13AAC02.510	RIDER IN A TRAILER-PROHIBITIONS	10
13AAC02.515	VEHICLE COASTING IN NEUTRAL GEAR	15
13AAC02.520	FOLLOW EMERGENCY VEH CLOSER THAN 500 FT	25

APPENDIX "C" (Continued)

UNIFORM BAIL SCHEDULE

STATUTE	OFFENSE	BAIL
13AAC02.525	DRIVING OVER FIRE HOSE	15
13AAC02.535(A-B)	CARRYING/TOWING PERSON ON OUTSIDE OF VEHICLE	15
13AAC02.540	EMBRACING ANOTHER DRIVING CREATES HAZARD	15
13AAC02.545	DRINKING WHILE DRIVING	15
13AAC02.550	CHILD UNATTEND VEH MTR RUN	10
13AAC02.565	OBD AUTH OFFCL EMER SCENE	15
13AAC02.570	REQ GIVE INFO POLICE OFFICER	15
13AAC02.575	PRSN DRIV ANIMAL VEH SUBJ PROVSNS DRIVR VEH	15
13AAC02.580(B)	FIREMAN RESPNDG PRIVT VEH XERCS SAFETY	15
13AAC02.585(B-E)	DRIV EMER VEH AUDBL/VISUL SIGNS/RE SAFTY PRSN	15
13AAC04.010	USE LIGHTS ON VEHICLE DURING HOURS DARKNESS	15
13AAC04.065	LIGHTS OR FLAG ON PROJECTING LOAD	10
13AAC04.120(1-2)	USE OF MULTIPLE BEAM ROADLIGHTING EQUIPMENT	15
13AAC04.210(A)	VEHICLE EQUIPPED WITH HORN	10
13AAC04.210(B)	HORNS AND OTHER AUDIBLE DEV	10
13AAC04.210(C-D)	HORNS AND OTHER AUDIBLE DEV	10
13AAC04.240(A-B)	FLARES CARRIED CERTAIN VEHICLES	10
13AAC04.275	SAFETY CHAIN REQUIRED TOWING VEHICLE	10
13AAC04.285(A-B)	MOTORCYCLE-HELMET REQUIRED WHEN RENTING	10
13AAC04.300(A-C)	PROTECTIVE HDGEAR/HELMET STANDARDS	10
13AAC04.310	MOTOR VEHICLE-MINIMUM EQUIP REQUIRED RENT	10
14AAC10.030(A-1)	OBED TR CONTRL DEV AS POSTED AIRPORTS	15
14AAC10.030(A-1)	CONFIRM RULES AIRPORT	10
14AAC10.030(A-2,C-3)	EXCEEDING MAXIMUM SPEED LIMIT	02MI
14AAC10.030(B)	PERMIT FOR ALL FOR HIRE VEHICLE	10
14AAC10.030(B-5)	NOT SOLICIT BUSINESS FOR HIRE VEHICLE	10
14AAC10.030(C-1)	ILLEGAL OPERATION ON RUNWAYS, TAXIWAYS, ETC	15
14AAC10.030(C-4)	OBTN RAMP OPER PERM MTR VEH	10
14AAC10.030(D-1,D-3)	ILLEGL PKG ABANDMT VEH	5
14AAC10.030(D-2)	EXPIRED METER	2
14AAC10.030(E)	ILLEGL OPERAT VEH IN BLDG	15
17AAC25.020(A-B)	XCEED MAX VEH WIDTH 8FT 0 INCHES	25/F
17AAC25.030(A)	XCEED MAX VEH HGT 13FT 6 INCHES	50
17AAC25.030(B-D)	XCEED MAX VEH LNGTH TYPE VEH	50
17AAC25.030(E)	LOAD EXT LIMIT FRNT AND REAR	10/F
17AAC25.040(A-B)	SHIFTING OF LOAD, COVERING OF LOAD	50
17AAC25.050	TOWBAR REQUIREMENTS FOR TOWING VEHICLES	50
17AAC25.060(1-3)	XCEED MAX GROSS WGT	.05/L
17AAC25.070(C-D)	ENFORCE PROCDRS/REQ DRIVR STP ENFORCE OFFCER	50
17AAC25.080(A-J)	PERM XCESS SZ AND WGT	50
17AAC25.090(A-G)	SIGNS PILOT CARS REQ XCESS LOADS	50
17AAC25.100(A-C)	RD CLOSURES AND RESTRICTNS	50
AS05.30.010	SNOW MACHINE OPERAT W/O BEING REGISTERED	10
AS05.30.040(B)	DISPLAY REGISTRATION CERTIFICATE/AND DECALS	10
AS05.30.080	BRAKES, THROTTLE, MUFFLER-REQUIRED	10
AS05.30.100	ACCIDENT REPORTING IF DAMAGE IS \$100	10
AS05.35.020	VIOLATION SPECIAL RACE PERMIT	10
AS19.25.030	DAMAGES TO OBSTRUCTIONS, SIGNS & CONSTRUCTN	10
AS28.05.020(3)	STUDED TIRES	10
AS28.10.030	OPERATE UNREGISTERED VEHICLE	15
AS28.10.030	PERMIT OPERATION OF UNREGISTERED VEHICLE	20
AS28.10.120	LICENSE PLATES BE USED FOR VEHICLE ISSUED	15
AS28.10.140	LICENSE PLATES MUST BE DISPLAYED-VEH	15

APPENDIX "C" (Continued)

UNIFORM BAIL SCHEDULE

STATUTE	OFFENSE	BAIL
AS28.10.170	REGISTRATION MUST BE CURRENT	15
AS28.10.360	NEW OWNR OBTN TITLE/REG 20 DAYS	25
AS28.10.540	NON-RES OWNRS OBTN AK PLATES	15
AS28.10.590	OPERT OR PERM OPERTN UNREG VEH OR UNTITLD VEH	15
AS28.15.010	DRIV W/EXPRD OL	15
AS28.15.110	RESTRICTED LICENSE VIO	15
AS28.15.320	PERM UNAUTH PER TO DR	10
AS28.25.020	FAIL TO YIELD TO BLIND PERSON	25
AS28.35.140	OBSTRUCTING OR BLOCKING TRAFFIC	10
AS28.35.150	CAUSING INJURY TO ROAD, BRIDGE, OR FERRY	10
AS28.35.160	CAUSING INJURY TO TRAFFIC REG/GUID DEVICE	10
AS28.35.170	OPERAT VEH MORE 3 PEOPLE FRNT SEAT	15
AS28.35.180	OBEY SIGN POLICE OFFICER	15
AS42.10.113	VEHICLE IDENTIFICATION REQUIREMENTS	100
AS42.10.130	OPERATING WITHOUT A PERMIT	100
AS42.10.240	WEIGHT FEES	100
	EXTENTION OF COURT DATE ON D-SMISS CITATIONS	10
	PARKING	5

CITY OF WRANGELL, ALASKA

Ordinance No. 346

AN ORDINANCE AMENDING THE MEETING TIMES  
AND PROVIDING FOR SPECIFIC LOCATIONS FOR  
MEETINGS OF THE THOMAS BAY POWER COMMISSION

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Ordinances and shall be effective one month after final passage and publication, and shall be effective contingent upon adoption of identical provisions by the City of Petersburg.

Sec. 4. Repealer. This ordinance repeals Section 03.90.030 adopted December 10, 1974 by Ordinance No. 324.

Sec. 5. Adoption of Sections. The following annexed section bearing code number 03.90.030 is hereby adopted as a part of this ordinance and Title 03 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: April 27, 1976.

Edward P. Churchill  
Mayor

ATTEST: Jayne Basler  
Clerk

## Chapter 90. Thomas Bay Power Commission

Sec. 03.90.010. Creation of Commission; Members and Composition. There is hereby created by this ordinance identical to an ordinance introduced by the Council of the City of Petersburg, Alaska, a Thomas Bay Power Commission which shall consist of five members. Two of said members shall be appointed by the Council of the City of Petersburg; two of said members shall be appointed by the Council of the City of Wrangell; and one member shall be appointed by the four members heretofore designated. A president, vice-president, secretary and treasurer of the Commission shall be selected from and by the members.

Sec. 03.90.020. Terms, Vacancies and Compensation. (a) The term of a Commission member shall be for a period of three years. Provided, however, that the terms of the first members shall be as follows: One member from each city for a term of two years; one member from each city for a term of three years; the one member selected by the other members for a term of one year.

(b) Vacancies on the Commission, by death, resignation, removal or other cause, shall be filled by the appointment by the respective city council or by the other Commission members depending on the position that has been vacated. A member may be removed for cause upon a majority vote of the members present at a regularly scheduled meeting.

(c) Members shall serve without compensation, except that travel and miscellaneous out-of-pocket expenses previously authorized or subsequently ratified shall be reimbursed.

Sec. 03.90.030. Meetings; Quorum; Rules of Procedure; Records. (a) The Commission shall establish rules of procedure, and in the absence of any such rules, meetings shall be conducted pursuant to Robert's Rules of Order, Revised 1972. There shall be four regular meetings per year, one each quarter, which shall be open to the public. The regular meetings shall be held the first Sunday of March, June, September, and December, alternating meeting places between Wrangell and Petersburg, commencing with a Petersburg meeting on June 6, 1976. Meetings will convene at 11 o'clock a.m. in Petersburg Council Chambers in City Hall or at 11 a.m. in Wrangell Council Chambers in Wrangell City Hall. The president, in his discretion, is authorized to call special meetings, or a majority of the members may require a special meeting to be called. Notice of special meetings must be given twenty-four (24) hours in advance by posting in three (3) public places in each city; and although not jurisdictional to a meeting, similar notice five (5) days in advance shall be given for regular meetings.



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 345

AN ORDINANCE ESTABLISHING DIFFERENTIAL  
TAXATION ZONES FOR THE TAX YEAR 1976

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of an im-  
permanent and transitory nature and shall not be codified in  
the Wrangell City Code.

Sec. 2. Severability. If any provision of this ordi-  
nance or any application thereof to any person or circumstances  
is held invalid, the remainder of this ordinance and the appli-  
cation to other persons or circumstances shall not be affected  
thereby.

Sec. 3. Effective Date. This ordinance shall be published  
as provided in the Wrangell City Code and its effective date  
shall be effective one month after final passage.

Sec. 4. Purpose. The intent of this ordinance is to  
comply with Sec. 60.20.285 of the Wrangell City Code pres-  
cribing that the Council shall annually establish differential  
taxation zones for assessment purposes.

Sec. 5. Map Adopted by Reference. That certain map, speci-  
fically General Telephone Company Wrangell Exchange Rural Map con-  
sisting of 12 sheets, dated June 18, 1974, is adopted by reference  
as if fully set forth herein. The original of said map as speci-  
fically marked for the purposes of this ordinance shall be posted  
in the Clerk's office at City Hall until completion of the Board  
of Equalization hearings for 1976 tax purposes, and thereafter shall  
be retained in the Clerk's office.

Sec. 6. Differential Taxation Zones Adopted. The differen-  
tial taxation zones being Class I, Class II, Class III and Class IV  
as designated in Sec. 60.20.285(d) of the Wrangell City Code with  
the respective percentages of mill levy as appears therein and as  
marked and indicated on the Wrangell Exchange Rural Map incorporated  
by reference in the preceding section are hereby adopted for purposes  
of differential taxation for tax year 1976.

PASSED AND APPROVED: February 10, 1976.

Edward P. Churchill  
Mayor

ATTEST: Jayne Gaskin  
City Clerk

published February 18, 1976

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 365

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 42 HEALTH AND SAFETY, CHAPTER 70, THE SEWER CODE, SPECIFICALLY AMENDING THE SEWER CODE SCHEDULE OF RATES AND CHARGES TO SET A SPECIAL USER MONTHLY CHARGE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective March 1, 1978.

Sec. 4. Repealer and Adoption of Sections. This ordinance does not repeal any section previously adopted but amends Ordinance No. 364 dated October 11, 1977 by adding Note 4, Industrial or Special User Charge, Class B Commercial and Industrial Rates, of Sec. 42.70.120, annexed hereto.

PASSED IN FIRST READING: November 22, 1977.

PASSED IN SECOND READING: December 13, 1977.

Samuel R. Rivett  
Mayor

ATTEST: Jesse Ruel  
City Clerk

SCHEDULE OF RATES & CHARGES

CITY OF WRANGELL, ALASKA

Class B

Commercial and Industrial Rates

Note 4: Industrial or Special User Charge. Where industrial or special users are contributing wastes from sanitary conveniences and domestic sources only, 1.00 unit will be charged for the first twenty (20) employees and .05 unit for each additional employee.

The charge for wastes from other than sanitary conveniences and domestic sources will be computed by use of the following equation:

$$\text{SUMC} = \frac{f}{420} \left[ 1 + \left( \frac{b}{B} - 1 \right) + \left( \frac{s}{S} - 1 \right) \right] C; \text{ where}$$

"SUMC" represents the special user's monthly charge,

"f" represents the special user's average flow in gallons per day (not less than 420 gallons per day)

"420" represents the average flow of one equivalent user in gallons per day

"C" represents the constant monthly cost factor, delivered as provided below,

"b" represents the average BOD loading of the user's wastewater contribution, expressed in parts per million (not less than 200 parts per million)

"B" represents the allowable limit of BOD loading above which a user's surcharge shall be levied, hereby designated as being 200 parts per million,

"s" represents the average suspended solids loading of the user's wastewater contribution, expressed in parts per million (not less than 200 parts per million), and

"S" represents the allowable limit of suspended solids loading above which a user's surcharge shall be levied, hereby designated as being 200 parts per million.

## CITY OF WRANGELL, ALASKA

ORDINANCE NO. 364

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 42 HEALTH AND SAFETY, CHAPTER 70, THE SEWER CODE, SPECIFICALLY AMENDING THE SEWER CODE TO SET RATES AND CHARGES PURSUANT TO A SCHEDULE OF RATES AND CHARGES FOR THE PROVISION OF A SEWER SYSTEM, PROVIDING FOR DISCONTINUANCE OF SAID SEWAGE SERVICES, AMENDING THE DEFINITION OF BUILDING, SEWER OR DRAIN, AND THE DEFINITION OF SEWAGE, PROVIDING FOR RECOVERY OF COSTS FROM INDUSTRIAL USERS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be generally effective thirty days after adoption, except that the schedule of rates and charges referred to in Section 42.70.120 shall not go into effect until March 1, 1978.

Sec. 4. Repealer. This ordinance repeals Sec. 42.70.020, Sec. 42.70.030(a), Sec. 42.70.040(a), Sec. 42.70.040(d), Sec. 42.70.050(b), Sec. 42.70.050(c), Sec. 42.70.060(c), Sec. 42.70.070, the paragraph immediately preceding subparagraph (a), Sec. 42.70.120(a), and Sec. 42.70.120(b), Sec. 42.70.120(c), Sec. 42.70.120(d), Sec. 42.70.150, the definition of building, sewer or drain, and the definition contained in Sec. 42.70.150 of "sewage", adopted by Wrangell Ordinance No. 228 dated May 13, 1969.

Sec. 5. Adoption of Sections. The following annexed sections bearing code number Sec. 42.70.020, Sec. 42.70.030(a), Sec. 42.70.040(a), Sec. 42.70.040(d), Sec. 42.70.050(b), Sec. 42.70.050(c), Sec. 42.70.060(c), Sec. 42.70.060(g), Sec. 42.70.070, Sec. 42.70.120(a), Sec. 42.70.120(b), Sec. 42.70.120(c), Sec. 42.70.120(d), Sec. 42.70.125, and Sec. 42.70.150 definition of building, sewer or drain, and definition of sewage.

PASSED IN FIRST READING: September 27, 1977.

PASSED IN SECOND READING: October 11, 1977.

Samuel R. Rivera  
Mayor

ATTEST: Jesse Raskin  
Clerk

## TITLE 42. HEALTH AND SAFETY

### Chapter 70. Sewer Code

Sec. 42.70.020. Service Connection Charge. Sewer connections to the City sewer mains shall be installed only by the City. The installation charge shall be \$250.00 for installing sewer lines from the sewer main to the property line of the customer. The City shall also bill, in addition to the installation charge, for labor and materials for the removal and replacement of concrete or asphalt, plus ten percent (10%) to cover administrative and inspection costs.

Sec. 42.70.030. Use of Public Sewers Required.

(a) The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the City or on City property and abutting any street, alley or right-of-way in which there is now located or may be in the future located a public sewer of the City, is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Chapter, within fourteen (14) days after date of official notice to do so, provided that said public sewer is within one hundred (100') feet of the property line.

Sec. 42.70.040. Private Sewage Disposal.

(a) When a public sanitary sewer is not available under the provisions of Sec. 42.70.030, the building sewer shall be connected on a private sewage disposal system which shall be examined by an inspector to insure compliance with all requirements of pertinent ordinances, rules, regulations, or statutes.

(d) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by Federal or state officials.

Sec. 42.70.050. Building Sewers.

(b) Old building sewers or portions thereof may be used in connection with new buildings only when they are found on examination and test by the inspector to meet all requirements of this chapter.

(c) For the purpose of regulating the construction, addition, enlargement, conversion, equipment, use and maintenance of the sewage system as provided in this chapter, the specifications shall be those contained in that certain compilation or rules and regulations, prepared by the American Society of Mechanical Engineers, which compilation is known as the "National Plumbing Code," a code adopted by reference as the law of the City.

Sec. 42.70.060. Use of Public Sewers.

(c) The admission into the public sewers of any waters or wastes having (1) a five (5) day Biochemical Oxygen Demand greater than three hundred (300) parts per million by weight, or (2) containing more than three hundred fifty (350) parts per million by weight of suspended solids, or (3) containing any quantity of substances having the characteristics described in Section 42.70.070 or (4) having an average flow greater than two percent (2%) of the average daily flow of the City, shall be subject to the review and approval of the Director of Public Works. Where necessary in the opinion of the Director of Public Works, the owner shall provide at his expense, such preliminary treatment as may be necessary to (1) reduce the Biochemical Oxygen Demand to three hundred (300) parts per million and the suspended solids to three hundred fifty (350) parts per million by weight, or (2) reduce objectionable characteristics or constituents to within the maximum limits provided for in Sec. 42.70.070, or (3) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Director of Public Works, and of the Alaska Department of Environmental Conservation, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

(g) No person shall discharge, permit or cause to be discharged any storm drainage water, surface water, ground water, roof runoff, subsurface drainage or cooling water, to or in any sanitary sewer.

Sec. 42.70.070. Substances not to be Discharged. Except as herein-after provided, no person, firm or corporation shall cause to be discharged or allowed to be discharged into its sewer line or system any of the following described waters or wastes:

Sec. 42.70.120. Schedule of Rates and Charges; Adoption.

(a) On and after the effective date of this ordinance, the rates and charges shown on the adopted and hereunto annexed Schedule of Rates and Charges are hereby established for public sewer facilities furnished by the municipally-owned sewer systems; provided that such Schedule of Rates and Charges, at the discretion of the Council, shall be subject to revisions from time to time by ordinance of the Council adopting and establishing such revised and/or changed Schedule of Rates and Charges; and the revised and/or changed Schedule of Rates and Charges shall, on the effective date therein expressed, become of full force and effect and subject to all the provisions of this Chapter.

(b) In the event the charges for sewerage service are not paid within thirty (30) days after rendition of the bill for such service, such charges shall be deemed and are hereby declared to be delinquent.

(c) All sewerage service may be discontinued without further notice if the rates or charges for such service are not paid within thirty (30) days after rendition of the bill therefore. If such service is discontinued, the applicable provisions of Sections 42.70.130 and 42.70.140 of this Chapter shall apply. Any remedy provided for in this chapter shall be deemed to be cumulative as to any other legal remedy provided for herein or otherwise available.

(d) The rates and charges herein established shall be collected from the owners, occupants and users of the premises within the jurisdiction of the City from and after the effective date of this Chapter.

Sec. 42.70.125. Industrial Cost Recovery. Any industrial users of a sewer facility constructed with Environmental Protection Agency grant funds awarded after March 1, 1973, shall repay that portion of the grant amount allocatable to the treatment of its wastes. The method of repayment and procedures for handling the repayment shall be in accordance with Sections 35.905-6, 35.905-7, 35.905-8, 35.925-12, 35-928 and 35.935-13 of the Environmental Protection Agency Rules and Regulations for Water Pollution Control Construction Grants for waste treatment works as published in Volume 39, Number 29 of the Federal Register dated February 11, 1974.

Sec. 42.70.150. Definitions.

**BUILDING SEWER:** The term "Building Sewer" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from waste pipes inside the walls of the building and conveys it to the public sewer, beginning on the outside of the building wall and ending at the property line.

**SEWAGE:** The word "Sewage" shall mean the water-carried wastes from residences, business buildings, institutions and industrial establishments.



SCHEDULE OF RATES & CHARGES (Ordinance No. 364)

CITY OF WRANGELL, ALASKA

The monthly rate shall be computed on the basis of \$14.50 per unit or fraction thereof for Class A and Class B users.

Class A

Residential Rates

<u>Designation</u>	<u>Unit(s)</u>
1. Per family unit	1.00

Note 1: The residential schedule is restricted to service used exclusively for general domestic purposes.

Note 2: Where central laundry facilities are furnished for the exclusive use of tenants in apartment buildings or trailer courts, no charge in addition to above will be made.

Class B

Commercial and Industrial Rates

<u>Designation</u>	<u>Unit(s)</u>
1. Bakery	3.00
2. Bar	3.00
3. Barber shop - 2 chair	1.00
per each additional chair	.50
4. Beauty shop - 2 basin	1.00
per each additional basin	.50
5. Canneries	special
Shell fish canneries (hand pick)	
Shell fish canneries (machine pick)	
Fish processing	
6. Churches	1.00
7. Cleaners and cleaning plants	2.00
8. Clubs, Lodges - without bar or restaurant facilities	1.00
Clubs, Lodges - with bar or restaurant facilities	2.00
9. Cold storage plant	special
10. Docks	1.00
11. Garages, service stations, car lots	
without washrack	1.00
with washrack	2.00
12. Grocery Store	
without meat market	1.00
with meat market	2.00
13. Hotels and motels	
first 10 rooms or less	3.00
over 10 rooms, per room	.20

14.	Hospitals	2.00
	plus per bed based on occupancy rate %	.40
15.	Laundromat, self service	
	under 30 lb. capacity, per machine	.75
	30 lb. or over capacity, per machine	1.50
16.	Office building, first office	1.00
	each additional plumbed office	1.00
	each additional unplumbed office	.20
17.	Offices, medical and dental	
	with laboratory and/or x-ray unit	2.00
	without laboratory and/or x-ray unit	1.00
18.	Public showers	
	first two stalls	1.00
	per each additional stall	.20
19.	Restaurants, lunch counters, etc.	
	up to and including 30 seats	3.00
	each additional 20 seats or fraction thereof	1.00
	fountain only	1.00
20.	Industrial	special
21.	Schools, per classroom	.43
22.	Shops, miscellaneous	1.00
23.	Stores, dry goods, gift, etc.	1.00
24.	Rooming Houses	1.00
	each bed	.20
25.	Theaters, seating 500 people or less	2.00

Note 1: Rates herein apply to the average monthly usage. No adjustments will be made for seasonal work.

Note 2: A commercial enterprise consisting of more than one facility shall be charged the sum of the applicable rates for each facility.

Note 3: Special Users. Each special user shall be evaluated separately based on the average flow, BOD, and suspended solids characteristics of its wastewater contribution. The flow, BOD, and suspended solids loadings shall be determined from estimates or measurements and tests made by City Officials or its Engineer. The monthly rate for any establishment not herein designated shall be determined by the City Council. Until such rate may be established, the rate deemed most applicable shall apply, subject to adjustment.

## CITY OF WRANGELL, ALASKA

ORDINANCE NO. 363

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 9, CHAPTER 20 OF THE ANIMAL CODE BY INCREASING THE FEES FOR MAINTAINING A DOG PRIOR TO REDEMPTION AND INCREASING THE FEES FOR THE REDEMPTION OF DOGS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective Thirty days after adoption.

Sec. 4. Repealer. This ordinance repeals Sec. 9.20.060 adopted by Wrangell Ordinance No. 264 dated March 23, 1971.

Sec. 5. Adoption of Sections. The following annexed section bearing code number 9.20.060 is hereby adopted as part of this ordinance and Title 9 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED IN FIRST READING: August 16, 1977

PASSED IN SECOND READING: September 13, 1977.

Samuel R. Rivett  
Vice Mayor

ATTEST Jayne Parker  
City Clerk

Sec. 9.20.060. Redemption. In addition to the fine as hereinafter provided, the Chief of Police shall charge the owner or keeper of impounded dogs twenty dollars (\$20.00) for the release of each dog, together with five dollars (\$5.00) for each and every day such dog shall be kept in custody, provided that he need keep no dog for more than three days after which time it shall be discretionary with him whether such dog shall be sold to defray the expense of keeping it, or whether it shall be destroyed.

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 362

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 60, CHAPTER 10 OF THE SALES TAX CODE, SPECIFICALLY AMENDING THOSE PROVISIONS DEALING WITH EXEMPTIONS AND ADDING A NEW SECTION TO PROVIDE FOR SALES TAX REFUND TO SENIOR CITIZENS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective September 1, 1977.

Sec. 4. Repealer. This ordinance repeals Sec. 60.10.050 (1), (2), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13) and (14) adopted by Wrangell Ordinance No. 254 dated June 23, 1970 and Sec. 60.10.050 (3) and (15) adopted by Wrangell Ordinance No. 304 dated May 29, 1974.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers 60.10.050 and 60.10.055 are hereby adopted as part of this ordinance and Title 60 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED IN FIRST READING: June 28, 1977.

PASSED IN SECOND READING: July 14, 1977.

*Edward P. Churchill*  
Mayor

ATTEST: *James Rusk*  
City Clerk

Sec. 60.10.050. Exemptions. The following transactions are exempt from the tax herein levied:

- (1) Salaries and wages received by an employee from an employer.
- (2) Sales made and services performed which are not in the regular course of business.
- (3) Sales and the gross receipts derived therefrom when the aggregate amount when computed under Sec. 60.10.030 amounts to less than (\$0.12) cents.
- (4) Sales including such rentals and services when the total sales and service prices derived by the seller or person furnishing such services does not aggregate \$200.00 in any calendar quarter year.
- (5) Dues or fees to clubs, labor unions, or fraternal organizations.
- (6) Gross receipts derived from funeral charges and services, medical, dental, optometric, veterinary and hospital services or from sales of prescription medicines, oxygen used for medical purposes, blood or blood plasma, artificial devices designed or altered for the use of a particular crippled person, artificial limbs, eyes and organs, hearing aids, prescription eyeglasses, artificial teeth sold by a dentist and materials used by a dentist in treatment, crutches, and wheelchairs are exempt; however, services rendered by nurses, unless performed in a hospital or at the direction of a physician, and services rendered by druggists, pharmacists, barbers, cosmeticians and masseurs shall not be exempt.
- (7) All sales of commodities made to a manufacturer, broker, wholesaler or dealer and which are not consumed or destroyed by such purchaser, but which are resold in the same or an altered form, or which are used to package, crate or deliver the products of such purchaser.
- (8) All sales to a bona fide retailer when the same are purchased by him for resale in the ordinary course of business. In this connection, a retailer is one who regularly stocks merchandise for resale, displays the same to the public and holds himself out as regularly engaged in the business of selling such products either during a regular season or throughout the year direct to the consumer.

- (9) Gross receipts or proceeds derived from the transportation to and from grade or high schools in motor or other vehicles.
- (10) Gross receipts or proceeds derived from servicing, freezing, storing, handling or wharfing of fish, or lumber or any other commodities awaiting shipment or in the process of being shipped.
- (11) Gross receipts or proceeds derived from sales to the united States Government, State of Alaska, City of Wrangell and any of its political subdivisions.
- (12) All sales for consumption outside of the City of Wrangell, if delivered by a common carrier by air, land or water to the purchaser.
- (13) All sales of any single article of which the price exceeds One Thousand Dollars (\$1,000.00), and all services, including contract prices for any single job of which the price exceeds One Thousand Dollars (\$1,000.00), shall be taxable only to the limit of One Thousand Dollars (\$1,000.00).
- (14) All sales of newspapers.
- (15) Sales of building and construction supplies to a licensed contractor for use in construction for resale.
- (16) Trade-in-Sales: The value of new or used articles taken in trade as a credit of part payment on the sale of new articles shall be deductible from the total sales price of the new article, and a tax paid only on the net sales price.
- (17) Gross receipts derived from sales, services, rentals and transactions which the municipality is prohibited from taxing under the Constitution and laws of the United States or the State of Alaska.

Sec. 60.10.055. Sales Tax Refund for Senior Citizens.

(a) A person 65 years of age or older may obtain from the City Clerk an application for refund of sales tax. To determine qualification and amount for sales tax refund, the following rules shall apply:

- (1) An applicant must reside within the City for each month that a refund is sought. An applicant may file for a refund in an amount not to exceed \$15.00 per month or, if residing in a Long Term Care Facility, in an amount not to exceed \$7.50 per month.

(b) Refunds may be requested for those months that an applicant qualifies at the end of each calendar quarter on applications provided by the City Clerk. Applications shall be submitted to the City Clerk within one month after the preceding calendar quarter. At the option of the applicant, refunds may be requested for those months that an applicant qualifies semi-annually or annually, as follows:

January through June, application must be filed no later than July 31

July through December, application must be filed no later than January 31

January through December, application must be filed no later than January 31.

(c) An applicant shall be required to provide proof of age with the first filing.

(d) An applicant that is absent from the City for more than fifteen (15) days of any month shall not be eligible for a refund for that month.

(e) A late application shall be given consideration only upon showing good cause for such delinquency, which must be approved by the City Council.

(f) An application filed with the City Clerk which is denied may be appealed to the City Council. The City Council's decision shall be final.

(g) This section is intended to relieve the financial burden of taxes for persons 65 years of age or older.

(h) Any person who wilfully falsifies information to obtain a sales tax refund shall be guilty of a misdemeanor and upon conviction shall be punished as provided in Title 30, Chapter 10, Wrangell City Code, and shall not be entitled to a refund for the calendar year in which the information is falsified.



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 361

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 45 OF THE TIDELANDS CODE, SPECIFICALLY AMENDING THOSE PROVISIONS DEALING WITH TIDELAND LEASE TERMS AND ASSIGNMENTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective thirty (30) days after final passage.

Sec. 4. Repealer. This ordinance repeals Sec. 45.40.075 adopted by Wrangell Ordinance No. 341 dated November 25, 1975; Sec. 45.40.090 adopted by Wrangell Ordinance No. 317 dated October 22, 1974; and Sec. 45.40.170 and 45.40.220 adopted by Wrangell Ordinance No. 245 dated October 28, 1969.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers 45.40.075, 45.40.090, 45.40.135, 45.40.170 and 45.40.220 are hereby adopted as part of this ordinance and Title 45 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED IN FIRST READING: June 14, 1977.

PASSED IN SECOND READING: June 28, 1977.

E. P. Churchill  
Mayor

ATTEST: James R. Rasmussen  
Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 361

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 45 OF THE TIDELANDS CODE SPECIFICALLY AMENDING THOSE PROVISIONS DEALING WITH TIDELAND LEASE TERMS AND ASSIGNMENTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.


Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective thirty (30) days after final passage.

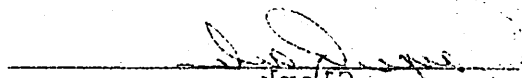
Sec. 4. Repealer. This ordinance repeals Sec. 45.40.075 adopted by Wrangell Ordinance No. 341 dated November 22, 1975; Sec. 45.40.090 adopted by Wrangell Ordinance No. 317 dated October 22, 1974; and Sec. 45.40.170 and 45.40.220 adopted by Wrangell Ordinance No. 242 dated October 28, 1969.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers 45.40.075, 45.40.090, 45.40.135, 45.40.170 and 45.40.220 are hereby adopted as part of this ordinance and Title 45 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED IN FIRST READING: \_\_\_\_\_ June 14, 1977.

PASSED IN SECOND READING: \_\_\_\_\_ June 28, 1977.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK

ATTEST:

Sec. 45.40.075. Preliminary Examination. (a) Upon receipt of a tidelands lease application, the City Clerk may transmit same directly to the Planning and Zoning Commission for preliminary examination, compliance with applicable codes, compatibility with existing and prospective uses, and feasibility of the project and any other feature or aspect which the Planning and Zoning Commission in its independent discretion wishes to undertake. The Commission's jurisdiction shall be limited to the power of investigation, findings of fact on the subject matter, and the submission of recommendations to the Clerk and/or Council. The Commission's findings and recommendations need not be submitted in formal form, but such report shall be prepared and submitted within one month following submission of the tidelands lease application to the Commission.

Sec. 45.40.090. Appraisal. No tidelands shall be leased, or a renewal lease issued therefor, unless the same has been appraised within six months prior to the date fixed for beginning of the term of the lease or renewal lease. No land shall be leased for an annual rent less than six (6%) percentum of the appraised value of the land and any improvements thereon owned by the City.

Upon the filing of an application for a lease of a parcel of classified tidelands and the deposit of the costs estimated by the City Clerk, the City Assessor shall cause the tract, and any improvements thereon owned by the City, to be appraised at their fair market value. The appraisal shall be transmitted by the Assessor to the Council which shall review the same and determine the appraised value of the tract and improvements thereon owned by the City. Facilities for supplying utility services shall not be considered as such improvements. The Council shall determine the annual rental as six (6%) percentum of the appraised value and shall determine any limitations, reservations, requirements or special conditions to be included in the lease. Each lease shall contain a requirement that the lessee construct improvements suitable for the use of which the land is classified of a specified minimum value within two years from the date of the lease and that a Corps of Engineers permit shall be obtained prior to construction when required. Improvements in the limited context of the tidelands leasing provisions may include a parking lot with fill or surfacing, drainage, ingress and egress as the Council shall require. The applicant shall be notified of the amount of the minimum annual rental and the value of the improvements required to be constructed thereon.

Sec. 45.40.135. High Bidder other than Applicant. Where apparent high bidder is not the same as the person who filed the original application, then the high bidder will be required to submit all information as submitted by all other applicants pursuant to Chapter 40 of this title. The apparent high bid,

Complete with application and other required information, shall be submitted to the Council for acceptance or rejection of said lease. The Council, at any stage of the proceeding, may refer the tidelands application to the Zoning and Planning Commission pursuant to 45.40.075.

Sec. 45.40.170. Terms of Lease. All leases shall be issued on standard forms approved by the Council, but shall contain such limitations, reservations, requirements or special conditions as the Council has determined, including requirements for improvements of a specified value to be constructed or located on the land within two years from the date of the lease.

Sec. 45.40.220. Assignments. Any lessee may assign the lease, provided, that the proposed assignment shall be first approved by the Council. The assignee shall be subject to all of the provisions of the lease and the assignor shall not be relieved of his obligations thereunder.

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 360

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE ELECTRICAL UTILITY CODE TO PROVIDE FOR A TEN PERCENT (10%) INCREASE IN ELECTRICITY RATES, AND INCREASING THE SERVICE CHARGE FOR DISCONNECT AND RECONNECT SERVICES AND PROVIDING FOR A PUBLIC HEARING.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective on July 28, 1977 and the rates herein will first be reflected on the utility statement mailed the end of August 1977.

Sec. 4. Repealer. This ordinance repeals Sec. 54.20.030 and 54.20.050 (b) adopted by Wrangell Ordinance No. 238 dated July 23, 1969 and Sec. 54.20.070, 54.20.080, 54.20.090 and 54.20.100 adopted by Wrangell Ordinance No. 330 dated May 13, 1975.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers 54.20.050 (b), 54.20.070, 54.20.080, 54.20.090 and 54.20.100 are hereby adopted as part of this ordinance and Title 54 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

PASSED IN FIRST READING: June 14, 1977.

PASSED IN SECOND READING: June 28, 1977.

E. P. Churchill  
Mayor

ATTEST: James R. ...  
Clerk

Sec. 54.20.050. Rates Generally.

(b) Payments: All monthly bills for service rendered and minimum charges are due and payable within ten days from their date, and if not so paid become delinquent and subject to a 10% penalty. Upon failure of the customer to pay his bill within 20 days from its date, he shall be deemed in default. Service will be discontinued from delinquent customers and will not be re-established until the account is paid in full, including penalty, PLUS the following owing charges:

Charge for disconnect	\$ 5.00
Charge for reconnect	<u>5.00</u>
Total extra cost	\$10.00

Customers ordering temporary disconnection of service will be charged for this service at the following rates:

Charge for disconnect	\$ 5.00
Charge for reconnect	<u>5.00</u>
Total extra cost	\$10.00

The right is reserved to refuse service to anyone who is indebted to the City for light or power, merchandise or labor and material in connection with the electric service.

Sec. 54.20.070. Residential Service Meter Rate.

AVAILABILITY: Residential service under this schedule shall be limited to single phase, two or three wire service. All installations shall be subject to the approval of the City.

The City shall specify the maximum requirements for, and the maximum size of any motor over one (1) horsepower seventy-five hundredths KW (1.75KW) which may be used under Schedule "A".

The City reserves the right to control the use of all water heating units during such hours as deemed advisable.

RATE: SCHEDULE "A"

0 to 50 KWH	\$10.40 per mo. min.
51 to 100 KWH	14.5 cents per KWH
101 to 200 KWH	10.5 cents per KWH
201 and over	6.3 cents per KWH

Sec. 54.20.080. Commercial Rates.

CLASSIFICATION: Lighting, cooking, appliances and motors in professional, mercantile, commercial and other establishments not classed in Schedule "A".

AVAILABILITY: Single phase 115 and/or 230 volt service. Motors not to exceed 2-1/2 horsepower.

A special application in writing for three phase service under the above schedule, shall be filed with the City Clerk.

All installations for such rate shall be subject to the approval of the City.

RATE: SCHEDULE "B"

0 to 40 KWH	\$10.40 per mo. min.
40 to 100 KWH	18.7 cents per KWH
101 to 200 KWH	14.5 cents per KWH
201 to 300 KWH	10.5 cents per KWH
301 and over	6.3 cents per KWH

Sec. 54.20.090. Industrial Rates.

CLASSIFICATION: All classes of customers.

AVAILABILITY: Available for electric motors 5 HP and larger. For 3 phase and other industrial loads. Reduced voltage starter required on all motors 20 HP or larger. 5 HP maximum for single phase motor. Special consideration required on all motors 50 HP or larger and for loads which fluctuate to such an extent that the quality of service on the system may be impaired.

POWER FACTOR: A monthly charge will be made in addition to demand-energy or minimum charges whenever the average monthly factor is less than 0.85.

Unless specifically otherwise agreed, the City shall not be obligated to deliver electric energy to the consumer at any time at a power factor below 0.75.

The average power factor is determined as follows: The kilowatt hours divided by the square root of kilowatt hours plus the square root of reactive-kilovolt-ampere hours.

The meter for measurement of reactive-kilovolt-ampere hours shall be ratcheted to prevent reverse registration, or at the City's option, the power factor may be determined with a power factor meter.

All installations of power factor corrective equipment shall be subject to the approval of the City.

The monthly charge for each 0.01 of average monthly power factor below 0.85 shall be:

From 0.84 to 0.70 - 10.5 cents per KW of maximum demand  
From 0.69 and below, 16.6 cents per KW of maximum demand.

TERMS OF CONTRACT: Not less than a month charge, payable in advance at monthly rate.



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 358

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA AMENDING TITLE 15 OF THE BOAT HARBOR CODE, SPECIFICALLY AMENDING THOSE PROVISIONS DEALING WITH RATES CHARGED FOR THE USE OF THE BOAT HARBORS, AND OTHER MARINE RELATED FACILITIES FURTHER AMENDING OTHER PROVISIONS OF SAID BOAT HARBOR CODE, ALL AS MORE PARTICULARLY AND MORE SPECIFICALLY SET OUT IN THE REPEALER CLAUSE OF THIS ORDINANCE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective thirty (30) days after final passage.

Sec. 4. Repealer. This ordinance repeals Sec. 15.40.010, Schedule A, Part I, Part II (a) and (b), Part V adopted by Wrangell Ordinance No. 348 dated May 25, 1976; Sec. 15.40.020 Schedule B, Part I (6), Part III Note 4, Part IV Type 3. and 4. and Note 3, Part V Note 3 and Sec. 15.50.015 (a), (b) and (c) and Sec. 15.50.018 (b) and (c) adopted by Wrangell Ordinance No. 344 dated December 9, 1975; Sec. 15.40.030 adopted by Wrangell Ordinance No. 273 dated September 12, 1972.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers 15.40.010, Schedule A, Part I, Part II (a) and (b), Part V, 15.40.020, Schedule B, Part I (6), Part III Note 4, Part IV Note 3 and Part V Note 3, 15.50.015 (b) and (c), 15.50.018 are hereby adopted as part of this ordinance and Title 15 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED IN FIRST READING: April 26, 1977.

PASSED IN SECOND READING: May 17, 1977.

Samuel R. Rivett  
Vice Mayor

ATTEST: Jayce Paul  
Clerk

SCHEDULE A (Sec. 15.40.010)

Part I - Annual Moorage Fee

- (a) \$6.00 per foot annually for the length of the vessel or length of the stall, whichever is greater. A minimum of 20 feet shall be charged for stalls.
- (b) \$3.00 per foot annually for rafting
- (c) Skiff stalls or Ring stalls at Reliance Float at a fee according to the length of the boat at \$6.00 per foot per annum
- (d) Statements for annual moorage shall be mailed before July 15 of each year and shall be due and payable on July 31, but an owner may elect to pay one-half before July 31 and the balance before December 31. Owner's address for mailing purposes shall be that recited on the registration filed with the Port Director and the mailing of a statement thus addressed shall constitute notice to the owner.
- (e) Dolphin Fee. All Boats and Barges tied to City Dolphins shall be charged \$3.00 per foot annually. Rafting at City Dolphins shall be charged \$1.50 per foot annually.
- (f) No property rights are created by this section or this title. The person renting a stall shall have a license to use the space reserved to him as provided in this title. There shall be no loaning or subleasing of stalls except when consent thereto is given by the Port Director or Harbormaster. The Port Commission shall have the authority to utilize the holder's reserved space for other boats during an absence of the holder's boat if said boat is gone in excess of five (5) days and provided that all unassigned stalls are used first. The Harbormaster shall have the authority to move any moored boat to other locations in the event of fire or other emergencies requiring such action, or in the event the person temporarily assigned to a reserved moorage stall is displaced by the person paying the annual moorage fee.

Part II - Seasonal and Transient Moorage Fees

(a) Standard Rates:

<u>Length of Vessel</u>	<u>Charge Per Day</u>
under 36 feet	\$1.50
37 - 60 feet	\$2.00
over 60 feet	\$3.00

Vessels moored in designated free space may occupy such space without charge for a period not to exceed 5 days. Vessels occupying such space for longer periods shall be charged in accordance with the rates set forth above, ~~at the discretion of the Port Commission.~~ The above fees are applicable to boats mooring from one to three weeks.

- (b) Permits for mooring on the outside of the Reliance Float shall be signed by the owner or authorized agent on behalf of the owner of the vessel, and the permit shall designate the (1) duration of the permitted moorage, (2) rate applicable, (3) name of vessel, (4) owners of vessel, and (5) name and mailing address of person signing permit. The person signing the permit shall be responsible for payment. Fees shall be paid within 30 days of permit issuance.

SCHEDULE B (Sec.15.40.020)

Part I - Wharfage\*

- (6) Lumber and Logs  
(2,240 lbs. shall be considered \$1.75 per 1,000  
1,000 board feet) board feet

Part III - Dockage

Note 4: Vessels discharging or loading freight will be assessed dockage at 25% of the above fees but will remain subject to the minimum charge. This note only applies to vessels or barges providing regular and frequent service, calling at Wrangell at least twice each month.

Part IV - Storage

Note 3: Vans, freight or other articles, for which no prior arrangements have been made, which are occupying space on the wharf for periods longer than the free time allowed in the Rules and Regulations

shall be charged a flat storage fee, equivalent to that charged for interior storage space, prorated on a weekly basis or fraction thereof.

Part V - Labor and Miscellaneous Fee

Note 3: A \$10.00 fee per round trip shall be imposed for each sight-seeing tour or charter bus using the Wharf or Port Landfill to meet tour ships; a fee of \$5.00 shall be imposed for limousines of eight passenger capacity or less.

Sec. 15.50.015. Assignment of Moorage Space. . . .

(b) Assignment shall be on a fiscal year-to-year basis. Right of renewal shall be conferred as long as the assigned owner continues to use the space, abides by the provisions of Title 15 of the City Code, and remains current on payment of fees, charges and amounts due the Port of Wrangell. Continuous use shall mean ownership of a vessel home-ported or principally used in Wrangell, Alaska and regularly utilizing the harbor facilities at least on a seasonal basis.

(c) A waiting list shall be established for persons requesting moorage space. No fee shall be charged, and vessel ownership shall not be a condition precedent to enrollment on the waiting list. In case of insufficient mooring space, preference will be given to local residents. In order to remain on the waiting list, you must report your intent every 6 months to the Port Director (6 months from time of original application). A boat owner may specify a certain area of preference between the five stall areas in the Wrangell harbor, so that if he is offered and refuses a stall in an unwanted area he will not automatically lose his position on the stall waiting list.

Sec. 15.50.018. Transfer and Subleasing. Right to assigned moorage space inures to the lessee, not the vessel. The transfer of assigned moorage space is prohibited unless consent thereto is given by the Port Director or Harbormaster.

CITY OF WRANGELL, ALASKA

Ordinance No. 359

AN ORDINANCE AMENDING THE WRANGELL MUNICIPAL CODE BY CHANGING THE TERMS OF PORT COMMISSION MEMBERS FROM FIVE YEARS TO THREE YEARS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective thirty (30) days after final passage.

Sec. 4. Repealer. Sec. 15.20.010 of the Wrangell Municipal Code as adopted by Ordinance No. 273 and Ordinance 294, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 5. Adoption of Sections. The following annexed section, bearing code number 15.20.010 is hereby adopted as a part of this ordinance and Title 15 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED IN FIRST READING: April 26, 1977.

PASSED IN SECOND READING: May 17, 1977.

Samuel P. Rivera  
Vice Mayor

ATTEST: James Paul  
Clerk

## Chapter 20. Port of Wrangell

Sec. 15.20.010. Port Commission Generally - Membership. There is established the Wrangell Port Commission which shall consist of five (5) members who shall each hold office for a period of three (3) years ending on the first Monday following the annual municipal general election, or until their successors have been appointed and have qualified. The effective termination date and the three year term herein set out of Port Commission members shall apply prospectively only, commencing with the respective terms of members hereafter elected. Members of the commission, who shall have the same qualifications as councilmen, shall serve without pay. Members shall continue to serve staggered terms, with one member elected annually. Filing shall be by declaration of candidacy filed with the City Clerk not more than 30 days and at least 14 days prior to the election; no petition is necessary. Vacancies shall be filled by appointment by the mayor until the next annual election at which time candidates may file for the remainder of the vacant term.

Sec. 15.20.020. Jurisdiction of Wrangell Harbor. Subject to the paramount authority of the City Council, the Port Commission shall have jurisdiction, supervision and control of Wrangell Harbor, herein also referred to as the Port of Wrangell, including all the tide and submerged lands, whether filled or unfilled, below the line of mean high tide, and including small boat harbors and the Wrangell Wharf and related facilities, but shall not extend to include the State Ferry Terminal or Wrangell Lumber Dock or operations undertaken at either. In the exercise of its police power by the City of Wrangell as delegated to the Port Commission, the provisions of this title shall be construed to supplement Federal Laws and Regulations, in cases of concurrent jurisdiction.

Sec. 15.30.030. Power to Acquire and Own Property, Enter Contracts. The Port Commission shall have the power to acquire and own, in the name of the City, real and personal property and all rights incident thereto; enter into contracts; disburse monies collected from service charges of any nature and to take all necessary action in the furtherance of any of the powers expressly set out. Service charges established by the Commission or fees or payments collected shall be disbursed in accordance with Port Commission account procedures established by Council resolution,

ORIGINAL

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 357

AN ORDINANCE ESTABLISHING DIFFERENTIAL  
TAXATION ZONES FOR THE TAX YEAR 1977.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of an impermanent and transitory nature and shall not be codified in the Wrangell City Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell City Code and shall be effective one month after passage.

Sec. 4. Purpose. The intent of this ordinance is to comply with Sec. 60.20.285 of the Wrangell City Code prescribing that the Council shall annually establish differential taxation zones for assessment purposes.

Sec. 5. Map Adopted by Reference. That certain map, specifically General Telephone Company Wrangell Exchange Rural Map consisting of 12 sheets, dated June 18, 1974, is adopted by reference as if fully set forth herein. The original of said map as specifically marked for the purposes of this ordinance shall be posted in the Clerk's office at City Hall until completion of the Board of Equalization hearings for 1977 tax purposes, and thereafter shall be retained in the Clerk's office.

Sec. 6. Differential Taxation Zones Adopted. The differential taxation zones being Class I, Class II, Class III and Class IV as designated in Sec. 60.20.285(d) of the Wrangell City Code with the respective percentages of mill levy as appears therein and as marked and indicated on the Wrangell Exchange Rural Map incorporated by reference in the preceding section are hereby adopted for purposes of differential taxation for tax year 1976.

PASSED AND APPROVED: January 25, 1977.

Edward P. Churchill  
Mayor

ATTEST

Jane Parker  
City Clerk

published February 2, 1977

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 356

AN ORDINANCE AMENDING THE ZONING AND PLANNING COMMISSION ORDINANCE AS TO COMMISSION MEMBERSHIP, QUORUM AND VOTING.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective one month after final passage.

Sec. 4. Repealer. This ordinance repeals Sections bearing code numbers 03.61.020 and 03.61.080 of Wrangell Ordinance No. 342, adopted November 25, 1975.

Sec. 5. Adoption. The following annexed sections bearing code numbers 03.61.020 and 03.61.080 are hereby adopted as a part of this ordinance and Title 03 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED AND APPROVED: January 11, 1977.

Edmund P. Churchill  
Mayor

ATTEST:

James R. Rader  
Clerk

published January 19, 1977



Sec. 03.61.020. Composition. The Commission shall consist of nine members from the general public, nominated by the Mayor and confirmed by the Council. Appointed members shall not include members of the Council or of the Port Commission. They shall be selected with a view toward achieving a broad geographic representation for all areas of the City.

Sec. 03.61.080. Quorum and Voting. Five members of the Commission shall constitute a quorum. For voting purposes, the vote of a majority of the quorum shall be sufficient for a subject matter's passage or enactment.

## CITY OF WRANGELL, ALASKA

Ordinance No. 378

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM FUTURE DEVELOPMENT TO LIGHT INDUSTRIAL.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is not an ordinance of a permanent and general nature and shall not become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided by law and shall be effective thirty (30) days after final passage.

Sec. 4. Findings of Council. The procedure set out in Chapter 75 of Title 95 of the Wrangell Municipal Code having been followed, the Council hereby finds that the public necessity, convenience, and general welfare of the inhabitants of the City of Wrangell, requires that the following described property should be rezoned from future development to light industrial.

Sec. 5. Property Zoned. The property hereinafter described is hereby contract rezoned from future development to light industrial. Said property shall be subject to all the requirements of law as rezoned and shall in addition be subject to the contract zoning agreement hereinafter authorized:

Beach Rights located in U.S. Survey 1518, Wrangell Recording District, First Judicial District, State of Alaska more particularly described as follows:

Begin at Corner No. 3 of said U.S. Survey 1518, thence proceed on a line running South 73° 28' West to a point on the Westerly boundary of the right of way of Zimovia Highway, the true point of beginning. Thence South 73° 28' West to a point on the mean high tide line of Zimovia Strait, thence northerly along said mean high tide line to Corner No. 1 of said USS 1518, thence North 43° 15' East to a point on the westerly boundary of the right of way of Zimovia Highway, thence southerly along said westerly boundary to the true point of beginning.

Sec. 6. Authority for Contract Zoning Agreement. The Mayor and Clerk are hereby authorized to execute the contract zoning agreement which agreement is attached hereto and incorporated herein by reference.

PASSED AND APPROVED: December 12, 1978.

Samuel R. Rivers  
Mayor

ATTEST: James Ruel  
Clerk

CONTRACT ZONING AGREEMENT

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THIS AGREEMENT made this 12 day of December, 1978, between ORDEN PHILLIPS and NADINE PHILLIPS, whose address is Post Office Box 492, Wrangell, Alaska 99929, hereinafter referred to as "First Parties", and the CITY OF WRANGELL, whose address is Post Office Box 531, Wrangell, Alaska 99929, hereinafter referred to as "Second Party."

W I T N E S S E T H:

1. First Parties are the owners of the following described real estate, to-wit:

Beach Rights located in U.S. Survey 1518, Wrangell Recording District, First Judicial District, State of Alaska, more particularly described as follows:

Begin at Corner No. 3. of said U.S. Survey 1518 thence proceed on a line running South 73° 28' West to a point on the Westerly boundary of the right of way of Zimovia Highway, the true point of beginning. Thence South 73° 28' West to a point on the mean high tide line of Zimovia Strait, thence northerly along said mean high tide line to Corner No. 1 of said U.S. Survey 1518, thence North 43° 15' East to a point on the westerly boundary of the right of way of Zimovia Highway, thence southerly along said westerly boundary to the true point of beginning.

2. The above described real property is presently zoned for future development by Second Party, pursuant to Section 97.37.010 of the Wrangell City Code.

3. First Parties desire to develop said real property for use as the site of a bait herring processing plant.

4. First Parties have petitioned to re-zone the above described real property to Light Industrial-1 uses as set forth in Section 95.35.010 et seq. of the Wrangell City Code.

5. Surrounding landowners have objected to re-zoning said property to Light Industrial-1 uses on the grounds that many uses permitted under this classification would be offensive to

1 the residential character of their neighborhood.

2           6. The parties hereto agree that the real property  
3 described in paragraph 1 above shall be re-zoned to Light Indus-  
4 trial-1 uses subject to the condition that First Parties shall  
5 develop the property only for the use as the site of a bait  
6 herring processing plant, including the following:

7           (a) Insulated metal plant/warehouse to be used to  
8 package and freeze bait herring;

9           (b) Dock facilities adjacent to the above-des-  
10 cribed real property on submerged land to be used for off-  
11 loading live herring;

12           (c) Holding pens on submerged lands to be used  
13 for holding live herring.

14           7. First Parties agree to plant, replant and maintain  
15 alder trees or other shrubbery to screen their operations from  
16 direct view by adjacent property owners. First Parties further  
17 agree to use all possible efforts to prevent their operations  
18 from constituting a nuisance to adjacent property owners, in-  
19 cluding, but not limited to, the following:

20           (a) First Parties agree to maintain the area  
21 surrounding their operation, including adjacent property  
22 free and clear of dead herring or any other refuse resulting  
23 from their operation, warranting that no such refuse will  
24 result from their operation;

25           (b) First Parties agree to provide mufflers on  
26 the freezer compressor to be used in their operation and  
27 insulation in the building in which said compressor will be  
28 located sufficient to prevent the operation of said com-  
29 pressors or other equipment of First Parties' operations or  
30 business from constituting a noise nuisance.

31           8. First Parties agree to begin construction of phy-  
32 sical facilities within six (6) months of receipt of all nec-

1 essary permits and to complete construction thereof within twelve  
2 (12) months thereof. First Parties further agree to plant and  
3 replant, if necessary, the shrubbery specified in paragraph 7  
4 above within twelve (12) months.

5 9. First Parties agree that the real property subject  
6 to this agreement shall be used only as the site for a bait  
7 herring processing plant and for uses directly incidental to the  
8 operation of such a plant. First Parties specifically agree not  
9 to use said property for any of the following uses:

- 10 (a) Log salvage operations;
- 11 (b) Storage of logs or log salvage equipment;
- 12 (c) Storage of boats, float houses, barges or  
13 other equipment not incidental to operation of a bait her-  
14 ring processing facility;
- 15 (d) Any other uses not directly incidental to a  
16 bait herring processing plant.

17 10. The parties hereto agree that the real property  
18 described above is indefinitely zoned Light Industrial-1 so long  
19 as the property is used as the site for a bait herring processing  
20 plant. Should said property cease to be used as the site for a  
21 bait herring processing plant for a period of more than twelve  
22 (12) months, for reasons other than a failure or temporary clo-  
23 sure of the herring fishery, the zoning classification of said  
24 property shall revert to medium density-1. All structures not  
25 permitted in medium density-1 shall be removed within twelve (12)  
26 months.

27 11. The parties hereto agree that should the real prop-  
28 erty subject to this agreement be zoned Light Industrial-1 or  
29 any other zoning classification which permits use of the property  
30 as the site of a bait herring processing plant, then the pro-

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1 visions of this agreement restricting said property to use as the  
2 site of a bait herring processing plant shall be null and void.  
3 It is further agreed that should any petition be filed by First  
4 Parties singly or jointly with one or more adjacent property  
5 owners to re-zone the real property described above, no weight  
6 shall be given to the provisions of this agreement in considering  
7 such a petition but that, for the purposes of such a petition,  
8 said real property shall be considered vacant land.

9           12. Administration and Enforcement of Contract Zone.

10 The remedies provided for herein shall be in addition to those  
11 remedies provided for the administration and enforcement of  
12 planning and zoning laws by the State of Alaska, the Charter of  
13 the City of Wrangell, the ordinances of the City of Wrangell, or  
14 the rules and regulations promulgated and adopted thereby.

15           (a) Definition. Refuse herein shall mean all  
16 waste material, which if thrown or deposited or left to  
17 remain on the property herein or the surrounding property,  
18 tends to create a danger to public health, safety and wel-  
19 fare. Refuse shall include any putrescible animal or vege-  
20 table waste resulting from the handling, preparation, or  
21 consumption of food or herring. Refuse shall further in-  
22 clude all putrescible and nonputrescible solid wastes includ-  
23 ing garbage and any industrial wastes. Refuse shall further  
24 include nonputrescible solid wastes consisting of both  
25 combustible and noncombustible waste such as paper, wrap-  
26 pings, cardboard, tin cans, wood, glass, and similar ma-  
27 terials.

28           (b) Owner to Maintain Premises Free of Refuse.

29 The owner or person in control of the above described pri-  
30 vate property shall at all times maintain the premises and  
31 the surrounding property, free of refuse. Provided however,  
32 that this section shall not prohibit the reasonable storage

1 of refuse in authorized, private receptacles for collection.  
2 (c) Enforcement. For a violation of paragraph 7  
3 of this agreement by First Parties, the City Manager or  
4 his authorized representative is hereby authorized and  
5 empowered to notify the First Parties of any violation  
6 thereof, and to further advise said First Parties to prop-  
7 erly dispose of said refuse located on said property or  
8 accomplish any act as required under paragraph 7 above.  
9 Such notice shall be by registered mail, addressed to said  
10 First Parties at their last known address.

11 (1) Action Upon Non-Compliance. Upon the  
12 failure, neglect, or refusal of First Parties or their  
13 agents so notified to comply within ten (10) days after  
14 receipt of written notice provided for above, or within  
15 twenty (20) days after the date of such notice in the  
16 event the same is returned to the City of Wrangell  
17 because of its inability to be delivered, provided the  
18 same was properly addressed to the last known address  
19 of such owner or agent, the City Manager or authorized  
20 representative, is hereby authorized and empowered to  
21 pay for the disposing of such refuse or to order its  
22 disposal by the City, or to require compliance under  
23 paragraph 7 herein.

24 (d) Charge Included in Tax Bill. When the City  
25 has accomplished the removal of said refuse or the required  
26 compliance or has paid for its removal or the required  
27 compliance, the actual cost thereof, plus accrued interest  
28 at the rate of ten (10%) percent per annum from the date of  
29 the completion of the work, if not paid by such owner prior  
30 thereto, shall be charged to the owner of such property on  
31 the next monthly bill forwarded to such owner by the City  
32 and said charge shall be due and payable by said First



1 Parties or owner within thirty (30) days of the date of said  
2 bill.

3 (1) Recorded Statement Constitutes Lien.

4 Where the full amount due the City is not paid by said  
5 First Parties within ninety (90) days after the dis-  
6 posal of said refuse or the required compliance, as  
7 provided for above, then and in that case, the City  
8 Manager or authorized representative, shall cause to be  
9 recorded in the Wrangell Recording District, a sworn  
10 statement showing the cost and expense incurred for the  
11 work, the date the work was done, and the location of  
12 the property on which that work was done. The re-  
13 cordation of such sworn statement shall constitute a  
14 lien on the property of the First Parties and shall  
15 remain in full force and effect for the amount due in  
16 principal and interest, plus costs of court, if any,  
17 for collection until final payment has been made. Said  
18 costs and expenses shall be collected in the manner  
19 fixed by law for the collection of taxes. Sworn state-  
20 ments recorded in accordance with the provisions  
21 hereof, shall be prima facie evidence that all legal  
22 formalities have been complied with, and that the work  
23 has been done properly and satisfactorily, and shall be  
24 full notice to every person concerned that the amount  
25 of the statement, plus interest, and costs, if any,  
26 constitutes a charge against the property designated or  
27 described in the statement and that the same is due and  
28 collectable as provided by law.

29 13. Termination. As an additional enforcement tool,  
30 and not by way of limitation of any other right or remedy that  
31 the City of Wrangell may have, in the event First Parties or any  
32 of their agents or employees violate any of the agreements,

1 covenants, or provisions of this contract, a violation by First  
2 Parties shall entitle the City of Wrangell to terminate this  
3 agreement provided that the City of Wrangell for such violation  
4 shall give First Parties at least thirty (30) days written notice,  
5 specifying the particulars wherein it is claimed that there has  
6 been a violation hereof. If at the end of such thirty-day period,  
7 the First Parties have not removed the cause of the complaint or  
8 remedied the purported violation, then this contract shall be  
9 deemed terminated, and the provisions of paragraph 10 above shall  
10 apply. It is specifically agreed that enforcement by termination  
11 shall be available to the City of Wrangell against First Parties  
12 during any period when the property has ceased to be used as a  
13 site for bait herring facility, or for any other period provided  
14 for herein, whether or not the property is being used as a bait  
15 herring processing plant.

16           14. Compliance with Laws. First Party shall be required  
17 to comply with all applicable Federal, State and local laws,  
18 rules and regulations and nothing shall be construed herein to be  
19 authorized that would otherwise be precluded by any applicable  
20 law.

21           15. Binding on Heirs. This agreement shall be binding  
22 on all of the heirs, successors, assigns, agents, and transferees  
23 of the parties hereto, whether said transfer, assignment, or  
24 conveyance occurs by operation of law or otherwise.

25           16. Attorney's Fees. In case suit or action is in-  
26 stituted to enforce this agreement, the nondefaulting party, in  
27 addition to the court costs, shall pay reasonable attorney's  
28 fees.

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1 IN WITNESS WHEREOF, the parties have executed this  
2 agreement the day and year first above written.

3  
4 Orden Phillips  
5 Orden Phillips

6 Nadine Phillips  
7 Nadine Phillips

8 FIRST PARTIES

9 CITY OF WRANGELL, ALASKA

10 By Samuel R. Privett  
11 Samuel R. Privett

12 By Joyce Rasler  
13 Joyce Rasler

14 SECOND PARTY

15  
16 STATE OF ALASKA )  
17 FIRST JUDICIAL DISTRICT ) ss.

18 THIS IS TO CERTIFY that on this 12 day of December,  
19 1978, before me, a Notary Public in and for the State of Alaska,  
20 duly commissioned and sworn, personally appeared SAMUEL R. PRIVETT  
21 and JOYCE RASLER, to me known to be the Mayor and City Clerk,  
22 respectively of the City of Wrangell, Alaska, and they acknow-  
23 ledged to me that they executed the above and foregoing instru-  
24 ment on behalf of the City of Wrangell, Alaska, and as a free  
25 and voluntary act and deed of said City, for the uses and  
26 purposes therein mentioned, and that the seal affixed to this  
27 instrument is the corporate seal of the City of Wrangell, Alaska.

28 IN WITNESS WHEREOF, I have hereunto set my hand and  
29 seal the day and year first herein written.

30 RaDonna Klein  
31 Notary Public for Alaska  
32 Commission expires: 8-6-82

33 STATE OF ALASKA )  
34 FIRST JUDICIAL DISTRICT ) ss.

35 THIS IS TO CERTIFY that on this 7 day of February,  
36 1979, before me, a Notary Public in and for the State of Alaska,  
37 duly commissioned and sworn, personally appeared ORDEN PHILLIPS

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and NADINE PHILLIPS, to me known to be the persons described in and who executed the above and foregoing instrument, and they severally acknowledged to me that they signed and sealed the same freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate first herein written.

Radonna Klein  
Notary Public for Alaska  
Commission expires: 8-6-85

ORDINANCE NO. 377

AN ORDINANCE of the Council of the City of Wrangell, Alaska, providing for the issuance of general obligation bonds of the city in the principal amount of \$1,500,000 for the purpose of making certain capital improvements to its school facilities; creating a construction fund and bond redemption funds; fixing the date, form, terms, maturities and covenants of said bonds; providing for the payment of the principal thereof and interest thereon; and providing for the sale thereof.

WHEREAS, at a special election held in the City of Wrangell, Alaska, on October 3, 1978, pursuant to Resolution No. 8-78-72, the City Charter, and other resolutions and ordinances of the Council of the City, the qualified electors thereof authorized the issuance of general obligation bonds of the City in the principal amount of not to exceed \$1,500,000 for the purpose of making certain capital improvements to the school facilities of the city; and

WHEREAS, it is deemed necessary and advisable that the City now issue said bonds so authorized.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Wrangell, Alaska, as follows:

Section 1. Definitions. As used in this ordinance the following words shall have the following meanings:

a. The word "City" means the City of Wrangell, a municipal corporation duly organized and existing under the laws of the State of Alaska.

b. The word "Bond" means the fully registered general obligation bond of the City in the aggregate principal amount of

\$1,500,000 issued pursuant to this ordinance, or the coupon bonds of \$5,000 denominations into which such single fully registered bond may be converted pursuant to the provisions of Section 11 hereof.

c. The word "Authority" means the Alaska Municipal Bond Bank Authority.

d. The words "Government Obligations" mean direct obligations of the United States of America or its agencies or obligations the payment of which is guaranteed by the United States of America.

Section 2. Bond Terms. For the purpose of providing funds to pay the cost of making certain capital improvements to the school facilities of the City as provided in Resolution No. 8-78-72 of the City, the City shall issue its fully registered general obligation bond (hereinafter called the "Bond") in the principal amount of \$1,500,000.

The Bond shall be registered as to both principal and interest, shall be dated January 1, 1979, (or as of the date of delivery thereof, at the discretion of the City Manager).

The Bond shall be payable in installments on January 1 of each year as follows:

<u>Maturity Year</u>	<u>Amount</u>	<u>Maturity Year</u>	<u>Amount</u>
1982	\$ 45,000	1991	\$ 80,000
1983	50,000	1992	85,000
1984	50,000	1993	95,000
1985	55,000	1994	100,000
1986	60,000	1995	105,000
1987	65,000	1996	110,000
1988	70,000	1997	120,000
1989	75,000	1998	125,000
1990	75,000	1999	135,000

All such installments shall bear interest at a rate or rates to be fixed, as provided in Section 8 hereof, payable on the first day of July, 1979, and semiannually on the first days of January and July of each year thereafter. Both principal of and interest on the Bond shall be payable in lawful money of the United States of America to the registered owner or owners at the address appearing on the registration certificate. Definitive coupon bonds issued pursuant to Section 11 hereof, shall be payable payable at the office of the City Treasurer or, at the option of the holder, at the main office of Rainier National Bank in Seattle, Washington.

Section 3. Prepayment. The City hereby reserves the right (subject to any applicable provisions of the agreement with the Authority described in Section 8 hereof) to prepay any or all unpaid installments or portions thereof, of the Bond in inverse chronological order and in multiples of \$5,000, on January 1, 1989, or on any interest payment date thereafter, at par plus accrued interest to the date of redemption.

No portion of any installment of the Bond may be prepaid unless all succeeding year's installments have been previously, or are simultaneously, fully prepaid.

Notice of any such intended prepayment shall be given by mailing notice thereof to the registered owner of the bond to be prepaid, not more than sixty nor less than fifty days prior to said prepayment date. Interest on any installment or portion thereof so prepaid shall cease on such prepayment date.

Section 4. Registered Bond Form. The Bond and the Registration Certificate thereon shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. R-1

\$ \_\_\_\_\_

STATE OF ALASKA

CITY OF WRANGELL

GENERAL OBLIGATION BOND, 1979

The City of Wrangell, a municipal corporation of the State of Alaska (hereinafter called the "City"), hereby acknowledges itself to owe and for value received promises to pay to the registered owner hereof, the principal sum of

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in the following installments on January 1 of each of the following years, together with interest on such installments, payable July 1, 1979 and semiannually on the first days of January and July of each year thereafter until such installments have been paid, or such payment has been duly provided for, as follows:

<u>Maturity Year</u>	<u>Amount</u>	<u>Interest</u>
1982	\$ 45,000	
1983	50,000	
1984	50,000	
1985	55,000	
1986	60,000	
1987	65,000	
1988	70,000	
1989	75,000	
1990	75,000	
1991	80,000	
1992	85,000	
1993	95,000	
1994	100,000	
1995	105,000	
1996	110,000	
1997	120,000	
1998	125,000	
1999	135,000	



Both principal of and interest on this bond are payable in lawful money of the United States of America to the registered owner hereof at the address appearing in the registration certificate. Upon final payment of all installments and interest thereon, this bond shall be submitted to the City for cancellation and surrender.

The City has reserved the right (subject to any applicable provisions of the Loan Agreement between the City and the Alaska Municipal Bond Bank Authority) to prepay any or all unpaid installments, or portions thereof, in inverse chronological order and in multiples of \$5,000, on January 1, 1989, or on any interest payment date thereafter, at par plus accrued interest to the date of redemption.

Notice of any such intended prepayment shall be given by mailing notice thereof to the registered owner, not more than sixty nor less than fifty days prior to said prepayment.

This bond is issued pursuant to the Constitution and laws of the State of Alaska, the City Charter, a vote of the qualified electors of the City, and duly adopted ordinances and resolutions thereof, for the purpose of providing funds to pay the cost of certain capital improvements to the school facilities of the City.

This bond is payable both principal and interest out of the special fund of the City entitled "1979 Bond Redemption Fund" created by Ordinance No. \_\_\_\_\_ of the Council of the City (the "Bond Ordinance").

The City has obligated and bound itself to make annual levies of ad valorem taxes upon all the taxable property within the City without limitation as to rate or amount and in amounts sufficient, with such other monies of the City available for such purposes as the Council may, from time to time, appropriate and order transferred to such Bond Redemption Fund, to pay the principal of and interest on this bond and the bonds of this issue as the same shall become due. The full faith, credit and resources of the City are hereby irrevocably pledged for the levy of such taxes and the prompt payment of such principal and interest.

As provided in the Bond Ordinance, this bond is exchangeable, at the request and sole expense of the registered owner and upon ninety days written notice thereof, for definitive coupon bonds in a total principal amount equal to the unpaid principal amount of the bond, payable to bearer,

in the denomination of \$5,000 each, maturing and bearing interest at the same time and the same rate as the respective unpaid installments of principal of this bond, and with rights of redemption and in the form provided in the Bond Ordinance.

It is hereby certified and declared that all acts, conditions and things required to be done precedent to and in the issuance of this bond have happened, been done and performed, and that the total indebtedness of the City, including this bond, does not exceed any constitutional, statutory or charter limitation.

IN WITNESS WHEREOF, the City of Wrangell, Alaska, has caused this bond to be signed by its Mayor, to be attested by its City Clerk, and the official seal of the City to be impressed hereon, this \_\_\_\_ day of \_\_\_\_\_, 1979.

CITY OF WRANGELL, ALASKA

By \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

REGISTRATION CERTIFICATE

This bond is registered in the name of the holder on the books of the City, in the office of the Treasurer of the City, as to both principal and interest as noted in the registration blank below. No transfer hereof shall be valid unless made by the registered owner or his duly authorized agent in writing, and similarly noted hereon. All payments of principal and interest on this bond shall be made by the City with full acquittance by the City Treasurer's check, or by warrant of the City, made payable to the last registered holder as shown hereon and on the registration books of the City and delivered to such holder or mailed to him at his address noted hereon and on the registration books of the City.

Date of Registration	Name and Address of Registered Holder	Signature of Registrar
_____	_____	_____
_____	_____	_____
_____	_____	_____

A fully registered bond shall have endorsed thereon the following form of assignment:

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned registered owner thereof hereby sells, assigns and transfers the within bond unto \_\_\_\_\_.

DATED \_\_\_\_\_.

In the presence of:

\_\_\_\_\_

(Repeat this form of assignment)

Section 5. Execution of Bond. The Bond shall be signed on behalf of the City by its Mayor, shall be attested by its City Clerk, and shall have the official seal of the City impressed thereon.

Section 6. Construction Fund. There is hereby created a special fund of the City to be known as the "1979 Construction Fund" into which shall be paid the sum of \$1,500,000 out of the proceeds of the sale of the Bond, and any and all other moneys which the City may now or later have on hand which are necessary and legally available to pay the cost of making certain capital

improvements to the school facilities of the city specified in Resolution No. 8-78-72.

Said fund shall be drawn upon for paying the cost of acquiring, constructing and installing the facilities described in Resolution No. 8-78-72, for repaying any other funds or accounts of the City which may have advanced moneys for such purposes and for paying all expenses incidental to such purposes and the expenses incidental to the issuance of the Bond. In the event there are any moneys left remaining in such Construction Fund after the payment of all of such costs and expenses, the same may be transferred to the 1979 Bond Redemption Fund hereinafter created for the uses and purposes herein provided.

Section 7. Bond Redemption Fund. There is hereby created another special fund of the City to be known as the "1979 Bond Redemption Fund" which Fund is created for the sole purpose of paying the principal of and interest on the Bond. All accrued interest received at the time of delivery of the Bond shall be paid into said Fund.

The City hereby irrevocably covenants and pledges for as long as the Bond is outstanding that it will make provision for the payment of the principal of and interest on such bond in its annual budgets and further covenants that it will make annual levies of ad valorem taxes, for payment into such 1979 Bond Redemption Fund, upon all the property within the City subject to taxation, without limitation as to rate or amount, and in amounts

sufficient, with such other moneys available for such purposes as the Council from time to time may appropriate and order transferred to such Bond Redemption Fund, to pay the principal of and interest on such bond as the same shall become due.

The full faith, credit and resources of the City are hereby irrevocably pledged for the annual levy and collection of such taxes and for the prompt payment of such principal and interest as the same shall become due.

Section 8. Agreement With Authority. The City Manager and City Treasurer are hereby authorized and directed to negotiate with the Authority and to establish the terms of an agreement with the Authority for the sale of the Bond to the Authority, provided that the interest rate to be borne by any installment of the Bond shall not exceed the interest rate on any corresponding bond or bonds of the Authority sold to provide funds for the purchase of the Bond by the Authority and provided that the Bond is purchased by the Authority at a price equal to par plus accrued interest. The form and terms of said agreement shall be subject to approval by resolution of the City Council. The provisions of said agreement shall be applicable to the Bond as if set forth herein in full.

Section 9. Defeasance. In the event that money and/or Government Obligations, maturing at such time or times and bearing interest to be earned thereon in amounts sufficient to redeem and

retire part or all of the Bond in accordance with its terms are set aside in a special account to effect such redemption or retirement and such money and the principal of and interest on such Government Obligations are irrevocably set aside and pledged for such purpose, then no further payments need be made into the 1979 Bond Redemption Fund for the payment of the principal of and interest on the Bond or portion thereof as provided for, and such Bond or portion thereof shall cease to be entitled to any lien, benefit or security of this ordinance except the right to receive the funds so set aside and pledged, and shall be deemed not to be outstanding hereunder.

Section 10. Transfer of Bond. The Bonds may be transferred by the registered owner thereof, provided that such transfer relates to the entire principal amount of the Bond, and such transfer is noted on the bond registration book of the City.

Section 11. Definitive Bonds. Upon ninety days' written notice by the holder of the fully registered Bond, the City shall cause to be prepared and shall deliver to such holder, at the sole cost and expense of the holder, definitive coupon bonds of type composition and on bond paper of weight and strength that is customarily used for serial bonds of an issue comparable to the principal amount of the Bond.

Such definitive bonds shall be in the denomination of \$5,000 each, shall be numbered in chronological order, and shall be in the total principal sum of the unpaid installments of principal of the Bond so exchanged.

Coupon bonds shall correspond to \$5,000 increments of the unpaid installments of the Bond so exchanged and shall bear interest at the rates borne by the respective installments which they represent and shall mature at the time the respective installments become due and payable. Coupon bonds shall be callable in inverse numerical order under the same conditions, at the same times and the same price at which installments of the Bond may be prepaid. Notice of any such intended redemption shall be given by one publication thereof in a financial journal of general circulation in the City of New York, New York, not more than 60 nor less than 50 days prior to said redemption date, and by mailing a like notice at the same time to the holder of the Bond so exchanged, at the time of its conversion into coupon bonds, at its last address as it appeared on the registration books of the City. Interest on any coupon bond so called for redemption shall cease on such redemption date unless the same is not redeemed upon presentation made pursuant to such call.

Coupon bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

No. \_\_\_\_\_

\$5,000

STATE OF ALASKA

CITY OF WRANGELL

GENERAL OBLIGATION BOND, 1979

The City of Wrangell, a municipal corporation of the State of Alaska (hereinafter called the "City"), hereby acknowledges itself to owe and for value received promises to pay to bearer on the first day of January, 19\_\_, the principal sum of

FIVE THOUSAND DOLLARS

together with interest thereon payable July 1, 1979, and semiannually thereafter on the first days of January and July of each year from date hereof at the rate of \_\_\_% per annum to date of maturity as evidenced by coupons attached hereto, upon presentation and surrender of such interest coupons as they severally become due, or until such principal amount shall have been paid or duly provided for.

Both principal of and interest on this bond are payable in lawful money of the United States of America at the office of the City Treasurer, Wrangell, Alaska, or, at the option of the holder, at the main office of Rainier National Bank, Seattle, Washington.

The City has reserved the right (subject to any applicable provisions of the Loan Agreement between the City and the Alaska Municipal Bond Bank Authority) to redeem any or all of the outstanding bonds of this issue in whole, or in part in inverse numerical order, on January 1, 1989, or on any interest payment date thereafter, at par plus accrued interest to the date of redemption.

Notice of any such intended redemption shall be given by one publication thereof in a financial journal of general circulation in the City of New York, New York, not more than 60 nor less than 50 days prior to said redemption date, and by mailing a like notice at the same time to \_\_\_\_\_.

This bond is one of an issue of 300 general obligation bonds of the City of like amount, date and tenor except as to number, interest rate and date of maturity and is issued pursuant to the Constitution and laws of the State of Alaska, the City Charter, a vote of the qualified electors of the City, and duly adopted ordinances and resolutions thereof, for the purposes of providing funds to pay part of the cost of making certain capital improvements to the school facilities of the City.

This bond and the bonds of the issue of which it is one are payable both principal and interest out of the special fund of the City entitled "1979 Bond Redemption Fund" created by Ordinance No. \_\_\_\_\_ of the Council of the City (the "Bond Ordinance").

The City has obligated and bound itself to make annual levies of ad valorem taxes upon all the taxable property within the City without limitation as to rate or amount and in amounts sufficient, with such other monies of the City



available for such purposes as the Council may, from time to time, appropriate and order transferred to such Bond Redemption Fund, to pay the principal of and interest on this bond and the bonds of this issue as the same shall become due. The full faith, credit and resources of the City are hereby irrevocably pledged for the levy of such taxes and the prompt payment of such principal and interest.

It is hereby certified and declared that all acts, conditions and things required to be done precedent to and in the issuance of this bond have happened, been done and performed, and that the total indebtedness of the City, including this bond and the bonds of this issue, does not exceed any constitutional, statutory or charter limitation.

IN WITNESS WHEREOF, the City of Wrangell, Alaska, has caused this bond to be signed with the facsimile signature of its Mayor, to be attested by its City Clerk, the official seal of the City to be impressed hereon, and the interest coupons pertaining hereto to be signed with the facsimile signatures of said officials, this \_\_\_\_ day of \_\_\_\_\_, 1979.

CITY OF WRANGELL, ALASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

The interest coupons attached to the coupon bonds shall be in substantially the following form:

No. \_\_\_\_\_ \$ \_\_\_\_\_

ON THE FIRST DAY OF \_\_\_\_\_, the City of Wrangell, Alaska will pay to bearer at the office of the City Treasurer of the City of Wrangell, Alaska, or at the option of the holder, at the main office of Rainier National Bank, Seattle, Washington, the amount shown hereon in lawful

money of the United States of America, said amount being the semiannual interest due that date on its general obligation bond, dated \_\_\_\_\_, 1979 and numbered \_\_\_\_\_.

CITY OF WRANGELL, ALASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

The coupon bonds shall be signed on behalf of the City with the facsimile signature of its Mayor, shall be attested by its City Clerk, and shall have the official seal of the City impressed thereon. Each of the attached interest coupons shall be signed with the facsimile signature of said officials.

Section 12. Arbitrage Covenant. The City covenants to the purchaser of the Bond that it will make no use of the proceeds of the Bond at any time during the term thereof which, if such use had been reasonably expected on the date the Bond is issued, would have caused the Bond to be an arbitrage bond within the meaning of Section 103(c) of the United States Internal Revenue Code of 1954, as amended, and applicable regulations thereunder.

Section 13. Effective Date. This ordinance shall be published as provided by the City charter and ordinances and shall be effective thirty days after final passage.

PASSED by the Council of the City of Wrangell, Alaska and approved by its Mayor at a special meeting of said council held this 11th day of December, 1978.

CITY OF WRANGELL, ALASKA

By Samuel R. Rivers  
Mayor

ATTEST:

Jane Raab  
City Clerk

FIRST READING November 28, 1978

SECOND READING AND PASSAGE DATE December 11, 1978

EFFECTIVE DATE January 10, 1979

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 376

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 03 ADMINISTRATION, CHAPTER 61, ZONING AND PLANNING COMMISSION, SPECIFICALLY AMENDING THE COMPOSITION OF THE COMMISSION, QUORUM AND VOTING.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be generally effective thirty days after adoption.

Sec. 4. Repealer. This ordinance repeals Sec. 03.61.020, Sec. 03.61.030, and Sec. 03.61.080 adopted by Wrangell Ordinance No. 356 dated January 11, 1977 and Sec. 03.61.160 adopted by Wrangell Ordinance No. 251 dated April 28, 1970.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers 03.61.020, 03.61.030, 03.61.080, and 03.61.160 are hereby adopted as part of this ordinance and Title 03 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED IN FIRST READING: September 26, 1978.

PASSED IN SECOND READING: October 10, 1978.

Samuel R. Rivers  
Mayor

ATTEST: [Signature]  
City Clerk

## TITLE 03. ADMINISTRATION

### Chapter 61. Zoning and Planning Commission

Sec. 03.61.020. Composition. The Commission shall consist of seven members from the general public, nominated by the Mayor and confirmed by the Council. Appointed members shall not include members of the Council or of the Port Commission. They shall be selected with a view toward achieving a broad geographic representation for all areas of the City.

Sec. 03.61.30. Term of Membership. The term of membership shall be three (3) years. Any vacancy shall be filled by the Mayor and confirmed by the Council for the unexpired portion of the term. Members appointed to the Commission shall serve respective terms expiring ten (10) days after the general municipal election, and new appointments to the Commission shall be made within ten (10) days after said election.

Sec. 03.61.080. Quorum and Voting. Four members of the Commission shall constitute a quorum. For voting purposes, the vote of a majority of the quorum shall be sufficient for a subject matter's passage or enactment.

Sec. 03.61.160. Authority to Receive Gifts, Bequests, or Devises. The Commission may receive gifts, bequests or devises of property in the name of the City to carry out any of the purposes of this chapter.

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 375

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE ELECTRICAL CODE; SPECIFICALLY AMENDING THE UTILITY POLE USE RATE AND PROVIDING FOR EFFECTIVE DATES; AND PROVIDING FOR A PUBLIC HEARING.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective January 1, 1979.

Sec. 4. Repealer. This ordinance repeals Sec. 54.20.105 adopted by Wrangell Ordinance No. 372 dated July 25, 1978.

Sec. 5. Adoption of Sections. The following annexed section bearing code number 54.20.105 is hereby adopted as part of this ordinance and Title 54 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

PASSED IN FIRST READING: September 26, 1978.

PASSED IN SECOND READING: October 10, 1978.

Samuel R. Bivens  
Mayor

ATTEST: [Signature]  
City Clerk

Sec. 54.20.105. Use of Poles.

CLASSIFICATION: This section applies to all utility poles owned by the City which may be used by anyone other than the City.

RATE: \$4.00 per pole per year effective January 1, 1979.

\$5.00 per pole per year effective January 1, 1980.

## CITY OF WRANGELL, ALASKA

Ordinance No. 374

AN ORDINANCE EXEMPTING THE CITY OF WRANGELL FROM THE CONFLICTS OF INTERESTS ACT, SUBJECT TO REFERENDUM APPROVAL BY THE VOTERS AT THE GENERAL MUNICIPAL ELECTION OCTOBER 3, 1978.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of an impermanent and transitory nature and shall not be codified in the Wrangell City Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell City Code and its effective date shall be October 3, 1978, contingent upon referendum approval of the voters of the City of Wrangell at the general election October 3, 1978.

Sec. 4. Repealer. This ordinance repeals no existing or effective Wrangell ordinance.

Sec. 5. Recitals. WHEREAS, Alaska Statutes 39.50 requires, among other things, that public officials and candidates file a statement of financial disclosure pertaining to said public official and his or her spouse and dependent children, the source of income over one hundred dollars, identity of businesses and interests therein owned, identity and nature of each interest in real property, identity of trusts wherein a beneficial interest is held, loans or loan guarantees and source thereof, list of contracts or offers to contract with the State or instrumentality of the State, and listing of all mineral, timber, oil and any other natural resource leases held, offered or made during the preceding calendar year;

AND WHEREAS, the "public official" defined in said Act includes each appointed or elected municipal officer as enumerated in the Act;

AND WHEREAS, Alaska Statutes, specifically AS 39.50.145 confers local option with respect to the Act and permits the municipality to exempt its municipal officers from the requirements thereof if a majority of the voters voting on the question at a special or general election so vote;



AND WHEREAS, the Council of the City of Wrangell deems said issue worthy of referendum to the voters because the Act relating to conflict of interest may impinge upon the right of privacy, may discourage otherwise qualified persons from seeking local public office, may be lacking in public purpose as to application at the municipal level of government, and may be violative of the constitutional mandate conferring maximum local self-government to Alaska's municipalities.

Sec. 6. Local Exemption Exercised. Subject to voter referendum approval as provided in Sec. 7, the City of Wrangell elects to exercise local option and exempt its municipal officers and public officials from application of AS 39.50 Conflicts of Interests (AS 39.50.010-AS 39.50.200 as amended), and hereby submits the exemption question to the voters.

Sec. 7. Referendum Proposition. The Clerk of the City of Wrangell, Alaska is hereby directed to place upon the ballot at the forthcoming general election of the City of Wrangell for the purpose of referring to the qualified voters of Wrangell, Alaska, the following:

PROPOSITION

EXEMPTION FROM CONFLICTS OF INTERESTS ACT

SHALL THE CITY OF WRANGELL, ALASKA, EXERCISE LOCAL OPTION TO EXEMPT ITS MUNICIPAL OFFICERS FROM THE REQUIREMENTS OF "AN ACT RELATING TO CONFLICTS OF INTERESTS" CONTAINED IN AS 39.50.010 THROUGH AS 39.50.200 AS AMENDED?

YES /  /

NO /  /

Sec. 8. General Election. The Clerk of the City of Wrangell, Alaska, is hereby directed to call a general election of the qualified voters of the City of Wrangell for October 3, 1978.

Sec. 9. That for the purpose of the election on the foregoing proposition to be submitted at said general election, the City shall be divided into two election precincts, the boundaries of which and places for voting in each of said precincts are and shall be the same as for municipal elections generally.

Sec. 10. That the polls will be open for voting on the proposition between the hours of 8:00 a.m. and 8:00 p.m. on October 3, 1978.

Sec. 11. That the qualifications for voters on the aforementioned proposition shall be the same as for voters at municipal elections generally.

Sec. 12. That notice, publication and posting shall be given by the City Clerk in accordance with the provisions of the Wrangell Municipal Code and the Charter.

Sec. 13. Act Availability. The City Clerk is instructed to have available for inspection and copying the Conflict of Interest Act codified in Alaska Statutes as AS 39.50.010 through and including AS 39.50.200 as amended at City Hall from the date of first introduction of this ordinance by the Council through and including the day of the election on the question herein presented for voter approval.

PASSED IN FIRST READING: August 8, 1978.

PASSED IN SECOND READING: August 22, 1978.

Samuel R. Rivera  
Mayor

ATTEST: Joyce Rasler  
City Clerk

EXEMPT, YES 302

EXEMPT, NO 364

I, Joyce Rasler, City Clerk of the City of Wrangell, Alaska, hereby certify that the foregoing is a true and correct result of the election held October 3, 1978 and that the proposition was defeated by a majority of votes.

Joyce Rasler

ORDINANCE NO. 373

AN ORDINANCE of the City of Wrangell, Alaska, providing for the issuance and sale of a general obligation sewer bond of the city in the principal amount of \$750,000 to pay part of the cost of acquiring, constructing and equipping a sewerage treatment plant and related facilities for the city; providing the date, form, terms and maturities of said bond; providing and adopting certain covenants and protective features safeguarding the payment of the principal thereof and interest thereon; creating a note retirement fund and a bond redemption fund; providing for the retirement of certain bond anticipation notes; providing for the annual levy and collection of ad valorem taxes upon all the taxable property within the city without limitation as to rate or amount and in amounts which, with other moneys in said bond redemption fund, will be sufficient to pay the principal of and interest on such bond as the same shall become due; pledging the full faith and credit of the city to the payment of such principal and interest; and confirming the sale of such bond.

WHEREAS, at a special election held in the City of Wrangell, Alaska (hereinafter called the "City"), on October 3, 1972, pursuant to the City Charter, Resolution 8-72-1, and other ordinances and resolutions of the City Council, the qualified electors of the City authorized the issuance of general obligation bonds in the principal amount of not to exceed \$750,000 for the purpose of providing funds to pay part of the cost of acquiring, constructing and equipping a sewerage treatment plant and related facilities for the City; and

WHEREAS, it is hereby found necessary and to the best interest of the City and its inhabitants that it sell and issue its general obligation sewer bond in the principal amount of \$750,000 in order to provide funds necessary to pay part of the costs of said sewerage treatment facility; and

WHEREAS, the City has heretofore entered into an agreement with the United States Department of Agriculture acting through its Farmers Home Administration whereby the United States Department of Agriculture agreed to submit a proposal, following substantial completion of the facility, for the purchase of such general obligation sewer bond to be issued; and

WHEREAS, the Superior Court for the State of Alaska, First Judicial District at Ketchikan, ruled by a Summary Judgment and Declaratory Order entered December 29, 1976 in Civil Action Number 76-441 that general obligation sewer bonds to be issued by the City pursuant to its Resolution No. 9-76-44, when issued and sold pursuant to Proposition 3 approved by the qualified electors of the City on October 3, 1972, shall be valid obligations of the City, and said ruling has become final against all appeals; and

WHEREAS, the Council of the City by Resolution No. 4-77-52 authorized interim financing to provide funds for a part of the costs of construction of the said sewerage treatment facility, and the City has issued bond anticipation notes in an amount not to exceed \$750,000 to the interim lender, National Bank of Alaska, to obtain such funds; and

WHEREAS, the proceeds of the general obligation bond authorized hereby shall be used to retire said bond anticipation notes;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Wrangell, Alaska, as follows:

Section 1. Definitions.

As used in this ordinance the following words shall have the following meanings:

a. The word "Bond" means the fully registered general obligation sewer bond of the City in the principal amount of \$750,000 issued pursuant to this ordinance.

b. The words "Bond Redemption Fund" mean the Farmers Home Administration General Obligation Sewer Bond Redemption Fund created by Section 15 of this ordinance.

c. The word "City" means the City of Wrangell, a municipal corporation duly organized and existing under the laws of the State of Alaska.

d. The word "Government" means the Farmers Home Administration of the United States Department of Agriculture.

e. The words "Note Retirement Fund" mean the special fund of the City known as the Bond Anticipation Note Retirement Fund created by Section 14 of this ordinance.

f. The word "Project" means the sewerage treatment plant and related facilities to be acquired, constructed and equipped as provided in Resolution No. 8-72-1 of the City.

g. The word "System" means the sanitary sewer collection, treatment and disposal system of the City, including the Project, as such system may be added to, improved and extended for as long as the general obligation sewer bond issued pursuant to this ordinance is outstanding.

Section 2. Confirmation of Election. The result of a special election held within the City on October 3, 1972, at which the qualified electors of the City authorized the issuance

by the City of certain general obligations sewer bonds, is hereby in all respects ratified and confirmed.

Section 3. Authorization of Bond. For the purpose of providing part of the money required to acquire, construct and equip a sewerage treatment plant and related facilities for the City according to the plans and specifications heretofore submitted to and approved by the State of Alaska and the United States government, the City hereby authorizes the issuance of the Bond in the principal amount of \$750,000.

Section 4. Single Fully Registered Bond. The purchaser of the Bond, the Farmers Home Administration of the United States Department of Agriculture, has elected to accept a single non-negotiable bond registered as to both principal and interest in the denomination of \$750,000 in lieu of individual bonds of a lesser denomination. Such fully registered bond shall be of type composition and on paper of sufficient weight and strength to prevent deterioration throughout the life of the loan represented by such fully registered bond.

Such fully registered bond shall be dated as of the date of delivery thereof to the Government, shall bear interest at the rate of 5% per annum payable annually on the anniversary of the date of the bond commencing with the anniversary following the date of delivery to the purchaser thereof, and shall mature in installments in the years and amounts set forth in Section 9 of this ordinance.

Both principal of and interest on the Bond shall be payable in lawful money of the United States of America by the City Treasurer to the owner thereof at its address appearing on the Registration Certificate, and shall be obligations only of the Bond Redemption Fund.

Section 5. Registration and Transfer of Bonds. The Bond shall be registrable as to both principal and interest only. As long as any part of the principal of the Bond shall remain outstanding, the City shall maintain at the office of the City Treasurer books for registration and transfer of the Bond. No transfer of the Bond when registered shall be valid unless made on said books at the request of the registered owner or his duly authorized agent in writing.

Section 6. Execution of Bonds. The Bond shall be signed on behalf of the City by the Mayor, shall be attested by the City Clerk, and shall have the seal of the City impressed thereon. Coupons attached to definitive Bonds, if any, as provided in Section 12, shall bear the facsimile signatures of said officials.

Section 7. Redemption Privileges. The City hereby reserves the right to prepay the Bond or any part thereof at par and accrued interest on any principal payment date in the year 1987 and thereafter. Such prepayments shall be in multiples of \$5,000, in the inverse chronological order of outstanding installments, and at the principal amount of said installments plus accrued interest thereon to the prepayment date.

The agreement of the City with the Government relative to the sale of the Bond provides that if and as long as the Government owns the Bond the Government has waived and will waive the noncallable provisions applicable to such Bond so owned.

Section 8. Prepayment Notice. Notice of any such intended prepayment shall be given by registered mail sent to the registered owner of the Bond at its address appearing on the registry book at least 30 days prior to the redemption date. In the event that the Bond is not registered, such notice shall be published once at the same time in a financial newspaper of general circulation in the City of Seattle, Washington.

Section 9. Maturation in Installments. The Bond shall mature in installments according to the following schedule. On the anniversary of the date of the Bond in each maturity year, the City shall pay to the owner of the bond the indicated principal amount in addition to accrued interest due on that date. Accrued interest shall also be payable on the anniversary of the date of the Bond in 1979.

<u>Install-</u> <u>ment</u>	<u>Maturity</u> <u>Year</u>	<u>Amount</u>	<u>Install-</u> <u>ment</u>	<u>Maturity</u> <u>Year</u>	<u>Amount</u>
1	1980	\$ 5,000	43-46	1999	\$ 20,000
2	1981	5,000	47-50	2000	20,000
3-4	1982	10,000	51-54	2001	20,000
5-6	1983	10,000	55-58	2002	20,000
7-8	1984	10,000	59-62	2003	20,000
9-10	1985	10,000	63-67	2004	25,000
11-12	1986	10,000	68-72	2005	25,000
13-14	1987	10,000	73-77	2006	25,000
15-16	1988	10,000	78-82	2007	25,000
17-18	1989	10,000	83-87	2008	25,000
19-20	1990	10,000	88-93	2009	30,000
21-22	1991	10,000	94-99	2010	30,000
23-24	1992	10,000	100-105	2011	30,000
25-27	1993	15,000	106-112	2012	35,000



28-30	1994	15,000	113-119	2013	35,000
31-33	1995	15,000	120-126	2014	35,000
34-36	1996	15,000	127-134	2015	40,000
37-39	1997	15,000	135-142	2016	40,000
40-42	1998	15,000	143-150	2017	40,000

It is hereby found and declared that the final maturity of the Bond does not extend beyond the reasonable life expectancy of the System.

Section 10. Form of Bond. The Bond shall be in substantially the following form, with such variations, omissions and insertions as may be necessary under the circumstances:

UNITED STATES OF AMERICA

NO. \_\_\_\_\_ \$750,000

STATE OF ALASKA

CITY OF WRANGELL

GENERAL OBLIGATION BOND

The City of Wrangell, Alaska (hereinafter called the "City"), acknowledges itself indebted and for value received promises to pay to the Farmers Home Administration, United States Department of Agriculture, or its successor (herein sometimes called the "Payee"), or its registered assigns (herein sometimes called the "Alternate Payee"), the principal sum of

SEVEN HUNDRED-FIFTY THOUSAND DOLLARS

in the following installments on \_\_\_\_\_ of each of the following years.

<u>Install-</u> <u>ment</u>	<u>Maturity</u> <u>Year</u>	<u>Amount</u>	<u>Install-</u> <u>ment</u>	<u>Maturity</u> <u>Year</u>	<u>Amount</u>
1	1980	\$ 5,000	43-46	1999	\$ 20,000
2	1981	5,000	47-50	2000	20,000
3-4	1982	10,000	51-54	2001	20,000
5-6	1983	10,000	55-58	2002	20,000
7-8	1984	10,000	59-62	2003	20,000
9-10	1985	10,000	63-67	2004	25,000
11-12	1986	10,000	68-72	2005	25,000
13-14	1987	10,000	73-77	2006	25,000
15-16	1988	10,000	78-82	2007	25,000
17-18	1989	10,000	83-87	2008	25,000
19-20	1990	10,000	88-93	2009	30,000
21-22	1991	10,000	94-99	2010	30,000
23-24	1992	10,000	100-105	2011	30,000
25-27	1993	15,000	106-112	2012	35,000
28-30	1994	15,000	113-119	2013	35,000
31-33	1995	15,000	120-126	2014	35,000
34-36	1996	15,000	127-134	2015	40,000
37-39	1997	15,000	135-142	2016	40,000
40-42	1998	15,000	143-150	2017	40,000

in any coin or currency which is legally acceptable on the respective dates of payments for debts due the United States of America and to pay interest on the balance of said principal from time to time remaining unpaid in like coin or currency at the rate of 5% per annum payable annually on \_\_\_\_\_ of each year from date hereof until the principal amount hereof has been paid or such payment has been duly provided for.

So long as the Payee is the registered owner of this bond, payments of principal and interest shall be made by the City Treasurer directly to the Payee at the office of the Farmers Home Administration serving the Wrangell area. So long as an Alternate Payee is the registered owner hereof,

said payments shall be made at the office of the City Treasurer, Wrangell, Alaska.

Upon final payment of the principal and interest, this bond shall be submitted to the City for cancellation and surrender.

Both principal of and interest on this bond are payable solely out of the special account of the City known as the Farmers Home Administration General Obligation Sewer Bond Redemption Fund (herein called the "Bond Redemption Fund") created by Ordinance No. \_\_\_\_ of the City (herein called the "Ordinance").

In addition to the installments of principal required to be paid by the City as hereinabove set forth, the City, at its option, shall have the right to prepay any or all unpaid installments on \_\_\_\_\_, or on any \_\_\_\_\_ thereafter in multiples of \$5,000, in the inverse chronological order of such installments, at the principal amount thereof plus accrued interest to the date of prepayment. So long as this bond is owned by the United States Government, or any agency thereof, such prepayments may be made at any time.

Notice of any such optional prepayment shall be given at least thirty days prior to the prepayment date by mailing to the registered owner of this bond a notice fixing such prepayment date, and the amount of the principal to be prepaid.

As provided in the Ordinance, this bond is exchangeable, at the sole expense of the City, at any time upon ninety days' notice at the request of the registered owner hereof, and upon surrender of this bond to the City, for definitive coupon bonds payable to bearer.

This bond is issued for the purpose of providing funds to pay part of the cost of acquiring, constructing and equipping a sewerage treatment plant and related facilities for the City, is payable solely out of taxes to be levied annually upon all of the taxable property within the City, and constitutes a general obligation of the City.

The City hereby covenants and agrees with the owner of this bond that it will keep and perform all the covenants of this bond and the Ordinance to be by it kept and performed.

The City has irrevocably covenanted by the Ordinance that it will levy taxes annually upon all the taxable property within the City without limitation as to rate or amount in amounts which, together with all other funds of the City on hand and available, will be sufficient to pay the principal of and interest on this bond as the same shall become due. The full faith, credit and resources of the City are hereby irrevocably pledged for the prompt payment of such principal and interest. This bond is additionally secured as set forth in the Ordinance.

This bond may be assigned, and upon such assignment the assignor shall promptly notify the City Treasurer by registered mail.

It is hereby certified that all acts, conditions and things required to be done precedent to and in the issuance of this bond have happened, been done and performed, and that the total indebtedness of the City including this bond does not exceed any constitutional, statutory or charter limitation.

IN WITNESS WHEREOF, the City of Wrangell, Alaska, has caused this bond to be signed on behalf of the City by its Mayor, to be attested by the City Clerk, and the seal of the City to be impressed hereon, as of the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

CITY OF WRANGELL, ALASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

A fully registered bond shall have endorsed thereon the following form of assignment:

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned registered owner thereof hereby sells, assigns and transfers the within bond unto \_\_\_\_\_.

DATED \_\_\_\_\_.

\_\_\_\_\_

In the presence of:

---

(Repeat this form of assignment)

As provided in the within bond, notice of any assignment thereof shall be given by the assignor by registered mail to the City Treasurer, Wrangell, Alaska, and upon the receipt of such notice the bond shall be registered as to both principal and interest on the registration books of the City in the name of the assignee named above, but the City shall have the right to require surrender of said bond for the verification of the assignment or, at the option of the City, in exchange for a new fully registered bond.

DATE OF REGISTRATION	NAME & ADDRESS OF REGISTERED HOLDER	SIGNATURE OF REGISTRAR
:	:	:
:	:	:
:	:	:
:	:	:
:	:	:
:	:	:
:	:	:

Section 11. Transfer. The Bond may be transferred by the registered owner thereof, provided that such transfer relates to the entire principal amount of the Bond, and any such transfer shall be noted on the bond registration book of the City.

Section 12. Replacement by Definitive Bonds. Upon ninety days' written notice by the owner of the Bond and upon surrender of the Bond to the City, the City shall cause to be prepared and shall deliver to such owner in exchange for the Bond so surrendered, at the City's sole cost and expense, definitive coupon bonds payable to bearer, registrable as to principal and interest,

of type composition and on bond paper of weight and strength that is customarily used for serial bonds of an issue comparable to this issue.

Such definitive bonds shall be in the denomination of \$5,000 each, shall be in the total principal sum of the unpaid balance due on the Bond, shall bear interest at the same rate as the Bond, shall be numbered and mature as provided in Section 9 hereof in accordance with those installments which have not yet matured on the date of such exchange, except that if any prepayment authorized herein shall have been effected, such prepayment shall be deemed to have redeemed such definitive bonds in inverse numerical order. Such definitive bonds shall be executed and authenticated as herein provided for the Bond and shall be governed by such redemption rights, maturity dates and other provisions that the collective rights and obligations of the City under the said definitive bonds shall be substantially the same as under the single Bond. Where appropriate from the context, references to the "Bond" in this Ordinance shall mean and include any definitive bonds issued as replacements therefor.

Section 13. Protection of Funds. The City Treasurer shall be the custodian of all funds of the System, and said funds shall be deposited in banks which are members of the Federal Deposit Insurance Corporation. The City shall provide a fidelity bond on the position of its Treasurer in the amount of \$50,000

and in an amount at least equal to the total amount of the funds of the System that will be on hand at any one time, exclusive of loan funds.

Section 14. Note Retirement Fund. There is hereby created a special fund of the City to be known as the Bond Anticipation Note Retirement Fund (hereinafter called the "Note Retirement Fund"), which Fund is to be drawn upon for the purpose of providing funds to pay the principal of and interest on any Bond Anticipation Notes (hereinafter called the "Notes") which the City may have issued in anticipation of the sale of the Bond to provide funds to pay a portion of the cost of the Project.

The City hereby obligates and binds itself to set aside and pay into the Note Retirement Fund the money received from the sale of the Bond, and any other moneys which the City may now or later have on hand that are legally available and necessary for such purposes to the extent required to pay and redeem such Notes. Said Fund and the moneys therein shall be held in trust by the City, shall be segregated from all other moneys of the City, and the moneys therein shall be expended solely for the purposes mentioned herein.

When the money on deposit in the Note Retirement Fund exceeds the estimated disbursements for payments of principal and interest on the Notes due in the next 30 days, the City may invest such excess money in certificates of deposit or time



deposits in banks that are members of the Federal Deposit Insurance Corporation, or invest such money in any other obligations permitted by law, so long as such deposits or investments are subject to liquidation on or before the dates said estimated disbursements are to be made, and in such amounts as are estimated to be required on such dates. The earnings on any such deposits or investments shall be deposited in and become a part of the Note Retirement Fund.

Any money remaining in the Note Retirement Fund after the principal and all accrued interest on the Notes have been paid shall be applied to payment of the costs of the Project or may be transferred to the Bond Redemption Fund for the uses and purposes herein provided.

Interest or profits received from the investment of monies on hand in the Note Retirement Fund shall not exceed the applicable limits provided by federal statutes and regulations respecting arbitrage.

Section 15. Bond Redemption Fund. There is hereby created another special fund of the City to be known as the Farmers Home Administration General Obligation Sewer Bond Redemption Fund (herein called the "Bond Redemption Fund"), which fund shall be drawn upon for the sole purpose of paying the principal of and interest on the Bond as the same shall become due.

The City hereby obligates and binds itself for as long as any part of the Bond is outstanding and unpaid to levy and

collect annually ad valorem taxes upon all the taxable property within the City without limitation as to rate or amount and in amounts which will be sufficient, together with all other money paid into the Bond Redemption Fund, to pay the principal of and interest on the Bond as the same shall become due. All of such ad valorem taxes so collected shall be paid into the Bond Redemption Fund at least 10 days prior to the respective dates on which any installment of interest on or principal of and interest on the Bond shall become due and payable.

The full faith, credit and resources of the City are hereby irrevocably pledged for the annual levy and collection of such taxes and for the prompt payment of such principal and interest.

When the money on deposit in the Bond Redemption Fund exceeds the estimated disbursements for payments of principal and interest on the Bonds due in the next 30 days, the City may invest such excess money in certificates of deposit or time deposits in banks that are members of the Federal Deposit Insurance Corporation, or invest such money in any other obligations permitted by law, so long as such deposits or investments are subject to liquidation on or before the dates said estimated disbursements are to be made, and in such amounts as are estimated to be required on such dates. The earnings on any such deposits or investments shall be deposited in and become a part of the Bond Redemption Fund.

Interest or profits received from the investment of monies on hand in the Bond Redemption Fund shall not exceed the applicable limits provided by federal statutes and regulations respecting arbitrage.

If there ever shall be accumulated in the Bond Redemption Fund amounts in excess of the requirements thereof during the next 12 months for payment of the principal of and interest on the Bond, such excess may be used by the City to prepay all or part of the Bond prior to the scheduled installments thereof as authorized herein.

Any money remaining in the Bond Retirement Fund after all principal and interest on the Bond or any replacement bonds therefor has been fully paid shall be available for use by the City for any purpose for which taxes levied and collected upon all taxable property within the City may be used.

Section 16. Refunding. If at any time it shall appear that the City is legally able to refund the principal amount of the Bond then outstanding, in whole or in part, by the issuance and sale of general obligation bonds to responsible credit sources at reasonable rates and terms, the City will upon request of the Government (if the Bond is then held by the Government), issue and sell such refunding bonds in a sufficient amount to redeem the part of the Bond to be refunded, and will take all such actions as may be required in connection with such issuance and sale.

Section 17. Other Covenants and Agreements. The City hereby covenants and agrees with the owner of the Bond for as long as any part thereof remains unpaid as follows:

a. It will indemnify the Government for any payments made or losses suffered by the Government in connection with the acquisition, construction and equipping of the Project.

b. It will acquire all necessary property, both real and personal, easements, and rights-of-way necessary for such acquisition, construction and equipping of the Project.

c. It will at all times keep and maintain the System in good repair, working order and condition, will at all times operate same in an efficient manner and at a reasonable cost, and will comply with all applicable laws of the State of Alaska and the United States.

Section 18. Defeasance. In the event that money and/or direct obligations of the United States of America and/or obligations, the principal of and interest on which is guaranteed by the United States of America, maturing at such time or times and bearing interest to be earned thereon in amounts sufficient to redeem and retire the Bond in accordance with its terms are set aside in the Bond Redemption Fund to effect such redemption and retirement, and such money and/or the principal of and interest on such obligations are irrevocably set aside and pledged for such purpose, then no further payments need be made into the Bond Redemption Fund for the payment of the principal of and interest on the Bond, and the Bond shall cease to be entitled to any lien,

benefit or security of this ordinance except the right to receive the funds so set aside and pledged and the Bond shall be deemed not to be outstanding hereunder.

Section 19. Sale of the Bond. The Bond shall be issued and sold to the Government at an interest rate of 5% per annum and said sale is hereby approved, ratified and confirmed. The Mayor and City Clerk are authorized and directed to take all steps necessary and to execute all documents required for the expeditious issuance, sale and delivery of the Bond.

Section 20. Equal Opportunity for Employment. The Mayor and Clerk of the City are hereby authorized and directed to execute for and on behalf of the City form FHA 400-1, entitled "Equal Opportunity Agreement."

Section 21. Non-Discrimination. The Mayor and Clerk of the City are hereby also authorized and directed to execute on behalf of the City form FHA 400-4, entitled "Non-Discrimination Agreement" (under Title VI, Civil Rights Act of 1964).

Section 22. Ordinance a Contract. The provisions of this ordinance shall constitute a contract between the City and the Government so long as any part of the Bond remains unpaid.

PASSED by the Council of the City of Wrangell, Alaska, at a regular meeting of said Council held this 22nd day of August, 1978, and approved by the Mayor on said date.


CITY OF WRANGELL, ALASKA

By Samuel R. Rivett  
Mayor

ATTEST:

  
Clerk

APPROVED AS TO FORM:

  
City Attorney

## CITY OF WRANGELL, ALASKA

ORDINANCE NO. 372

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE ELECTRICAL CODE TO PROVIDE FOR A SEVEN PERCENT (7%) INCREASE IN ELECTRICITY RATES; PROVIDING FOR A UTILITY POLE USE RATE; AND PROVIDING FOR A PUBLIC HEARING.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective on September 15, 1978 and the rates herein will first be reflected on the utility statement mailed the end of October 1978.

Sec. 4. Repealer. This ordinance repeals Sec. 54.20.070, 54.20.080, 54.20.090 and 54.20.100 adopted by Wrangell Ordinance No. 360 dated June 28, 1977 and Sec. 54.30.060 adopted by Wrangell Ordinance No. 253 dated June 9, 1970.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers 54.20.070, 54.20.080, 54.20.090, 54.20.100 and 54.20.105 are hereby adopted as part of this ordinance and Title 54 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

PASSED IN FIRST READING: June 27, 1978.

PASSED IN SECOND READING: July 25, 1978.

  
Mayor

ATTEST:   
City Clerk

Sec. 54.20.070. Residential Service Meter Rate.

AVAILABILITY: Residential service under this schedule shall be limited to single phase, two or three wire service. All installations shall be subject to the approval of the City.

The City shall specify the maximum requirements for, and the maximum size of any motor over one (1) horsepower seventy-five hundredths KW (1.75KW) which may be used under Schedule "A".

The City reserves the right to control the use of all water heating units during such hours as deemed advisable.

RATE: SCHEDULE "A"

0 to 50 KWH	\$11.13 per mo. min.
51 to 100 KWH	15.52 cents per KWH
101 to 200 KWH	11.24 cents per KWH
201 and over	6.74 cents per KWH

Sec. 54.20.080. Commercial Rates.

CLASSIFICATION: Lighting, cooking, appliances and motors in professional, mercantile, commercial and other establishments not classed in Schedule "A".

AVAILABILITY: Single phase 115 and/or 230 volt service. Motors not to exceed 2-1/2 horsepower.

A special application in writing for three phase service under the above schedule, shall be filed with the City Clerk.

All installations for such rate shall be subject to the approval of the City.

RATE: SCHEDULE "B"

0 to 40 KWH	\$11.13 per mo. min.
40 to 100 KWH	20.01 cents per KWH
101 to 200 KWH	15.52 cents per KWH
201 to 300 KWH	11.24 cents per KWH
301 and over	6.74 cents per KWH

Sec. 54.20.090. Industrial Rates.

CLASSIFICATION: All classes of customers.

Availability: Available for electric motors 5 HP and larger. For 3 phase and other industrial loads. Reduced voltage starter required on all motors 20 HP or larger. 5 HP maximum for single phase motor. Special consideration required on all motors 50 HP or larger and for loads which fluctuate to such an extent that the quality of service on the system may be impaired.



POWER FACTOR: A monthly charge will be made in addition to demand-energy or minimum charges whenever the average monthly factor is less than 0.85.

Unless specifically otherwise agreed, the City shall not be obligated to deliver electric energy to the consumer at any time at a power factor below 0.75.

The average power factor is determined as follows: The kilowatt hours divided by the square root of kilowatt hours plus the square root of reactive-kilovolt-ampere hours.

The meter for measurement of reactive-kilovolt-ampere hours shall be ratcheted to prevent reverse registration, or at the City's option, the power factor may be determined with a power factor meter.

All installations of power factor corrective equipment shall be subject to the approval of the City.

The monthly charge for each 0.01 of average monthly power factor below 0.85 shall be:

From 0.84 to 0.70 - 11.24 cents per KW of maximum demand  
 From 0.69 and below, 17.76 cents per KW of maximum demand.

Charges will be based on primary metering and where secondary metering is used transformer losses will be charged on the basis of connected transformer capacity for no load losses plus 2 per cent of KWH consumption for operational losses.

Monthly no-load transformer losses:

5 KW . . . . .	29 KWH
10 KW . . . . .	43 KWH
15 KW . . . . .	60 KWH
25 KW . . . . .	82 KWH
37.5 KW . . . . .	105 KWH
50 KW . . . . .	134 KWH
75 KW . . . . .	202 KWH
100 KW . . . . .	256 KWH
167 KW . . . . .	432 KWH
300 KW . . . . .	768 KWH
500 KW . . . . .	1296 KWH

Demand Charges: \$2.30 per month per KW of maximum demand or major portion thereof.

RATE:	SCHEDULE "C"	(Plus Energy Charge)
9 to 500 KWH		8.99 cents per KWH
500 to 1000 KWH		6.74 cents per KWH
All over 1000 KWH		4.92 cents per KWH
All over 1000 KWH (Temp)		5.78 cents per KWH - This

power rate will be charged to users of strictly temporary or seasonal character on a month-to-month basis, providing customer furnishes all necessary material and equipment incidental to furnishing of such service plus all connection and disconnection costs.

Minimum Charges: \$1.10 per month per HP connected load but not less than \$10.54 per month.

Sec. 54.20.100. Shore Service for Boats - Flat Rate.

CLASSIFICATION: This schedule applies to any and all vessels, irrespective of size, that are not serviced under Sec. 54.20.070 or 54.20.080.

AVAILABILITY: To all locations where shore service facilities are provided by the City. This is a combination rate for lighting and heating only.

Only single phase service, 110 volts will be furnished from controlled shore outlets limiting the demand to the billing demand. Shore outlets shall be under the exclusive control of the City. All boats and vessels shall be charged a flat rate based on a 20-amp fuse as follows:

RATE: 20-amp fuse \$21.01 per month

TERMS OF CONTRACT: Not less than a month charge, payable in advance at monthly rate.

Sec. 54.20.105. Use of Poles.

CLASSIFICATION: This section applies to all utility poles owned by the City which may be used by anyone other than the City.

RATE: \$5.00 per pole per year

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 371

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 42 OF THE HEALTH AND SAFETY CODE, SPECIFICALLY AMENDING CHAPTER 40 REFUSE CODE, PROVIDING FOR COLLECTION FEES TO BE ESTABLISHED BY ORDINANCE, AND PROVIDING FOR A PUBLIC HEARING.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective September 1, 1978.

Sec. 4. Repealer. This ordinance repeals Sec. 42.40.060 of Ordinance No. 200 dated December 13, 1966.

Sec. 5. Adoption of Sections. The following annexed sections bearing code number 42.40.060 is hereby adopted as a part of this code, and Schedule A appended hereto is adopted as a part of this ordinance and is to be inserted at the end of the Refuse Code contained in Chapter 40 of Title 42. Schedule A annexed hereto is adopted in reference to Sec. 42.40.060.

Sec. 6. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

PASSED IN FIRST READING: June 27, 1978.

PASSED IN SECOND READING: July 11, 1978.

Samuel R. Rivera  
Mayor

ATTEST: James Paul  
City Clerk

Sec. 42.40.060. Refuse Collection Fees. All customers shall be billed on the basis of the charges as set forth in Schedule A annexed hereto. Occupants or persons in charge, possession or control of any place within the City of Wrangell where refuse is created or accumulated shall pay the refuse collection fees for the collection service.

SCHEDULE A

(Sec. 42.40.060)

MONTHLY REFUSE COLLECTION FEES

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Class A

Residential - Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>
1. Per family unit	\$ 4.00

Class B

Commercial and Industrial - Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>
1. Bakery	\$ 6.65
2. Bank	6.65
3. Bar	20.00
4. Barber shop	4.00
5. Beauty shop	4.00
6. Canneries	-0-
7. Churches	4.00
8. Clubs, Lodges	6.65
9. Cold Storage plant	-0-
10. Furniture stores	10.65
11. Garages	10.00
12. Grocery stores	33.35
13. Hospitals	13.35
14. Hotels	16.65
15. Laundromat	10.00
16. Offices	4.00
17. Restaurants	23.35
18. Schools, per classroom	.65
19. Shops, miscellaneous	6.65
20. Stores - dry goods, gift, etc.	10.00

Note 1: The monthly rates for any establishment not herein designated shall be determined by the City Council, Until such rate may be established, the rate deemed most applicable shall apply, subject to adjustment.

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 370

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WATER UTILITY CODE TO PROVIDE FOR A TWELVE AND ONE-HALF PERCENT (12 1/2 %) INCREASE IN WATER RATES AND PROVIDING FOR A PUBLIC HEARING.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any persons or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective on September 1, 1978.

Sec. 4. Repealer. This ordinance repeals Sec. 54.10.160 and 54.10.180 of Ordinance No. 217 dated September 24, 1968, and Schedule B appended to the end of the Water Utility Regulations codified in Chapter 10 of Title 54 of the Wrangell Municipal Code of Ordinance No. 278 dated March 26, 1973 and Ordinance NO. 316 dated September 24, 1974.

Sec. 5. Adoption of Sections. The following annexed sections bearing code number 54.10.160, 54.10.180 are adopted as a part of this code, and Schedule B appended hereto is adopted as a part of this ordinance and is to be inserted at the end of the Water Utility Regulations contained in Chapter 10 of Title 54, superseding the repealed aforementioned schedule. Schedule B annexed hereto is adopted in reference to Sec. 54.10.160.

Sec. 6. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

PASSED IN FIRST READING: June 27, 1978.

PASSED IN SECOND READING: July 11, 1978.

Samuel R. Rivera  
Mayor

ATTEST: [Signature]  
City Clerk

Sec. 54.10.160. Water Rates. The water rates to be charged for size of service, including minimum charges, charges for water used over the specified minimum, charges for specified commercial users, and service connection charges, shall be published in separate schedules. These schedules approved by the Council, shall become a part of this section by reference. These water rates and service connection charges may be revised by ordinance, following a public hearing.

Sec. 54.10.180. Flat Rates. Where meters have not been installed, or rates set for meters, the customers shall be charged on the basis of the charges as set forth in schedules adopted pursuant to Sec. 54.10.160.

SCHEDULE B  
 (Sec. 54.10.160)  
 MONTHLY WATER RATES

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Class A

Residential - Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>
1. Inside City Limits, per family unit	\$ 9.00
2. Outside City limits, per family unit	15.75

Note 1: The residential schedule is restricted to service used exclusively for general domestic purposes.

Note 2: Where central laundry facilities are furnished for the exclusive use of tenants in apartment buildings or trailer courts, no charge in addition to above will be made.

Class B

Commercial and Industrial - Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>
1. Bakery	\$ 33.75
2. Bar	33.75
3. Barber shop - 1 chair	8.45
per each additional chair	6.75
4. Beauty Shop - 1 basin	8.45
per each additional basin	6.75
5. Canneries	
Shell fish canneries (hand pick)	168.75 (a)
Fish processing	180.00 (a)
6. Churches	8.45
7. Cleaners and cleaning plants	16.90
8. Clubs, Lodges - without bar or restaurant facilities	8.45
9. Cold Storage plant	180.00
10. Docks	42.20
11. Docks or marinas for small boats, inc. oil docks	28.15
12. Garages, service stations, car lots without washrack	16.90
with washrack	25.30



Schedule B  
 Monthly Water Rates  
 Page 2  
 (Sec. 54.10.160)

<u>Designation</u>	<u>Monthly Rate</u>
13. Hospitals	67.50
14. Grocery Store	
without meat market	12.65
with meat market	26.15
15. Hydrants, fire, each	5.35
16. Hotels and motels	
10 rooms or less	25.30
over 10 rooms, per room	1.95
17. Laundromat, self service	
under 30 lb. capacity, per machine	9.00
30 lb. or over capacity, per machine	18.00
18. Meat Market	13.50
19. Ocean going freight and passenger	
vessels taking water:	
15 tons or less	16.90
each ton over 15 tons	.55
20. Office building, first office	8.45
each additional plumbed office	8.45
each additional unplumbed office	1.95
21. Offices, medical and dental	
with laboratory and/or x-ray unit	28.70
without laboratory and/or x-ray unit	8.45
22. Plane Floats	16.90
23. Public showers	
first two stalls	9.00
per each additional stall	2.25
24. Restaurants, lunch counters, etc.	
up to and including 30 seats	25.30
over 30 seats	33.75
fountain only	8.45
25. Sawmills	562.50
26. Schools, per classroom	5.60
27. Shops, miscellaneous	8.45
28. Stores - dry goods, gift, etc.	9.00
29. Theaters, seating 500 people or less	16.90

(a) Rates herein apply to the average monthly usage.  
 No adjustments will be made for seasonal work.

Note 1: A commercial enterprise consisting of more than one facility shall be charged the sum of the applicable rates for each facility.

Note 2. All commercial and industrial rates to customers outside City limits shall be 75% higher than the designated rate within City limits.

Schedule B  
Monthly Water Rates  
Page 3  
(Sec. 54.10.160)

Note 3: The monthly rate for any establishment not herein designated shall be determined by the City Council. Until such rate may be established, the rate deemed most applicable shall apply, subject to adjustment.

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 369

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 42 HEALTH AND SAFETY, CHAPTER 70, THE SEWER CODE, SPECIFICALLY AMENDING THE EFFECTIVE DATE OF THE RATES AND CHARGES PROVIDED FOR IN ORDINANCE NO. 364 ADOPTED OCTOBER 11, 1977.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be generally effective thirty days after adoption.

Sec. 4. Repealer. This ordinance repeals the effective date for the rates and charges provided for in Ordinance No. 364, Sec. 42.70.120 and sets a new effective date as follows: The rates provided for in Ordinance No. 364, Sec. 42.70.120, shall go into effect at such time as the services and or other matters creating said charge or charges are provided by the City of Wrangell.

PASSED IN FIRST READING: March 28, 1978.

PASSED IN SECOND READING: April 11, 1978.

Samuel R. Rivers  
Mayor

ATTEST: James Rasker  
City Clerk

## CITY OF WRANGELL, ALASKA

ORDINANCE NO. 368

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 42 HEALTH AND SAFETY, CHAPTER 70, THE SEWER CODE, SPECIFICALLY AMENDING THE SEWER CODE SCHEDULE OF RATES AND CHARGES TO SET A SPECIAL USER MONTHLY CHARGE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective thirty days after adoption.

Sec. 4. Repealer and Adoption of Sections. This ordinance replaces Ordinance No. 365 adopted December 13, 1977 which was not published in accordance with Wrangell City Charter Sec. 2-13 and amends Ordinance No. 364 dated October 11, 1977 by adding Note 4, Industrial or Special User Charge, Class B Commercial and Industrial Rates, of Sec. 42.70.120, annexed hereto.

PASSED IN FIRST READING: February 14 1978.

PASSED IN SECOND READING: February 28 1978.

  
Mayor

ATTEST:   
City Clerk

SCHEDULE OF RATES & CHARGES

CITY OF WRANGELL, ALASKA

Class B

Commercial and Industrial Rates

Note 4: Industrial or Special User Charge. Where industrial or special users are contributing wastes from sanitary conveniences and domestic sources only, 1.00 unit will be charged for the first twenty (20) employees and .05 unit for each additional employee.

The charge for wastes from other than sanitary conveniences and domestic sources will be computed by use of the following equation:

$$\text{SUMC} = \frac{f}{420} \left[ 1 + \left( \frac{b}{B} - 1 \right) + \left( \frac{s}{S} - 1 \right) \right] C; \text{ where}$$

"SUMC" represents the special user's monthly charge,

"f" represents the special user's average flow in gallons per day (not less than 420 gallons per day)

"420" represents the average flow of one equivalent user in gallons per day

"C" represents the constant monthly cost factor, delivered as provided below,

"b" represents the average BOD loading of the user's wastewater contribution, expressed in parts per million (not less than 200 parts per million)

"B" represents the allowable limit of BOD loading above which a user's surcharge shall be levied, hereby designated as being 200 parts per million,

"s" represents the average suspended solids loading of the user's wastewater contribution, expressed in parts per million (not less than 200 parts per million), and

"S" represents the allowable limit of suspended solids loading above which a user's surcharge shall be levied, hereby designated as being 200 parts per million.

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 367

AN ORDINANCE ESTABLISHING DIFFERENTIAL TAXATION ZONES FOR THE TAX YEAR 1978.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of an impermanent and transitory nature and shall not be codified in the Wrangell City Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell City Code and shall be effective thirty days after passage.

Sec. 4. Purpose. The intent of this ordinance is to comply with Sec. 60.20.285 of the Wrangell City Code prescribing that the Council shall annually establish differential taxation zones for assessment purposes.

Sec. 5. Differential Taxation Zones Defined. Tax Differential Zone 4 includes USS 1518 Lots 1 through 5 and all of USS 125 except Lots 33, 34 and 35 Block 13; Tax Differential Zone 3 includes USS 1593 Lots 1 and 8 Block 1 and USS 1518 Lots 1 through 6; Tax Differential Zone 2 includes all taxable property not defined within Tax Differential Zones 1, 3 and 4; Tax Differential Zone 1 includes USS 3398 Lots 11 through 30 and USS 125 Lots 33, 34, 35 Block 13.

Sec. 6. Differential Taxation Zones Adopted. The differential taxation zones being Class I, Class II, Class III and Class IV as designated in Sec. 60.20.285(d) of the Wrangell City Code with the respective percentages of mill levy as appears therein and as defined in the preceding section are hereby adopted for purposes of differential taxation for tax year 1978.

PASSED IN FIRST READING: January 24, 1978.

PASSED IN SECOND READING: February 14, 1978.

Samuel R. Rivera  
Mayor

ATTEST: Jayne Raskin  
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 366

AN ORDINANCE AMENDING THE PROPERTY TAX  
ORDINANCE BY PROVIDING FOR NO LIMITATION  
ON TAXES TO PAY BONDS AND CORRECTING THE  
REFERENCE TO STATE STATUTES IN EXEMPTIONS  
FROM TAX.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty days after passage.

Sec. 4. Repealer. This ordinance repeals Sec. 60.20.020 (a) of Wrangell Ordinance No. 354 adopted November 9, 1976.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers 60.20.015 and 60.20.020 (a) are hereby adopted as part of this ordinance and Title 60 of the Code of Ordinances of the City of Wrangell, Alaska.

PASSED IN FIRST READING: January 10, 1978.

PASSED IN SECOND READING: January 24, 1978.

Samuel R. Rivett  
Mayor

ATTEST: [Signature]  
City Clerk

Sec. 60.20.015. No Limitation on Taxes to Pay Bonds.  
The limitation provided for in 60.20.010 of this chapter does not apply to taxes levied or pledged to pay or secure the payment of the principal and interest on bonds. Taxes to pay or secure the payment of principal and interest on bonds may be levied without limitation as to rate or amount, regardless of whether the bonds are in default or in danger of default.

Sec. 60.20.020. Exemptions from Tax. (a) All property exempt from taxation as prescribed by State Statute. (AS 29.53.020).



CITY OF WRANGELL, ALASKA

Ordinance No. 379

AN ORDINANCE ESTABLISHING DIFFERENTIAL TAXATION ZONES FOR THE TAX YEAR 1979.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of an impermanent and transitory nature and shall not be codified in the Wrangell City Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell City Code and shall be effective thirty days after passage.

Sec. 4. Purpose. The intent of this ordinance is to comply with Sec. 60.20.285 of the Wrangell City Code prescribing that the Council shall annually establish differential taxation zones for assessment purposes.

Sec. 5. Differential Taxation Zones Defined. Tax Differential Zone 1 includes Lots 33, 34 and 35, Block 13 USS 1119; Tax Differential Zone 2 includes all taxable property not defined in Tax Differential Zones 1, 3 and 4; Tax Differential Zone 3 includes Lot 14pt and 16pt, Block 12 USS 1119, all of USS 1518 except Lots 1 through 5 and Lot 1 and 8, Block 1 USS 1593; Tax Differential Zone 4 includes USS 125, USS 1815, ATS 83 and Lots 1 through 5 USS 1518, except those taxable properties defined in Tax Differential Zone 1 and 3.

Sec. 6. Differential Taxation Zones Adopted. The differential taxation zones being Class I, Class II, Class III and Class IV as designated in Sec. 60.20.285(d) of the Wrangell City Code with the respective percentages of mill levy as appears therein and as defined in the preceding section are hereby adopted for purposes of differential taxation for tax year 1978.

PASSED IN FIRST READING: February 13, 1979.

PASSED IN SECOND READING: February 27, 1979.

Samuel R. Rivera  
Mayor

ATTEST: James G. Cook  
City Clerk

## CITY OF WRANGELL, ALASKA

ORDINANCE NO. 380

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM APARTMENT RESIDENTIAL-1 TO COMMERCIAL

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is not an ordinance of a permanent and general nature and shall not become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City charter and ordinances and shall be effective thirty (30) days after final passage.

Sec. 4. Compliance with Procedures and Notices. The procedures and notices as required and set out in Chapter 75 of Title 95 of the Wrangell Municipal Code having been followed and complied, the Council hereby finds that the public convenience necessity and general welfare of the inhabitants of the City of Wrangell requires that the following described real property should be rezoned from apartment residential-1 to commercial.

Sec. 5. Property Rezoned. The property hereinafter described is hereby rezoned from apartment residential-1 to commercial:

Lot 17, Block 3, U.S. Survey No. 1119, Wrangell Townsite, situate in the City of Wrangell, First Judicial District, Wrangell Recording District, State of Alaska.

The official zoning map of the City of Wrangell is hereby amended to reflect the above rezone and said official zoning map should be physically amended.

PASSED IN FIRST READING: April 10, 1979.

PASSED IN SECOND READING: April 24, 1979.

Samuel R. Rivera  
Mayor

Attest:

Jarvis Casler  
Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 381

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 42 HEALTH AND SAFETY, CHAPTER 70, THE SEWER CODE, TO PROVIDE FOR AN INCREASE IN SEWER RATES, PROVIDING FOR A CONNECTION CHARGE AND PROVIDING FOR A PUBLIC HEARING.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective on July 12, 1979 and the rates herein will first be reflected on the utility statement mailed the end of August, 1979.

Sec. 4. Repealer. This ordinance repeals the Schedule of Rates & Charges adopted by Wrangell Ordinance No. 364 dated October 11, 1977 and the Schedule of Rates & Charges adopted by Wrangell Ordinance No. 368 dated February 28, 1978.

Sec. 5. Adoption of Sections. The following annexed Schedule of Rates & Charges is hereby adopted as part of this ordinance and Title 54 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

PASSED IN FIRST READING: May 22, 1979.

PASSED IN SECOND READING: June 12, 1979.

Samuel R. Rivera  
Mayor

ATTEST Jane Rusk  
City Clerk

SCHEDULE OF RATES & CHARGES (Ordinance No. \_\_\_\_\_)

CITY OF WRANGELL, ALASKA

The monthly rate shall be computed on the basis of \$16.50 per unit or fraction thereof for Class A and Class B users.

Class A

Residential Rates

<u>Designation</u>	<u>Unit(s)</u>
1. per family unit	1.00

Note 1: The residential schedule is restricted to service used exclusively for general domestic purposes.

Note 2: Where central laundry facilities are furnished for the exclusive use of tenants in apartment buildings or trailer courts, no charge in addition to above will be made.

Class-B

<u>Designation</u>	<u>Unit(s)</u>
1. Bakery	3.00
with initial preparation off premises	1.50
2. Bar	3.00
3. Barber shop - 2 chair	1.00
per each additional chair	.50
4. Beauty shop - 2 basin	1.00
per each additional basin	.50
5. Canneries	special
Shell fish canneries (hand pick)	
Shell fish canneries (machine pick)	
Fish processing	
6. Churches	1.00
7. Cleaners and cleaning plants	2.00
8. Clubs, Lodges - without bar or restaurant facilities	1.00
Clubs, Lodges - with bar or restaurant facilities	2.00
9. Cold Storage plant	special
10. Docks	1.00
11. Garages, service stations, car lots	
without washrack	1.00
with washrack	2.00
12. Grocery Store	
without meat market	1.00
with meat market	2.00

13.	Hotels and motels, first 10 rooms or less	3.00
	over 10 rooms, per room	.20
14.	Hospitals	2.00
	plus per bed based on occupancy rate %	.40
15.	Laundromat, self service	
	under 30 lb. capacity, per machine	.50
	30 lb. or over capacity, per machine	1.50
16.	Office building, first office	1.00
	each additional plumbed office	1.00
	each additional unplumbed office	.20
17.	Offices, medical and dental	
	with laboratory and/or x-ray unit	2.00
	without laboratory and/or x-ray unit	1.00
18.	Public showers	
	first two stalls	1.00
	per each additional stall	.20
19.	Restaurants, lunch counters, etc.	
	up to and including 30 seats	3.00
	each additional 20 seats or fraction thereof	1.00
20.	Industrial	special
21.	Schools, per classroom	.43
22.	Shops, miscellaneous	1.00
23.	Stores, dry goods, gift, etc.	1.00
24.	Rooming Houses	1.00
	each bed	.20
25.	Theaters, seating 500 people or less	2.00

Note 1: Rates herein apply to the average monthly useage. No adjustments will be made for seasonal work.

Note 2: A commercial enterprise consisting of more than one facility shall be charged the sum of the applicable rates for each facility.

Note 3: Special Users. Each special user shall be evaluated separately based on the average flow, BOD, and suspended solids characteristic of its wastewater contribution. The flow, BOD, and suspended solids loadings shall be determined from estimates or measurements and tests made by City Officials or its Engineer. The monthly rate for any establishment not herein designated shall be determined by the City Council. Until such rate may be established, the rate deemed most applicable shall apply, subject to adjustment.

Note 4: Industrial or Special User Charge. Where industrial or special users are contributing wastes from sanitary conveniences and domestic sources only, 1.00 unit will be charged for the first twenty (20) employees and .05 unit for each additional employee.

The charge for wastes from other than sanitary conveniences and domestic sources will be computed by use

of the following equation:

$$\text{SUMC} = \frac{f}{420} \left[ 1 + \left( \frac{b}{B} - 1 \right) + \left( \frac{s}{S} - 1 \right) \right] C; \text{ where}$$

"SUMC" represents the special user's monthly charge,

"f" represents the special user's average flow in gallons per day (not less than 420 gallons per day)

"420" represents the average flow of one equivalent user in gallons per day

"C" represents the constant monthly cost factor, delivered as provided below,

"b" represents the average BOD loading of the user's wastewater contribution, expressed in parts per million (not less than 200 parts per million)

"B" represents the allowable limit of BOD loading above which a user's surcharge shall be levied, hereby designated as being 200 parts per million,

"s" represents the average suspended solids loading of the user's wastewater contribution, expressed in parts per million (not less than 200 parts per million), and

"S" represents the allowable limit of suspended solids loading above which a user's surcharge shall be levied, hereby designated as being 200 parts per million.

#### Service Connection Charges

All service connections to customers shall be at a flat fee of \$250.00 per connection.

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 382

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE ELECTRICAL CODE TO PROVIDE FOR A TWELVE PERCENT (12%) INCREASE IN ELECTRICITY RATES AND PROVIDING FOR A PUBLIC HEARING.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective on July 12, 1979 and the rates herein will first be reflected on the utility statement mailed the end of August, 1979.

Sec. 4. Repealer. This ordinance repeals Sec. 54.20.070, 54.20.080, 54.20.090 and 54.20.100 adopted by Wrangell Ordinance No. 372 dated July 25, 1978.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers 54.20.070, 54.20.080, 54.20.090 and 54.20.100 are hereby adopted as part of this ordinance and Title 54 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

PASSED IN FIRST READING: May 22, 1979.

PASSED IN SECOND READING: June 12, 1979.

Samuel R. Rivett  
Mayor

ATTEST: Joyce Rasker  
City Clerk

Sec. 54.20.070. Residential Service Meter Rate.

AVAILABILITY: Residential service under this schedule shall be limited to single phase, two or three wire service. All installations shall be subject to the approval of the City.

The maximum horsepower of motors which may be used under Schedule "A" is one (1) horsepower. If a larger horsepower is used, the appropriate schedule shall apply for the entire premises.

The City reserves the right to control the use of all water heating units during such hours as deemed advisable.

RATE: SCHEDULE "A"

0 to 50 KWH	\$12.47 per mo. min.
51 to 100 KWH	17.4 cents per KWH
101 to 200 KWH	12.6 cents per KWH
201 and over	7.5 cents per KWH

Sec. 54.20.080. Commercial Rates.

CLASSIFICATION: Lighting, cooking, appliances and motors in professional, mercantile, commercial and other establishments not classed in Schedule "A".

AVAILABILITY: Single phase 115 and/or 230 volt service. Motors not to exceed 2-1/2 horsepower.

A special application in writing for three phase service under the above schedule, shall be filed with the City Clerk.

All installations for such rate shall be subject to the approval of the City.

RATE: SCHEDULE "B"

0 to 40 KWH	\$12.47 per mo. min.
40 to 100 KWH	22.4 cents per KWH
101 to 200 KWH	17.4 cents per KWH
201 to 300 KWH	12.6 cents per KWH
301 and over	7.5 cents per KWH

Sec. 54.20.090. Industrial Rates.

CLASSIFICATION: All classes of customers.

AVAILABILITY: Available for electric motors 5 HP and larger. For 3 phase and other industrial loads. Reduced voltage starter required on all motors 20 HP or larger. 5 HP maximum for single phase motor. Special consideration required on all motors 50 HP or larger and for loads which fluctuate to such an extent that the quality of service on the system may be impaired.



POWER FACTOR: A monthly charge will be made in addition to demand-energy or minimum charges whenever the average monthly factor is less than 0.85.

Unless specifically otherwise agreed, the City shall not be obligated to deliver electric energy to the consumer at any time at a power factor below 0.75.

The average power factor is determined as follows: The kilowatt hours divided by the square root of kilowatt hours plus the square root of reactive-kilovolt-ampere hours.

The meter for measurement of reactive-kilovolt-ampere hours shall be ratcheted to prevent reverse registration, or at the City's option, the power factor may be determined with a power factor meter.

All installations of power factor corrective equipment shall be subject to the approval of the City.

The monthly charge for each 0.01 of average monthly power factor below 0.85 shall be:

From 0.84 to 0.70 - 12.6 cents per KW of maximum demand  
 From 0.69 and below, 19.9 cents per KW of maximum demand.

Charges will be based on primary metering and where secondary metering is used transformer losses will be charged on the basis of connected transformer capacity for no load losses plus 2 per cent of KWH consumption for operational losses.

Monthly no-load transformer losses:

5 KW . . . . .	29 KWH
10 KW . . . . .	43 KWH
15 KW . . . . .	60 KWH
25 KW . . . . .	82 KWH
37.5 KW . . . . .	105 KWH
50 KW . . . . .	134 KWH
75 KW . . . . .	202 KWH
100 KW . . . . .	256 KWH
167 KW . . . . .	432 KWH
300 KW . . . . .	768 KWH
500 KW . . . . .	1296 KWH

Demand Charges: \$2.58 per month per KW of maximum demand or major portion thereof.

RATE:	SCHEDULE "C"	(Plus Energy Charge)
9 to 500 KWH		10.1 cents per KWH
500 to 1000 KWH		7.5 cents per KWH
All over 1000 KWH		5.5 cents per KWH
All over 1000 KWH (Temp)		6.5 cents per KWH - This

power rate will be charged to users of strictly temporary or seasonal character on a month-to-month basis, providing customer furnishes all necessary material and equipment incidental to furnishing of such service plus all connection and disconnection costs.

Minimum Charges: \$1.23 per month per HP connected load but not less than \$11.80 per month.

Sec. 54.20.100. Shore Service for Boats - Flat Rate.

CLASSIFICATION: This schedule applies to any and all vessels, irrespective of size, that are not serviced under Sec. 54.20.070 or 54.20.080.

AVAILABILITY: To all locations where shore service facilities are provided by the City. This is a combination rate for lighting and heating only.

Only single phase service, 110 volts will be furnished from controlled shore outlets limiting the demand to the billing demand. Shore outlets shall be under the exclusive control of the City. All boats and vessels shall be charged a flat rate based on a 20-amp fuse as follows:

RATE: 20-amp fuse \$23.53 per month

TERMS OF CONTRACT: Not less than a month charge, payable in advance at monthly rate.

## CITY OF WRANGELL, ALASKA

ORDINANCE NO. 383

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, TITLE 42, HEALTH AND SAFETY, SPECIFICALLY AMENDING CHAPTER 40 REFUSE CODE, BY CLARIFYING THE INTENT OF SAID REFUSE CODE TO MAKE IT CLEAR THAT ALL PERSONS OR OCCUPANTS OF PREMISES CREATING OR ACCUMULATING GARBAGE, RUBBISH OR REFUSE SHALL PAY THE REFUSE COLLECTION OR DISPOSAL FEE; ESTABLISHING A NEW COLLECTION OR DISPOSAL FEE FOR THE YOUNG ADULT CONSERVATION CAMP, AND PROVIDING FOR A PUBLIC HEARING FOR THE ESTABLISHMENT OF SAID FEE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective thirty days after adoption.

Sec. 4. Repealer. This ordinance repeals Sec. 42.40.040 and 42.40.080 adopted by Wrangell Ordinance No. 200 dated December 13, 1966 and Sec. 42.40.060, including Schedule A, adopted by Wrangell Ordinance No. 371 dated July 11, 1978.

Sec. 5. Adoption of Sections. The following annexed sections bearing code number 42.40.040, 42.40.060 including Schedule A and 42.40.080 are hereby adopted as part of this ordinance and Title 42 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Providing for a Public Hearing. A public hearing shall be held June 12, 1979 with notice thereof fifteen days prior to said public hearing.

PASSED IN FIRST READING: June 12, 1979.

PASSED IN SECOND READING: June 26, 1979.

Samuel R. Rivera  
Mayor

ATTEST: Jane Parker  
City Clerk

Sec. 42.40.040. Disposal of Refuse. Prohibitions. It shall be unlawful for any person to deposit refuse which may be offensive, noxious, or dangerous to the public health, on any private property, public ground, alley, street or area, way or on any other public place within the city limits where it may become dangerous or offensive to the public health.

Outside burning of rubbish or other combustible materials shall be restricted to authorization or special permit of the fire chief. Nothing herein contained shall be construed to prevent a person from removing rubbish from his private property and transporting it to any approved disposal area, provided that all city regulations relating to the use of the disposal area are complied with, and provided further that the private hauling shall not excuse said person from paying a refuse collection or disposal fee.

Sec. 42.40.060. Refuse Collection or Disposal Fees. The Council of the City may set by ordinance and alter from time to time, refuse collection or disposal fees. Occupants or persons in charge, possession or control of any place within the City of Wrangell where refuse is created or accumulated shall pay the refuse collection or disposal fees. All customers shall be billed on the basis of the charges as set forth in Schedule A annexed hereto and incorporated by reference.

Sec. 42.40.080. Notification for Collection. All occupants, persons in possession, charge or control of premises and places in or upon which refuse is created or accumulated shall notify the authorized garbage collection service of the City that collection of refuse from such place is required, provided that the failure of said person or occupant to notify the City shall not excuse the payment of the refuse collection or disposal fees.

SCHEDULE A

(Sec. 42.40.060)

MONTHLY REFUSE COLLECTION OR DISPOSAL FEES

---

Class A

Residential - Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>
1. Per family unit	\$ 4.00

Class B

Commercial and Industrial - Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>
1. Bakery	\$ 6.65
2. Bank	6.65
3. Bar	20.00
4. Barber Shop	4.00
5. Beauty Shop	4.00
6. Canneries	-0-
7. Churches	4.00
8. Clubs, Lodges	6.65
9. Cold Storage Plant	-0-
10. Furniture Stores	10.65
11. Garages	10.00
12. Grocery Stores	33.35
13. Hospitals	13.35
14. Hotels	16.65
15. Laundromat	10.00
16. Offices	4.00
17. Restaurants	23.35
18. Schools, per classroom	.65
19. Shops, miscellaneous	6.65
20. Stores - dry goods, gift, etc.	10.00
21. Young Adult Conservation Camp	45.00

Note 1: The monthly rates for any establishment not herein designated shall be determined by the city council. Until such rate may be established, the rate deemed most applicable shall apply, subject to adjustment.

Ordinance No. 384

AN ORDINANCE CURING A CLERICAL ERROR IN THE FORM OF ADOPTION OF SALES TAX ORDINANCE #304 AND RATIFYING THE ADOPTION AND ENACTMENT OF SAID ORDINANCE #304.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections adopted hereby shall become a part of the City Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall become effective thirty days after date of adoption. In addition, because this ordinance is curative in nature, the substantive provisions herein adopted shall have effect nunc pro tunc, i.e., upon July 1, 1974.

Sec. 4. Repealer. This ordinance is intended to ratify and validate Wrangell Ordinance No. 304 adopted on May 29, 1974, without repeal of same.

Sec. 5. Adoption of Sections. The following annexed sections bearing code numbers 60.10.020, 60.10.050(3) and (15) and 60.10.060 are hereby adopted as a part of this ordinance and Title 60 of the Code of Ordinances of the City of Wrangell, Alaska.

Sec. 6. Purpose and Intent. Wrangell Ordinance No. 304 adopted on May 29, 1974, entitled "An Ordinance Imposing an Additional One Percent Sales Tax on All Retail Sales, Rents and Services to be Used for General Fund Purposes, Making a Five Percentum Sales Tax Rate, Creating an Exemption for Sale of Newspapers, and Adopting a Penalty for Violations by Reference" levied a 5% tax on retail sales and services and repealed the former 4% sales tax, but Section 5 of Ordinance 304, headed "Adoptions of Sections", referred to the annexed sections 60.10.020, 60.10.050(3) and (15) without embodying a recital of adoption of said sections, and without including section 60.10.060, which sections were all physically attached to the front page, and all of which sections after due adoption were fully incorporated into the Wrangell City Code. The Council of the City of Wrangell hereby ratifies Ordinance No. 304 and corrects the clerical omission by re-adoption of all of the substantive sections. The intent of this ordinance is to recognize and cure the clerical error, and to ratify all prior acts of the Council with respect to the enactment and adoption of Ordinance No. 304 and to specifically ratify the intent of the Council in levying the 5% sales tax. The further purpose and intent of this ordinance is to validate said ordinance #304 in all respects.

PASSED AND APPROVED: \_\_\_\_\_, June 26, 1979.

Samuel R. Rivett  
Mayor

ATTEST: \_\_\_\_\_

Clerk

publish July 4, 1979

TITLE 60. TAXATION

Chapter 10. Sales Tax

Sec. 60.10.010. Levy of Tax. A consumer sales tax is hereby assessed and levied on all retail sales, on all rents, and on all services made, paid or performed within the City of Wrangell, Alaska, in the regular course of business, on and after the effective date hereof, except such sales as are hereinafter exempted, to be collected and used for the purposes hereinafter stated.

Sec. 60.10.020. Rate of Tax. Said tax is hereby levied in the amount of five per centum (5%) of the sale price of all retail sales, on all rents, and on all service, made, paid or performed within the municipality, except that on sales of less than \$2.09 said tax is levied in accordance with the following schedule:

<u>Sales Price</u>	<u>Amount of Tax</u>
Under \$ 0.11	None
\$ .12 to .29	\$ .01
.30 to .49	.02
.50 to .69	.03
.70 to .89	.04
.90 to 1.09	.05
1.10 to 1.29	.06
1.30 to 1.49	.07
1.50 to 1.69	.08
1.70 to 1.89	.09
1.90 to 2.09	.10
Over \$2.09 straight 5%	

Sec. 60.10.040. Sales Not Divisible to Avoid Tax. The sales price of all items purchased or delivered at the same time shall be added together and the tax levied on the aggregate amount thereof.

Sec. 60.10.050. Exemptions. The following transactions are exempt from the tax herein levied:

- (1) Salaries and wages received by an employee.
- (2) Sales made and services performed which are not in the regular course of business.
- (3) Sales and the gross receipts derived therefrom when the aggregate amount when computed under Sec. 60.10.030 amounts to less than (\$0.12) cents.
- (4) Sales including such rentals and services when the total sales and service prices derived by the seller or person furnishing such services does not aggregate \$200.00 in any calendar quarter year.
- (5) Dues or fees to clubs, labor unions, or fraternal organizations.
- (6) Remuneration for services and materials, including caskets, used or furnished for funerals.
- (7) All sales of commodities made to a manufacturer, broker, wholesaler or dealer and which are not consumed or destroyed by such purchaser, but which are resold in the same or an altered form, or which are used to package, crate or deliver the products of such purchaser.
- (8) All sales to a bona fide retailer when the same are purchased by him for resale in the ordinary course of business. In this connection, a retailer is one who regularly stocks merchandise for resale, displays the same to the public and holds himself out as regularly engaged in the business of selling such products either during a regular season or throughout the year direct to the consumer.
- (9) Gross receipts or proceeds derived from medical or dental services rendered, including hospital services, and from the sale of medicinal preparations when prescribed in writing by a licensed practitioner.
- (10) Gross receipts or proceeds derived from the transportation to and from grade or high schools in motor or other vehicles.



Sec.60.10.050 (continued)

DUPLICATION:  
OMIT

(9) Gross receipts or proceeds derived from medical or dental services rendered, including hospital services, and from the sale of medicinal preparations when prescribed in writing by any licensed practitioner.

DUPLICATION:  
OMIT

(10) Gross receipts or proceeds derived from the transportation to and from grade or high schools in motor or other vehicles.

(11) Gross receipts or proceeds derived from servicing, freezing, storing, handling or wharfing of fish, or lumber of any other commodities awaiting shipment or in the process of being shipped.

(12) Gross receipts or proceeds derived from sales to the United States Government, State of Alaska, City of Wrangell and any of its political subdivisions.

(13) All sales for consumption outside of the City of Wrangell, if delivered by a common carrier by air, land or water to the purchaser.

(14) All sales of any single article of which the price exceeds One Thousand Dollars (\$1,000.00), and all services, including contract prices for any single job of which the price exceeds One Thousand Dollars (\$1,000.00), shall be taxable only to the limit of One Thousand Dollars (\$1,000.00).

(15) All sales of newspapers.

Sec.60.10.060. Limitations of Use of Tax Proceeds. The proceeds of the tax hereby levied shall be used in such amounts as the Council of the City shall determine from time to time, depending upon the rate of tax collected, as follows:

(1) The first three per centum (3%) of the sales price, which for the purposes of this section shall be three-fourths of the total amount of tax collected after the effective date of this ordinance, shall be used only for any of the following purposes:

- (a) To operate and maintain school facilities.
- (b) To construct and maintain sewers within the City and other purposes relating to the health and sanitation of the City.
- (c) To plan, design and construct street and sidewalk improvements.

(2) The fourth and fifth one per centum (2%) of the sales price, which for the purposes of this section shall be two-fifths of the total amount of tax collected after the effective date of this ordinance, shall be used only for any of the following purposes:

- (a) For any general fund purpose for which monies of the City may be disbursed for any purpose authorized by law or charter.
- (b) To the extent that tax proceeds from this source are not encumbered by purposes authorized in (a) above, to plan, design and construct street and sidewalk improvements and appurtenances.

Sec. 60.10.070. Duty to Collect and Make Return. The tax is hereby assessed and levied upon the purchaser or consumer but it is the duty of the retailer or person furnishing such services to collect the tax from the purchaser or consumer and make a return thereof to the City Clerk of the City of Wrangell as herein stated.

The sellers or furnishers of the services shall add the tax imposed under this ordinance to the sales price or charge and when so added, such tax shall constitute a part of such price or charge and when so added, such tax shall constitute a debt from the purchaser or consumer to the seller or furnisher until paid, and shall be recoverable at law in the same manner as other debts.

The sellers or furnishers of such services shall add and collect the tax strictly in accordance with Section 60.10.020 hereof.

Sec. 60.10.080. Quarterly Returns. The City Clerk shall provide appropriate forms for the use of taxpayers in making returns of the taxes payable under this ordinance. Every person, firm or corporation making such sales or supplying such services as are taxable hereunder shall furnish the City Clerk with a return containing such information as is necessary to fill in or complete the forms supplied by the City Clerk, including the total sales price collected during each quarter for which the return is made and the amount of such sales and services as are exempt hereunder and the tax due and payable for such quarter. Such returns shall be made once each

## CITY OF WRANGELL, ALASKA

Ordinance No. 385

AN ORDINANCE AMENDING THE ORDINANCE ON ORDINANCES TO MODIFY THE MANNER OF ADOPTING ORDINANCES, SPECIFICALLY DELETING THE SECTIONS THAT REQUIRE A PARTICULAR FORM FOR ORDINANCES, AND REPEALING REPETITIVE REDUNDANT SECTIONS OF THE CODE WHICH ARE PRESENTLY COVERED BY THE CHARTER.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a permanent and general nature, however no code sections are hereby adopted to become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage.

Sec. 4. Repealer. This ordinance repeals Sec. 27.20.020, 27.20.065, 27.20.070, 27.20.075 and 27.20.090 of Wrangell Ordinance No. 355, dated December 14, 1976.

Sec. 5. Adoption of Sections. This ordinance adopts no other sections.

PASSED IN FIRST READING August 14, 1979.

PASSED IN SECOND READING August 28, 1979.

Samuel R. Rivers  
Mayor

ATTEST:

James R. Rasmussen  
City Clerk

## CITY OF WRANGELL, ALASKA

Ordinance No. 386

AN ORDINANCE EXEMPTING THE CITY OF WRANGELL, FROM THE CONFLICTS OF INTERESTS ACT, SUBJECT TO REFERENDUM APPROVAL BY THE VOTERS AT THE GENERAL MUNICIPAL ELECTION OCTOBER 2, 1979.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of an impermanent and transitory nature and shall not be codified in the Wrangell City Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell City Code and its effective date shall be contingent upon referendum approval of the voters of the City of Wrangell at the general election October 2, 1979.

Sec. 4. Repealer. This ordinance repeals no existing or effective Wrangell ordinance.

Sec. 5. Recitals. WHEREAS, Alaska Statutes 39.50 requires, among other things, that public officials and candidates file a statement of financial disclosure pertaining to said public official and his or her spouse and dependent children, the source of income over one hundred dollars, identity of businesses and interests therein owned, identity and nature of each interest in real property, identity of trusts wherein a beneficial interest is held, loans or loan guarantees and source thereof, list of contracts or offers to contract with the State or instrumentality of the State, and listing of all mineral, timber, oil and any other natural resource leases held, offered or made during the preceding calendar year:

AND WHEREAS, the "public official" defined in said Act includes each appointed or elected municipal officer as enumerated in the Act;

AND WHEREAS, Alaska Statutes, specifically AS 39.50.145 confers local option with respect to the Act and permits the municipality to exempt its municipal officers from the requirements thereof if a majority of the voters voting on the question at a special or general election so vote;

AND WHEREAS, the Council of the City of Wrangell deems said issue worthy of referendum to the voters because the Act relating to conflict of interest may impinge upon the right of privacy, may discourage otherwise qualified persons from seeking local public office, may be lacking in public purpose as to application at the municipal level of government, and may be violative of the constitutional mandate conferring maximum local self-government to Alaska's municipalities.

Sec. 6. Local Exemption Exercised. Subject to voter referendum approval as provided in Sec. 7, the City of Wrangell elects to exercise local option and exempt its municipal officers and public officials from application of AS 39.50 Conflicts of Interests (AS 39.50.010-AS 39-50.200 as amended), and hereby submits the exemption question to the voters.

Sec. 7. Referendum Proposition. The Clerk of the City of Wrangell, Alaska is hereby directed to place upon the ballot at the forthcoming general election of the City of Wrangell for the purpose of referring to the qualified voters of Wrangell, Alaska the following:

PROPOSITION

EXEMPTION FROM CONFLICTS OF INTERESTS ACT

SHOULD THE CITY OF WRANGELL EXEMPT ITS LOCAL CITY OFFICERS, MAYOR & COUNCIL FROM THE STATE OF ALASKA STATUTES ON CONFLICT OF INTERESTS.

YES  NO

Sec. 8. General Election. The Clerk of the City of Wrangell, Alaska, is hereby directed to call a general election of the qualified voters of the City of Wrangell for October 2, 1979.

Sec. 9. That for the purpose of the election on the foregoing proposition to be submitted at said general election, the City shall be divided into two election precincts, the boundaries of which and places for voting in each of said precincts are and shall be the same as for municipal elections generally.

Sec. 10. That the polls will be open for voting on the proposition between the hours of 8:00 a.m. and 8:00 p.m. on October 2, 1979.

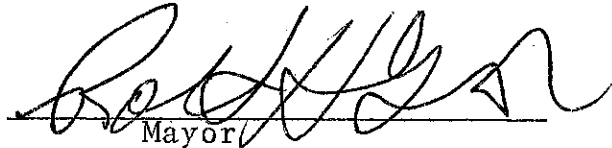
Sec. 11. That the qualifications for voters on the aforementioned proposition shall be the same as for voters at municipal elections generally.


Sec. 12. That notice, publication and posting shall be given by the City Clerk in accordance with the provision of the Wrangell Municipal Code and the Charter.

Sec. 13. Act Availability. The City Clerk is instructed to have available for inspection and copying the Conflict of Interest Act codified in Alaska Statutes as AS 39.50.010 through and including AS 39.50.200 as amended at City Hall from the date of first introduction of this ordinance by the Council through and including the day of the election on the question herein presented for voter approval.


PASSED IN FIRST READING: August 28, 1979.

PASSED IN SECOND READING: September 4, 1979.

  
\_\_\_\_\_  
Mayor

ATTEST:   
\_\_\_\_\_  
City Clerk

I hereby certify that the enactment of Ordinance No. 386 was defeated by a majority of votes, Yes 267 and No 355, at the Wrangell General Election held October 2, 1979.

  
\_\_\_\_\_  
Joyce Rasler, City Clerk  
City of Wrangell, Alaska

## CITY OF WRANGELL, ALASKA

Ordinance No. 387

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA  
CREATING THE SEPARATE OFFICES OF THE CITY CLERK, AND  
THE DEPARTMENT OF FINANCE; AND PRESCRIBING THE  
FUNCTIONS AND DUTIES OF THE CITY CLERK AND THE  
DIRECTOR OF FINANCE;

RECITALS

WHEREAS the present City Clerk is serving as the City Clerk, and City Treasurer, which collective duties and responsibilities of said positions have become sufficiently diverse and extended to justify the separation of the functions and duties of the City Clerk from that of the City Treasurer; and

WHEREAS the City Clerk is presently serving as Acting City Manager as an interim measure until such time as a full time City Manager is hired; and

WHEREAS, the Council specifically finds that the job responsibilities of the City Clerk-Treasurer, as set out in the Wrangell Municipal Charter, §2-6 are sufficiently diverse and extended to justify their division into the office of City Clerk and Department of Finance.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA AS FOLLOWS:

Sec. 1. Classification. This ordinance is of a permanent and general nature, and shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provisions of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City ordinances and shall be effective thirty (30) days after final passage.

Sec. 4. Definitions. As used in this code, unless the context otherwise requires:

- a) "City" is the City of Wrangell, Alaska.
- b) "City Council" or "Council" is the body vested with the legislative powers of the City of Wrangell.

Office of the City Clerk

Sec. 5. a) Clerk. There shall be an office of the City Clerk who shall be an officer of the City. The Clerk shall be appointed by and serve at the pleasure of the City Council for an indefinite term and shall have supervision and control of the City Clerk's office.

b) Functions and Duties. The functions and duties of the City Clerk shall be to perform all of the duties required of this office as hereinafter set out, or as may be set out by the Charter and ordinances of the City or by State law which is made specifically applicable to Home Rule, and such other duties and functions that are not in conflict therewith as may be required of the City Clerk, including the following:

1) Give notice of the time and place of meetings to the Assembly or the Council and to the public.

3) Maintain and make available for public inspection an indexed file of the municipal ordinances, resolutions, rules, regulations and codes and enroll in the book or books kept for the purpose, all ordinances and resolutions passed by the council.

4) Attest deeds and other documents.

5) Perform other duties specified in this title or prescribed by the council.

6) Attend meetings of the council. Serve as clerical officer of the council and be responsible for the recording, filing, indexing and safe keeping of the journal of the proceedings of the council.

7) Be physical custodian of all deeds, documents, records, and archives or any other official document of the City.

8) Keep and maintain all election records and have custody of all property used in connection with elections.

9) Be custodian of the seal of the City and shall attest and affix the seal to documents when required in accordance with the Charter, law or ordinances.

10) Keep a correct and up to date record of the City boundaries and changes therein.



11) Be responsible for filing all charter amendments and other instruments required by State law with the appropriate State agencies.

12) Publish all adopted ordinances and resolutions of the council as required by law and all legal notices required by law or ordinance.

13) Notify the appointing authority of the impending expiration of the term of office of a member of any board or commission, and notify any member of the impending termination of an appointment to a board or a commission by virtue of non-attendance or absence, said notice to be given at least thirty (30) days before such expiration or impending termination. Failure to give such notice of expiration or termination shall not affect the expiration of the term or the termination of the appointment.

14) Be charged with custody of the official bonds of City employees except the bond of the City Clerk which bond shall be in the custody of the Director of Finance.

#### Department of Finance

Sec. 6. a) Director. There shall be a Department of Finance, the head of which shall be the Director of Finance appointed by the City Manager for an indefinite term. The Director of Finance shall be bonded and shall be an officer of the City, and shall have supervision and control of the Department of Finance. When reference is made by law or otherwise to City Treasurer, it means the Director of Finance. In all cases where the financial and property interests of the City are concerned, where the duty is not expressly charged in any other department or office, it shall be the duty of the Director of Finance to act, to promote, secure, and preserve the financial and property interests of the City.

b) Duties, and Functions. The functions and duties of the Director of Finance shall be to perform all of the duties required of the office as hereinafter set out, or as may be required by the City Manager, or as may be required by the Charter, by State law and ordinances of the City, or which is made specifically applicable to Home Rule, and such other duties and functions that are not in conflict therewith.

1) Collect or receive revenue and other money for the City.

2) Be responsible for the custody, safe keeping, deposit, investment, and disbursement of all revenue and other monies of the City in accordance with this Charter and the ordinances and laws of the City.

3) Maintain a general accounting system for the City government.

4) Exercise general supervision over all officers of the City regarding the proper management of the fiscal concerns of their respective offices, which may include examination of the books of the department, but which shall specifically include the requirement that officers receiving money pay the same into the City treasurer when thereto required, and that all necessary financial reports are made by officers, and shall report all delinquencies in such payments or reports to the City Manager and Council.

5) As to paragraph 4 above, report the default of any officer of the City to the City Manager, who shall direct the City Attorney to take immediate legal measures for the recovery of the amount for which such officer may be in default.

6) Prepare for payment all City checks for the certified payroll, approved bills and approved expenses and/or expenditures. Payment shall be by check with each check to have a dual signature.

7) Demand and receive all monies and fees owing to the City whenever any person is indebted to the City in any manner. When the means of collection of such debt is not otherwise provided for by law and any claims shall not be collectible by other methods, he shall report the same to the City Attorney for prosecution.

8) Issue all permits and licenses except those which are required by ordinance to be issued by a particular department or office.

9) Make a detailed report to the City Manager on the fifteenth day of each month as to the business of his office during the month preceding, showing the balance on hand to the credit of the different funds at the time of his last report, the amounts received during the month, and on what account, together with such other items and facts as the City Manager or Council may require.

10) Prepare estimates of revenue and give such other assistance in the preparation of the budget as may be required by the City Manager.

11) Keep all general accounts of the City government and of the respective departments, offices, boards, commissions, and institutions thereof.

12) Prepare all work in connection with the assessment of property, and the preparation of all assessment and tax rolls and tax notices.

13) Collect all taxes in the manner authorized and required by law.

PASSED IN FIRST READING September 11, \_\_\_\_\_, 1979

PASSED IN SECOND READING September 25 \_\_\_\_\_, 1979.

Samuel B. Rivers  
Mayor

ATTEST: [Signature]  
City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 388

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA AMENDING TITLE 54, PUBLIC UTILITIES, BY AMENDING THE ELECTRICAL CODE TO PROVIDE FOR A THIRTY-FIVE PERCENT (35%) INCREASE IN ELECTRICITY RATES AND PROVIDING FOR A PUBLIC HEARING.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. WMC, Sec. 54.20.070 entitled "Residential Service Meter Rate" is hereby amended to read:

AVAILABILITY: Residential service under this schedule shall be limited to single phase, two or three wire service. All installations shall be subject to the approval of the City.

The maximum horsepower of motors which may be used under Schedule "A" is one (1) horsepower. If a larger horsepower is used, the appropriate schedule shall apply for the entire premises.

The City reserves the right to control the use of all water heating units during such hours as deemed advisable.

RATE:	SCHEDULE "A"		
0 to 50 KWH	<u>\$16.83</u>	[\$12.47]	per mo. min.
51 to 100 KWH	<u>23.5</u>	[ 17.4]	cents per KWH
101 to 200 KWH	<u>17.0</u>	[ 12.6]	cents per KWH
201 and over	<u>10.2</u>	[ 7.5]	cents per KWH

Sec. 2. WMC, Sec. 54.20.080 entitled "Commercial Rates" is hereby amended to read:

CLASSIFICATION: Lighting, cooking, appliances and motors in professional, mercantile, commercial and other establishments not classed in Schedule "A".

AVAILABILITY: Single phase 115 and/or 230 volt service. Motors not to exceed 2-1/2 horsepower.

A special application in writing for three phase service under the above schedule, shall be filed with the City Clerk.

All installations for such rate shall be subject to the approval of the City.

RATE:	SCHEDULE "B"		
0 to 40 KWH	<u>\$16.83</u>	[\$12.47]	per mo. min.
<u>41</u> [40] to 100 KWH	<u>30.2</u>	[ 22.4]	cents per KWH

101 to 200 KWH	23.5	[ 17.4]	cents per KWH
201 to 300 KWH	<u>17.0</u>	[ 12.6]	cents per KWH
301 and over	<u>10.2</u>	[ 7.5]	cents per KWH

Sec. 3. WMC, Sec. 54.20.090 entitled "Industrial Rates" is hereby amended to read:

CLASSIFICATION: All classes of customers.

AVAILABILITY: Available for electric motors 5 HP and larger. For 3 phase and other industrial loads. Reduced voltage starter required on all motors 20 HP or larger. 5 HP maximum for single phase motor. Special consideration required on all motors 50 HP or larger and for loads which fluctuate to such an extent that the quality of service on the system may be impaired.

POWER FACTOR: A monthly charge will be made in addition to demand-energy or minimum charges whenever the average monthly factor is less than 0.85.

Unless specifically otherwise agreed, the City shall not be obligated to deliver electric energy to the consumer at any time at a power factor below 0.75.

The average power factor is determined as follows: the kilowatt hours divided by the square root of kilowatt hours plus the square root of reactive-kilovolt-ampere hours.

The meter for measurement of reactive-kilovolt-ampere hours shall be ratcheted to prevent reverse registration, or at the City's option, the power factor may be determined with a power factor meter.

All installations of power factor corrective equipment shall be subject to the approval of the City.

The monthly charge for each 0.01 of average monthly power factor below 0.85 shall be:

From 0.84 to 0.70 - 17.0 [12.6] cents per KW of maximum demand  
 From 0.69 and below, 26.9 [19.9] cents per KW of maximum demand.

Charges will be based on primary metering and where secondary metering is used transformer losses will be charged on the basis of connected transformer capacity for no load losses plus 2 per cent of KWH consumption for operational losses.

Monthly no-load transformer losses:

5 KW . . . . .	29 KWH
10 KW . . . . .	43 KWH
15 KW . . . . .	60 KWH
25 KW . . . . .	82 KWH
37.5 KW . . . . .	105 KWH

50 KW . . . . .	134 KWH
75 KW . . . . .	202 KWH
100 KW . . . . .	256 KWH
167 KW . . . . .	432 KWH
300 KW . . . . .	768 KWH
500 KW . . . . .	1296 KWH

Demand Charges: \$3.48 [\$2.58] per month per KW of maximum demand or major portion thereof.

RATE: SCHEDULE "C" (Plus Energy Charge)

9 to 500 KWH	<u>13.6</u>	[10.1]	cents per KWH
500 to 1000 KWH	<u>10.1</u>	[ 7.5]	cents per KWH
All over 1000 KWH	<u>7.4</u>	[ 5.5]	cents per KWH
All over 1000 KWH (Temp)	<u>8.8</u>	[ 6.5]	cents per KWH - This power rate will be charged to users of strictly temporary or seasonal character on a month-to-month basis, providing customer furnishes all necessary material and equipment incidental to furnishing of such service plus all connection and disconnection costs.

Minimum Charges: \$1.66 [\$1.23] per month per HP connected load but not less than \$15.93 [\$11.80] per month.

Sec. 4. WMC, Sec. 54.20.100 entitled "Shore Service for Boats - Flat Rate" is hereby amended to read:

CLASSIFICATION: This schedule applies to any and all vessels, irrespective of size, that are not serviced under Sec. 54.20.070 or 54.20.080.

AVAILABILITY: To all locations where shore service facilities are provided by the City. This is a combination rate for lighting and heating only.

Only single phase service, 110 volts will be furnished from controlled shore outlets limiting the demand to the billing demand. Shore outlets shall be under the exclusive control of the City. All boats and vessels shall be charged a flat rate based on a 20-amp fuse as follows:

RATE: 20-amp fuse \$31.77 [\$23.53] per month

TERMS OF CONTRACT: Not less than a month charge, payable in advance at monthly rate.

Sec. 5. Classification. This ordinance is of a permanent and general nature and shall be codified in the Wrangell Municipal Code.


Sec. 6. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

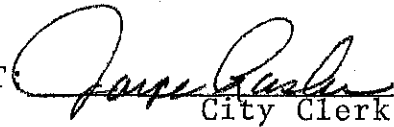
Sec. 7. Effective Date. This ordinance shall be published as provided in the Charter and the Wrangell Municipal Code, and shall be effective thirty (30) days after final passage.

Sec. 8. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

PASSED IN FIRST READING December 11, 1979.

PASSED IN SECOND READING December 20, 1979.

  
\_\_\_\_\_  
Mayor

ATTEST   
\_\_\_\_\_  
City Clerk

## CITY OF WRANGELL, ALASKA

Ordinance No. 389

AN ORDINANCE OF THE CITY OF WRANGELL AMENDING TITLE SIXTY-THREE ENTITLED TRAFFIC CODE, CHAPTER SEVEN THEREOF ENTITLED PERMITS AND LICENSES; SAID AMENDMENTS AS HEREINAFTER SET OUT CONFORMING THE WRANGELL MUNICIPAL TRAFFIC CODE TO THE MOTOR VEHICLE LAWS OF THE STATE OF ALASKA.

## RECITALS

The Wrangell Municipal Code generally adopts the State of Alaska motor vehicle laws by reference by citation to Alaska Statute Number, and/or the Alaska Administrative Code Citation Number.

Since the adoption of the State Motor Vehicle laws by the City of Wrangell, the laws of the State of Alaska have been revised. The purpose of this Ordinance therefore, is to amend the Wrangell Municipal Code to conform to and accurately reflect the adoption of the State Law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AS FOLLOWS:

Sec. 1. Title Sixty-Three of the Wrangell Traffic Code, Chapter Seven Thereof, "Permits and Licenses" is repealed in its entirety and enacted to read as follows:

## CHAPTER 07. PERMITS AND LICENSES.

Sec. 63.07.010. Operator Must Be Licensed. AK: AS 28.15.011.

Sec. 63.07.020. License Must Be Carried When Driving. AK: AS 28.15.131.

Sec. 63.07.030. Out-of-State License Use During Revocation or Suspension. AK: AS 28.15.280.

Sec. 63.07.040. Permitting Unauthorized Minor to Drive. AK: AS 28.15.310.

Sec. 63.07.050. School Bus Driver Permit; Display. AK: 13 AAC 08.030.



05.30.010. Sec. 63.07.060. Snowmachine Registration. AK: AS

AK: AS 05.30.040. Sec. 63.07.065. Snowmachines; Certificate and Decals.

AK: AS 05.30.100. Sec. 63.07.070. Snowmachines; Accident Report Required.

AK: AS 05.35.020. Sec. 63.07.075. Snowmachines; Permits for Racing.

AS 28.10.011. Sec. 63.07.080. Unregistered Vehicle - Parked. AK:

AS 28.10.461. Sec. 63.07.081. Unregistered Vehicle - Moving. AK:

Vehicle. Sec. 63.07.085. Registration Certificate to be in AK: AS 28.10.081.

AK: AS 28.10.031. Sec. 63.07.086. Operating Vehicle with Expired Permit.

AK: AS 28.10.481. Sec. 63.07.090. License Plates for Vehicle Issued.

AK: AS 28.10.171. Sec. 63.07.095. License Plates Must Be Displayed.

AK: AS 28.10.321. Sec. 63.07.105. New Owner to Obtain Title & Registration.

AK: AS 28.10.121. Sec. 63.07.110. Resident with Out of State Plates.

Vehicle. Sec. 63.07.115. Operating Unregistered or Untitled AK: AS 28.10.590.

License. Sec. 63.07.120. Driving with Expired Operator's AK: AS 28.15.010.

28.15.121. Sec. 63.07.025. Restricted License Violation. AK: AS

Drive. Sec. 63.07.130. Permitting Unauthorized Person to AK: AS 28.15.281.

Sec. 2. Classification. This ordinance is of a general and permanent nature and the code sections adopted hereby shall become a part of the City Code.



## CITY OF WRANGELL, ALASKA

Ordinance No. 390

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA  
ESTABLISHING AND DEFINING DIFFERENTIAL TAXATION  
ZONES AND ADJUSTING THE DIFFERENTIAL TAX FOR  
DESIGNATED AREAS BY CLASS ACCORDING TO SERVICES  
RENDERED.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell Municipal Code and shall be effective thirty days after passage.

Sec. 4. WMC, Sec. 60.20.285 entitled "Differential Taxation Zones" is amended to read:

(a) On or before March 20 of each year the Council shall review and enact, if necessary, an [ENACT AN NON-CODE] ordinance establishing differential taxation zones for that tax year, which establishment may be accomplished by adopting [BY REFERENCE] a map or plat by reference with appropriate designations in lieu of descriptions. The applicable taxation zones shall be designated on each taxpayer's assessment notice.

(b) The differential taxation zones shall be designated by class according to services[, ] provided, as follows:

Class I. For property provided the general services, comprised primarily of hospital facilities, library facilities, fire protection, police protection, port facilities, senior citizen's center, educational facilities, streets and roads, planning and zoning and solid waste removal and disposal facilities and general local government administration, fifty (50) percent of the established mill levy shall apply.

Class II. For property provided with Class I services above, and electrical service, sixty-five (65) percent of the established mill levy shall apply.

Class III. For property provided with Class II services above, and with either water or sewer service, eighty (80) percent of the established mill levy shall apply.

Class IV. For property provided all [OF THE] city services, as set out in Class I, Class II and Class III above, one hundred (100) percent of the established mill levy shall apply.

(c) At the time of annual review and adoption if necessary of the differential taxation zones as provided in sub-section (a) above, the Council shall review the percentage of millage rate applicable to the classes of taxation zones as it appears in sub-section (b) above and adopt any modification [IN THE SAME] by ordinance designating such taxation zones.

Sec. 5. Section 5, Ordinance 379, dated February 27, 1979, is hereby repealed. The Wrangell Municipal Code is amended by adding a new section to read:

Sec. 60.20.286. Differential Taxation Zones Defined. Tax Differential Zone 1 includes Lot 33, Lot 34 and Lot 35 of Block 13, U.S. Survey 1119; Tax Differential Zone 2 includes all taxable property not defined in Tax Differential Zone 1, Zone 3 and Zone 4; Tax Differential Zone 3 includes Lot 14 part and Lot 16 part of Block 12, U.S. Survey 1119, all of U.S. Survey 1518 except Lot 1, Lot 2, Lot 3, Lot 4 and Lot 5 and Lot 1 and Lot 8 of Block 1, U.S. Survey 1593; Tax Differential Zone 4 includes U.S. Survey 125, U.S. Survey 1815, Alaska Tideland Survey 83 and Lot 1, Lot 2, Lot 3, Lot 4 and Lot 5 of U.S. Survey 1518, except those taxable properties defined in Tax Differential Zone 1 and Zone 3.

Sec. 6. Section 6, Ordinance 379, dated February 27, 1979, is hereby repealed. The Wrangell Municipal Code is amended by adding a new section to read:

Sec. 60.20.287. Differential Taxation Zones Adopted. The differential taxation zones being Class I, Class II, Class III and Class IV as designated in Sec. 60.20.285 (b) of the Wrangell City Code with the respective percentages of mill levy as appears therein and as defined in Sec. 60.20.286 are hereby adopted for purposes of differential taxation.

PASSED IN FIRST READING: \_\_\_\_\_ February 12 \_\_\_\_\_, 1980.

PASSED IN SECOND READING: \_\_\_\_\_ February 26 \_\_\_\_\_, 1980.

Richard R. McCormick  
Mayor

ATTEST: Jane Rasmussen  
City Clerk

## CITY OF WRANGELL

ORDINANCE NO. 391

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA AMENDING TITLE 54, CHAPTER 20, ENTITLED ELECTRICAL, BY ADDING A SECTION ESTABLISHING A FUEL ADJUSTMENT SURCHARGE ON ALL ELECTRICAL ENERGY UNDER ALL APPLICABLE ELECTRICAL RATE CHARGES TO REFLECT THE INCREASE OR DECREASE IN THE COST OF FUEL USED TO GENERATE ELECTRICAL ENERGY AND PROVIDING FOR A PUBLIC HEARING;

WHEREAS, the electrical generating capability of the City of Wrangell is entirely dependent on the largest single item of expense being the ever increasing cost of diesel fuel; and

WHEREAS, it is desirable and required to keep adequate funds for debt coverage, and for the operation, maintenance, renewal, replacement and additions to the electric utility plant; and

WHEREAS, the increase in the cost of diesel fuel has had a very significant adverse effect on the ability of the electrical utility to operate at a break-even point and will most assuredly cause the utility to operate at a deficit in the event the fuel adjustment surcharge is not enacted.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA AS FOLLOWS:

Sec. 1. Wrangell Municipal Code Title 54 Utilities, Chapter 20 thereof entitled "Electricity" is hereby amended by the addition of the following section 54.20.065 to read as follows:

Sec. 54.20.065. Fuel Adjustment Charge: A surcharge shall be applied to each electric billing for all kilowatt-hours rendered under applicable rate schedules to reflect increases or decreases in the cost of fuel used to generate electric energy during the month prior to the billing period. The base rate used to determine the surcharge is .05 per kilowatt-hour effective with billings rendered on or after May 8, 1980. The charge shall be calculated as follows:

$$\text{Fuel Adjustment Rate} = \frac{(A - (B \times C))}{C}$$

Where: A = Fuel expense during prior month  
B = Base fuel rate  
C = Applicable sales during prior month

Note: The base fuel rate reflects the cost of diesel fuel at \$0.65 per gallon.

Sec. 2. Classification. This Ordinance is of a general and permanent nature and the code sections adopted hereby shall become a part of the City Code.

Sec. 3. Severability. If any provision of this Ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this Ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 4. Effective Date. This Ordinance shall become effective thirty days after date of adoption.

Sec. 5. Public Hearing. A public hearing shall be held with notice of said public hearing to be given as required by applicable law.

PASSED AND APPROVED: First Reading March 11, 1980

PASSED AND APPROVED: April 8, 1980

  
\_\_\_\_\_  
MAYOR (VICE)

ATTEST:   
\_\_\_\_\_  
CITY CLERK

## CITY OF WRANGELL, ALASKA

Ordinance No. 392

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA PRESCRIBING A SPECIAL ASSESSMENT PROCEDURE FOR LOCAL IMPROVEMENTS; ESTABLISHING THE METHOD OF APPORTIONING AND ASSESSING THE COST OF SUCH IMPROVEMENTS UPON BENEFITED PROPERTY, SAID PROCEDURE INVOLVING NOTICE AND OPPORTUNITY TO BE HEARD ON SAID ASSESSMENT; ESTABLISHING A LOCAL IMPROVEMENT GUARANTEE FUND; ESTABLISHING A LOCAL IMPROVEMENT DISTRICT REVOLVING FUND, AND ESTABLISHING A PROCEDURE FOR LOCAL IMPROVEMENTS BY PETITION WHERE THE BENEFITED PROPERTY OWNERS ARE IN COMPLETE AGREEMENT.

## RECITALS

WHEREAS, Article Seven of the Wrangell City Charter provides that the Council shall prescribe by Ordinance complete special assessment procedure for local improvements.

WHEREAS, the Council desires to establish a procedure for accomplishing local improvements by special assessments;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AS FOLLOWS:

Section 1. The Wrangell Municipal Code is hereby amended by adding thereto a Chapter entitled Improvements and Assessments as hereinafter set out. (Said Local Improvement District shall be hereinafter referred to as L.I.D.):

## IMPROVEMENTS AND ASSESSMENTS

A.010 Policy. The Council establishes a policy whereby public improvements for which assessments are authorized under the Charter may be financed in whole or in part by the levy and collection of special assessments upon the real property specially benefited by said improvements.

A.030 Initiating Special Assessment Procedure by Petition.

(a) Petition. The petition for an improvement by special assessment shall be in a form prescribed by the City Manager and shall include a description of the improvement sought

by the petition. The original, or copies of the petition, shall be signed by the owners of the properties which will bear at least fifty percent (50%) of the estimated cost of the improvement sought by the petition. The petition when signed shall be filed with the City Clerk.

(b) Signatures and Necessity of Improvement. After the petition has been filed with the City Clerk, the Council shall determine by resolution whether the petition has sufficient and proper signatories thereto, and whether the improvement is necessary. The findings of the Council are conclusive. If the Council finds that the improvement is necessary, the Council shall also set a time for public hearing thereon.

(c) Published Notice. Notice of such hearing shall be published at least once a week for three (3) consecutive weeks in a newspaper of general circulation throughout the City with the first publication to be at least sixty (60) days prior to the date set for such hearing if special assessment bonds are to be issued. If special assessment bonds are not to be issued to pay the cost of improvements, then the date of first publication and mailing of such notice may be not less than twenty (20) days prior to such hearing date and such published notice need only be published twice. The notice shall contain a statement of the following:

(1) A general description of the improvements to be ordered and a description of the boundaries of the proposed L, I. D.;

(2) A statement of the estimated cost of the proposed improvements and the estimated proportion of such cost to be borne by the property specially benefited thereby;

(3) That a map or plat showing thereon the lots, tracts and parcels of land which will be specially benefited by the proposed improvement, the proposed assessment schedule and the proposed assessment against each such lot, tract or parcel of land is on file for public inspection at the office of the City Clerk;

(4) Whether special assessment district bonds will be issued and sold to provide funds to pay the cost of improvements;

(5) The time, date and place of such hearing, and that the owners of any property within the proposed district may file a written objection to the creation of such district and the ordering of the work to be done therein with the City Clerk up to the time of the hearing.



(d) Mailed Notice. Notice of such hearing shall also be mailed to all owners within the proposed district according to the tax roll of the city at the last address shown thereon, at least sixty (60) days prior to the date set for such hearing if special assessment bonds are to be issued. If special assessment bonds are not to be issued to pay the cost of improvements, then the notice shall be mailed not less than twenty days (20) prior to such hearing date. Such notice shall contain, in addition to the items required to be set forth in the published notice:

(1) A description of each lot, tract or parcel of land owned by said owner and the estimated assessment to be levied against each such property;

(2) The estimated payment schedule of such assessment;

(3) A statement that the assessment proposed to be levied against each such lot, tract or parcel of land is an estimated amount and that when actual costs are known they will be assessed against all of the real property in the L.I.D. in accordance with the benefits received.

(e) Hearing. The public hearing shall be held by the Council at the time indicated in the notice, which time shall be no earlier than ten (10) days after the final date of publication of notice.

(f) Objections. If written protests as to the necessity of the local improvement are made by the owners of benefited property which will bear fifty percent (50%) or more of the estimated cost of the improvement, the improvement shall not proceed until the protests have been reduced so that the property of those still protesting shall not bear fifty percent (50%) of the estimated cost of the improvement, except upon passage by the Council of a resolution to proceed by a vote of at least six (6) Council members. Such protest must be filed with the City Clerk before the close of the public hearing on the necessity of the improvement. The Council may decrease the extent or value of the improvement, or may delete from the properties to be assessed those not benefited in whole or in part by the improvement. At the conclusion of the public hearing, the Council shall by resolution determine whether or not to proceed with the improvement. Said resolution, pursuant to Section A.050, shall also specify the method of apportioning benefits to be employed. After the Council revises the plans it shall, if it determines to proceed with the improvements under the revised plan, readvertise and renote the proposed improvements and hold another hearing thereon, and be subjected to the same time notice limitations as required in the first instance, and so on until the objections have been reduced to less than fifty percent (50%) referred to above. Exception: If the owners of property bearing more than

fifty percent (50%) of the estimated assessments agree in writing to any revised plan, there shall be no need to readvertise or hold further hearings and the Council may proceed with the revised plan.

(g) Upon passage by the Council of a resolution that the improvement is necessary and the petition has sufficient and proper signatures, as provided in Subsection (b) of this Section, the Council shall authorize the City Manager to prepare a report to the Council concerning the need for the estimated cost of the improvement. The report shall contain a plan specifying the properties to be assessed and showing the desirable extent of the proposed improvement. The report of the City Manager may be presented to the Council either before or at the time of the public hearing required herein.

(h) Ordinance Creating District. If, as, and when the Council finds that the L.I.D. should be formed, it shall by ordinance, or by resolution if special assessment district bonds are not to be issued, find that the creation of such L.I.D. is in the public interest, and create such district, describe the boundaries thereof, describe the improvements to be acquired, constructed and installed therein, declare the estimated cost thereof, declare the proportionate amount of the funds of the City, if any, to be applied thereto and order such work to be done. If necessary, such ordinance or resolution shall authorize the acquisition of all land necessary for such improvements, the payment of all damages caused thereby and the commencement in the name of the City of such eminent domain proceedings and assessment proceedings required to pay all eminent domain awards as may be necessary to enable the City to proceed with the work.

A.035 Initiating Special Assessment Procedure by Council.

(a) The City Council may, on its own motion, direct the City Manager to prepare a report to the Council concerning the need for and the estimated cost of a public improvement. The report shall contain a plan specifying the properties to be assessed and showing the desirable extent of the proposed improvement. The report of the City Manager may be presented to the Council either before or at the time of the public hearing on the necessity for the proposed improvement.

(b) Simultaneously with its motion authorizing the report by the City Manager, the Council shall provide for notice of public hearing in accordance with the procedure established by Section A.030.

(c) At the conclusion of the public hearing the Council shall determine by resolution whether or not to proceed with the improvement. The Council shall not proceed with any public

improvement if written protests as to the necessity of such improvement are made by the owners of benefited property which will bear fifty percent (50%) or more of the estimated cost of the improvement until the protests have been reduced so that the property of those still protesting shall not bear fifty percent (50%) of the estimated cost of the improvement, except upon passage by the Council of a resolution to proceed by a vote of at least six (6) Council members. Said resolution, pursuant to Section A.050, shall also specify the method of apportioning benefits to be employed.

A.040 Council to Assess Cost--Determination of Portion to be Assessed. The Council shall assess 50% of the cost of all improvements made in accordance with this Chapter against the properties benefited thereby; provided, that the Council may decide, prior to or at the time of determining to proceed with the improvement project, to reduce or increase the portion of the cost to be assessed against the property benefited specially by the improvement, or that the nature of the improvement or lack of general funds requires that the improvement be financed by an assessment against the benefited property greater or less than 50% percent of the cost of the improvement.

A.050 Methods of Determining Proportion of Benefits and Assessments.

(a) The following methods shall be used in determining the proportion of benefits and assessments to real properties specially benefited from improvements authorized and constructed under the authority of this Chapter:

(1) Street and sidewalk improvements, squares, benefited areas:

Except in the cases herein otherwise specifically provided for or unless provided for in the resolution ordering such improvement, property benefited shall mean and shall include all property abutting upon or adjacent to the street, avenue, alley, drive, square or other public place proposed to be improved provided, in the case of unplatted property, the area to be assessed shall extend back from the marginal lines of the improved area the same distance as adjacent platted lands which are specially benefited but not more than one hundred (100) feet. All of the property shall be considered and held to be all the property specially benefited by such local improvement and shall be the property to be assessed to pay the cost thereof or such portion of the costs as are chargeable against the property specially benefited by such improvement, which cost and expense shall be assessed against all of such property so benefited in conformance to the special benefits so conferred on such property in the following proportions: Sixty percent (60%) of the improvement

assessable to such properties shall be distributed to each lot, tract or parcel of property in proportion to its area, the area to be assessed to a maximum of one hundred (100) feet in depth, and forty percent (40%) of the costs assessable to such properties shall be distributed to each lot, tract or parcel of property in proportion to the frontage of that property on the improved street, avenue, alley, drive, square or other public place. The total assessment thus determined shall be entered upon the assessment roll as the amount to be levied and assessed against each separate lot, tract or parcel of land or other property.

Corner lots shall be assessed on the same basis as above, except that where such lot is bounded by two streets which are being improved, the front footage basis shall be the full frontage on the longest side and one-half the frontage on the shortest side;

(2) Sanitary sewers and storm sewers, benefited areas:

In spreading assessments for sewers and drains, including storm drains, the cost shall be assessed in proportion to the area of each lot, tract or parcel that abuts upon, or is beneficially affected by such improvement although not abutting such improvement, such benefited area to be determined by the Council by the resolution passed determining the necessity for such improvement;

(3) The Council shall determine the method of proportioning the benefits from other types of improvements at the time of declaring the necessity of the improvement, or upon creation of an improvement district.

(4) In anticipation of delinquent assessments, there may be added to each separate assessment appearing on each assessment roll a sum not less than three percent (3%) nor greater than ten percent (10%) of such assessment. Said charge shall constitute a reserve to be used only if payment of assessments become delinquent to the extent that any amounts due on debt incurred by the City of Wrangell for financing the property owners share of the local improvement district in question cannot be met as they become due. Any balance remaining in said reserve after all debt incurred relative to the L.I.D. in question has been repaid shall be refunded pro rata to such property owners within said L.I.D. on whose lots the assessments have been paid promptly during the full period of the payment schedule without being in default at any time. Any refunds due shall be paid to the then owner of the lot as shown on the tax roll for the year in which the refund is declared. No such refund shall be in an amount greater than the original percentage charged to that lot.

(5) Assessments levied in any L.I.D. may be levied against properties of the United States of America, the State of Alaska, the Borough, and the City as above provided, and the assessments levied against any properties of the Borough or the City shall have a lien thereon and shall be collectible as assessments levied against properties of owners except where prohibited by law. Should it appear for any reason that the assessments levied against any properties of the United States of America or the State of Alaska are uncollectable, such assessments shall not be counted in the computation of the final assessment roll of any L.I.D., and if any such assessments are collected the same shall be paid into the fund of such L.I.D. as are all other assessments.

(b) In the event all the lots, tracts, or parcels of land in any L.I.D. are substantially equal in size and are substantially equal in distance from the improvements constructed therein and the benefits derived by each such lot, tract or parcel of land are substantially equal to the benefits derived by every other lot, tract or parcel of land within the district, or all of the property owners agree thereto, then the total assessment roll may be apportioned equally among all such lots, tracts and parcels of land; otherwise, the assembly shall determine the amount of the individual assessments fixed in any assessment roll on such basis as may be legal, equitable and proper under all the circumstances.

(c) Nothing in the Chapter or Chapters governing local improvement districts shall prohibit the Council from utilizing some formula or method of determining benefits where it can be shown that the property benefited should bear a greater amount of the assessment. As an example, but not by way of limitation, where commercially zoned property is directly adjacent to residentially zoned property, but both are served by the same sewer connection and the multiple story building on the commercial property may have ten (10) users whereas the residential property may have only two (2) users, the commercial area shall therefore bear more of said assessment costs.

A.060 Assessment Roll and Related Procedures. Sections B.050 through B.090 of the Chapter entitled "Improvements by Petition", relating to the assessment roll and procedures related thereto, are incorporated by reference as if fully set forth herein, as said sections may from time to time be amended or modified.

A.070 Applicability of State Law. Procedures not covered in this Chapter or elsewhere in this code or the Charter may be as prescribed pursuant to AS 29.63.010 through AS 29.63.085, and along with such modifications of said provisions applicable to the City as the Council has provided herein or may later provide by Ordinance under its home rule powers.

A.080 Advance Payment of Assessments. To facilitate the financing of construction of improvements authorized under this Chapter, the Director of Finance is authorized to accept from owners of real property advance payments of assessments based upon estimated assessments. The amount of the advance payment shall be credited against the actual assessment when the same shall have been levied by the Council. If the advance payment exceeds the actual assessment, the difference shall be promptly refunded to the owner of real property who made the payment. If the advance payment is less than the actual assessment, the difference shall be billed to the owner of the real property in the same manner as provided for other assessments.

A.090 Invalid or Insufficient Assessments. If any special assessment shall fail to be valid in whole or in part, or if for any cause, mistake or inadvertence the amount assessed shall not be sufficient to pay the cost of a public improvement or the part thereof to be assessed against benefited property, then the Council is authorized to cause such assessment to be reassessed pursuant to AS 29.63.070, or as may be provided by law.

A.095 Assessment Segregation. Whenever property has been assessed in an entire tract and subsequently subdivided, any owner so desiring may make an application to the Council for a segregation of the assessment and a determination of the amount due on each portion thereof. The Council shall thereupon cause an appraisal to be made of the entire property as a whole, and also of the segregated portions. If the Council shall deem that such segregation can be made without prejudice to the City's security, it may order the assessment to be segregated and assessed against each portion of the divided property. In case the Council shall determine that the City cannot, without injury to its security, permit such segregation, it shall require payment of the entire amount as a whole before any portion of the tract is discharged from the lien of such assessment.

A.100 Objection and Appeal.

(a) The regularity or validity of an assessment may not be contested by a person who did not file with the Municipal Clerk a written objection to the assessment roll before its confirmation.

(b) The decision of the Assembly or Council upon an objection may be appealed to the Superior Court within thirty (30) days of the date of confirmation of the assessment roll.

(c) If no objection is filed or an appeal taken within the time provided in this section, the assessment procedure shall be considered regular and valid in all respects.

A.110 Provisions Applicable to all L.I.D.'s.

(a) Area. An L.I.D. may include adjoining, vicinal or neighboring streets, avenues and alleys even though the improvements thus made are not connected or continuous as long as there is no more than two thousand five hundred feet between continuous units; provided, that the cost and expense of each continuous unit of the improvement may be ascertained separately as near as may be, and if so ascertained separately, the assessment rates shall be computed on the basis of the cost and expense of each unit.

(b) Change in District Boundaries. The Council may at any time at its discretion, by Ordinance, eliminate from said district any unit of the improvement which is not completed and may proceed with the construction of the balance of the improvements within said district as fully and completely as though said eliminated unit had not been included within the district; provided, however, that the assessments to be levied to pay part or all of the costs of the improvements actually constructed may be levied only against the properties within such district specially benefited thereby.

(1) Notice of Hearing. The Council shall by resolution fix a time, date and place for a hearing on the question of whether or not it should abandon the acquisition, construction and installation of a portion of the improvements. Notice of such hearing shall be published once, at least ten (10) days prior to the date thereof, in a newspaper of general circulation within the City, and shall be mailed at or prior to the same time to all owners of property within such district. Such notice shall state the proposed Council action and shall also require that any owner who objects thereto should file a written notice of that objection with the City Clerk at or prior to the hearing.

(2) Hearing. At the time of the hearing, the Council shall hear all such protests and all evidence material to the question of whether or not the completion of such improvements should be abandoned and after considering the same the Council shall then decide whether or not to so abandon a portion of the improvements. In the event that written objections to such proposed abandonment are filed by the owners of property in the district bearing less than fifty percent (50%) of the owners of property within the area proposed to be abandoned, the Council shall proceed to complete the construction of the improvements originally authorized in such district. In the event protests equalling fifty percent (50%) or more are filed and the Council decides that the portion of such improvements should not be completed, the costs of improvements incurred to the time of such abandonment shall be assessed only against the property within such district specially benefited by the improvements actually completed.

(c) Limitation of Creation of an L.I.D. The City shall not proceed with an L.I.D. if it appears from the preliminary estimates and assessment roll that the amount of the estimated cost of improvements to be acquired, constructed and installed to be assessed against the property in the proposed district, when added to all other outstanding L.I.D. assessments against such property, is more than the current assessed value of the land within the district, including twenty-five percent (25%) of the current assessed value of the improvements thereon and seventy-five percent (75%) of the estimated cost of the improvements as a result of the L.I.D. to the land within the district, unless:



(1) If special assessment district bonds are to be issued, the property owners or someone in their behalf deposits with the City a sum of money equal to the amount by which the estimated cost of improvements exceeds the limit hereinabove fixed; or

(2) If special assessment district bonds are not to be issued, the persons objecting to the creation of the L.I.D. do not own property therein greater than twenty percent (20%) in current assessed value of all the property within the district.

The limitation herein fixed shall not apply to the improvement of a particular disconnected unit included in an L.I.D. as permitted by subsection (b)(1) of this section, but shall apply only to the L.I.D. as a whole.

(d) Unanticipated Costs.

(1) Construction by Contractor or Contractors.

(A) When the improvements in any L.I.D. are to be acquired, constructed and installed by a contractor or contractors, and if it appears after consideration of the contract cost plus all other costs of improvements that the total cost of improvements will exceed the estimated cost as it appears on the approving resolution or ordinance, by twenty percent (20%) or more, then at least fifteen (15) days before the notice to proceed is given the contractor or contractors, the Director of Public Works of the City shall give notice of such estimated increased cost by certified mail to the owners of the lots, tracts and parcels of land within the district at their last known address, and shall also publish, on or before the same date, a similar notice at least once in a newspaper of general circulation in the City.

(B) Said mailed and published notice shall state the amount, and percentage, of total cost of the expected additional charges over the last complete estimated cost, and shall further state that unless written objections to the City ordering the contractor or contractors to proceed are filed with the City Clerk by the owners of property within the district bearing fifty percent (50%) or more of the estimated cost of the improvements to be paid from assessments within ten (10) days from the date of the mailing and publishing of such notice, said contractor or contractors will be ordered to proceed, and that said estimate of costs as increased shall be the cost of improvements until all actual costs after completion are known.

(C) In the event such written objections are so filed by the owners of property within the district bearing fifty percent (50%) or more of the estimated cost of the improvements to be paid from assessments, then no notice to proceed

shall be given the contractor and further work on the project shall cease. The City shall bear the costs of the project to date of termination.

(e) L.I.D. Funds. Each L.I.D. of the City shall be given a number in the ordinance or resolution creating the district, and each such ordinance or resolution shall create an "L.I.D. No. \_\_\_\_\_ Fund." Into such fund shall be paid all receipts pertaining to the L.I.D. including, but not limited to, proceeds from the sale of warrants and/or bonds, transfers from the City general fund and assessments as paid.

Such funds shall be drawn upon for the purpose of paying construction costs of such L.I.D., redemption of warrants and bonds and the payment of interest thereon.

Within such fund, accounts such as may be necessary, such as construction revenue, bond redemption and sinking fund accounts, may be set up.

(f) Warrants. The City may provide by resolution or ordinance for the issuance of warrants payable out of such L.I.D. fund in payment of the cost and expense of any L.I.D. improvements. The warrants shall bear interest at a rate not to exceed ten percent (10%) per annum and shall be redeemed either in cash or by exchange for special assessment district bonds of such district. Such warrants shall be redeemed in order of their number whenever there is enough money in such fund to redeem such lowest number warrant or warrants.

Warrants may be issued to the City general fund when the general fund advances the costs of improvements.

(g) Surplus Moneys. All moneys remaining in any L.I.D. fund of any special assessment district after all costs of improvement in such district, including the redemption of all warrants and bonds of such district, have been paid, shall be paid into the guaranty fund of the City as provided in Section A.180. If no special assessment bonds have been issued in any L.I.D., each surplus moneys shall then be paid into the L.I.D. revolving fund of the City.

A.115 General Procedure for Construction Improvements--  
Bids--Exemption.

(a) It shall be the general policy of the City to call for bids for making local improvements and to award the bid to the lowest responsible bidder. This general policy, however, shall not prohibit the Council from providing that the City construct the local improvements rather than private contractors.

(b) In the event more than one L.I.D. is advertised for bids at the same time, all L.I.D.'s shall be bid separately. The Council shall have the authority, however, to accept the lowest aggregate bid for all of the L.I.D.'s bid at same time.

(c) If the improvement cost of an L.I.D. is less than the amount requiring competitive bid as provided by law, the City may award the contract without bid.

(d) At the option of the City, bids for improvements may be taken prior to the public hearing; however, no contract for construction shall be awarded prior to enactment of a resolution creating the improvement district, unless agreed to in writing by one hundred percent (100%) of the owners of the property to be benefited.

#### A.120 Special Assessment District Bonds--Authority.

(a) Bonds to be entitled "L.I.D. No. \_\_\_\_\_, City of Wrangell, Alaska, Bonds" may be issued to provide funds to pay any part or all of the costs of improvements in any special assessment district, provided that such bonds shall not be issued in a total principal amount in excess of such costs of improvement.

(b) Such bonds shall be issued pursuant to ordinance and shall be made payable on a date not sooner than two (2) years later than the date upon which the last installment of the assessments securing such bonds becomes due and not later than two (2) years six (6) months after the date upon which the last installment of the assessments securing such bonds becomes due.

#### A.130 Form, Content, Coupons.

(a) Such bonds shall bear interest at a rate not to exceed ten percent (10%) per annum payable annually or semiannually, shall be in such denominations as may be provided in the ordinance authorizing their issuance, and shall be numbered from one up consecutively.

(b) Each bond shall be signed by the Mayor of the City and attested by its Clerk; shall have the seal of the City impressed or reproduced thereon; refer to the improvement to pay for which it is issued and the ordinance ordering it; provide that the principal amount thereof and the interest thereon shall be payable out of the L.I.D. fund of such district or out of the local improvement guaranty fund of the City and not otherwise; provide that the bondholders' remedy in case of any nonpayment shall be confined to the enforcement of the special assessments levied for the improvements in such L.I.D. and to such guaranty fund; and have attached thereto interest coupons for each interest payment which coupons may have printed or reproduced thereon the facsimile signatures of such Mayor and Clerk.

A.140 Sale. Such L.I.D. bonds may be issued to the contractor or contractors constructing and installing the improvements in such district, or may be sold by the City at public or private sale, but at not less than par and accrued interest. The proceeds of sale of such bonds shall be deposited in the applicable L.I.D. fund and be applied in payment of the costs of improvement either in cash or by the redemption of warrants or other obligations of the City issued to pay such costs.

A.150 Redemption. The City Treasurer shall call in and redeem the principal of one or more bonds of any issued in their numerical order whenever there is sufficient money in the L.I.D. fund against which the bonds have been issued, over and above the amount needed for payment of current annual interest and the annual interest next to fall due on all unpaid bonds of that issue. Such call shall be made by publication of a notice thereof in a newspaper of general circulation throughout the City as soon as practicable after the day of delinquency of any assessment installments, and in any other manner as may be deemed necessary to advise the holder of the bonds being called of such call. The notice of call shall state the serial number or numbers of the bonds being called, that they will be paid on the date the next interest coupons on the same become due, and that interest thereon will cease on such call date.

A.160 Nonliability of the City. Neither the holder nor the owner of any L.I.D. bond, interest coupons or warrant issued against an L.I.D. fund, shall have any claim therefor against the City except for payment from the special assessments made for the improvement for which such bond or warrant was issued and except for payment from the local improvement guaranty fund of the City as to bonds issued the payment of which is secured by such fund. The City shall not be liable to the holder or owner of any such bond, interest coupon or warrant for any loss to the local guaranty fund occurring in the lawful operation thereof. A copy of the foregoing part of this section shall be plainly written, printed or engraved on each L.I.D. bond.

A.170 Remedy of Bondholders. If the City fails to pay any bonds, interest coupons or warrants issued against an L.I.D. fund or to promptly collect any assessments when due, the owner or holder of any bond may enforce payment of the principal thereof or interest thereon and costs of collection in a civil action in the same manner and with the same effect as actions for the foreclosure of mortgages on real property. Foreclosure shall be against all property on which assessments are in default. The period for redemption shall be the same as in the case of a mortgage foreclosure on real property. Any number of owners or holders of bonds of any single L.I.D. may join as plaintiffs, and any number of owners or property upon which the delinquent assessments are liens may be joined as defendants in the same suit. Such owners and holders shall also have recourse against the local improvement guaranty fund.

A.180 Surplus Moneys.

(a) If special assessment bonds have been issued in any L.I.D. based on the estimated cost of the improvements, and if after actual costs have been ascertained the amount of bonds issued exceeds the property owner's share of the actual costs plus any delinquency charge that may have been included in the assessment by more than one percent (1%), credit shall be given on assessments due or refunded on assessments paid in full in the same proportion as they were levied.

(b) If special assessment bonds have been issued in any L.I.D., all moneys remaining in any L.I.D. fund after all costs of improvements in such district (including the redemption of all warrants and bonds of such district which have been paid) shall be paid into the guaranty fund of the City as provided in Section A.190.

(c) If no special assessment bonds have been issued in any L.I.D., all moneys remaining in any L.I.D. fund after all costs of improvements in such district (including the redemption of all warrants which have been paid) shall be paid into the L.I.D. revolving fund of the City.

A.190 Local Improvement Guaranty Fund Established.

(a) There is hereby established a local improvement guaranty fund of the City (herein at times called the "Guaranty Fund") for the purpose of guaranteeing the payment of the principal of all special assessment bonds, interest coupons pertaining thereto, and warrants issued upon any special assessment district funds. The guaranty fund shall be kept separate from all other funds of the City. All assets of this fund shall be held in trust for the uses and purposes herein provided. Money in this fund shall be deposited in a bank in which such a deposit is covered by the full amount of Federal Deposit Insurance Corporation insurance available to banks or in a savings and loan association in which such a deposit is covered by the full amount of federal savings and loan insurance acceptable to the City of Wrangell. Such insurance shall be equal to Federal Deposit Insurance Corporation. Money in this fund may also be invested in direct obligations of the United States of America, or obligations, the payment of the principal of and interest on which is guaranteed by the United States of America.

(b) Prior to the issuance of any special assessment fund warrants or bonds the City shall deposit in the guaranty fund a sum which when added to the existing moneys in the guaranty fund shall not be less than twenty percent (20%) of the principal amount of all special assessment fund warrants and bonds. The City shall always maintain in the guaranty fund an amount not less than twenty percent (20%) of the principal amount of all

outstanding special assessment fund warrants and bonds then outstanding. Any moneys paid out of the guaranty fund to redeem special assessment district bonds, coupons pertaining thereto, or warrants shall be replaced by the City as soon as possible out of any legally available sources.

A.200. Use of Fund.

(a) Defaulted special assessment bonds, interest coupons pertaining thereto, and special assessment fund warrants shall be purchased out of the guaranty fund, and as between the several issues of bonds, coupons or warrants no preference shall exist, but they shall be purchased in the order of their presentation.

(b) Whenever any sum is paid out of the guaranty fund on account of principal or interest on a special assessment district bond or warrant the City as trustee of such fund shall be subrogated to all the rights of the holder of such bond, interest coupon or warrant so paid, and the proceeds thereof or of the underlying assessment shall become a part of the guaranty fund.

(c) All interest and earnings derived from the investment of moneys in the guaranty fund shall be credited to such fund.

(d) As provided in subsection (g) of Section A.110, if special assessment district bonds have been issued all moneys remaining in any L.I.D. fund or of any special assessment district fund after all costs of improvements in such district including the redemption of all warrants and bonds of such district have been paid shall also be paid into the guaranty fund.

(e) Should the Council, after determining that the amount in the guaranty fund meets all required guaranty requirements plus foreseeable future requirements, find there are excess moneys in the guaranty fund, it may authorize transfer of said excess to the revolving fund.

A.210 Local Improvement District Revolving Fund--  
Purpose. There is hereby created a local improvement district revolving fund of the City, which shall be used for the purpose of:

(1) Financing the property owners' share of the cost of improvements of an L.I.D. not available from other moneys of the municipality or where the sale of special assessment bonds is not feasible;

(2) Financing the municipal share of the cost of improvements of an L.I.D. not available from other moneys of the municipality;

(3) Making payments into the guaranty fund.

A.220 Sources.

(a) Moneys to be paid into this revolving fund may be provided from general taxes, from the sale of general obligation bonds of the City, or from any other legal sources as determined by the Council.

(b) As provided in subsection (g) of Section A.110, if special assessment district bonds have not been issued, all moneys remaining in any L.I.D. fund after all costs of improvements in such district including the redemption of all warrants and bonds of such district have been paid shall also be paid into the revolving fund.

A.230 Repayments into Fund. When any disbursements are made from such revolving fund to pay part of the costs of improvements in any L.I.D., any assessment paid by owners in such L.I.D. shall be repaid to the revolving fund to the extent of the moneys disbursed by such fund to such L.I.D.

A.240 Definitions. For the purposes of this Chapter, the following words shall have the following meanings:

(1) "Assessment" or "assessments" mean the assessments appearing on each L.I.D. assessment roll and include the installments thereof and any interest and penalties required to be paid thereon.

(2) "Current assessed value of all property within the district" includes all property whether taxable or not. The value of property of the United States, the State of Alaska, the City and Borough or any other public or private corporation, associate or individual whose property is not assessed for general taxes shall be computed according to the standards afforded by similarly situated property which is assessed for general taxes, and shall be included in determining the current assessed value of all the property within the district.

(3) "City" means the City of Wrangell.

(4) "Cost or costs of improvements" includes all costs of the L.I.D. including but not be limited to the cost of requisition of materials and the cost of construction of the improvements; reasonable allowance for contingencies; acquisition, overhead, advertising, engineering, legal, administrative, and other incidental costs.

(5) "Council" means the duly constituted and acting Council of the City from time to time.

(6) "Local improvement district," also known as "L.I.D.," means an area upon which a local improvement is made pursuant to this Chapter or Chapter B entitled Improvements by Petition. Local improvements may consist of:

(A) The broadening, graveling, paving or other surfacing of any street, or opening, laying out, widening, extending, altering, changing the grade of, or constructing any street or alley, or acquisition of property therefor;

(B) The acquisition, reconstruction or repair of any street or alley improvement mentioned in this section;

(C) The construction or reconstruction of sidewalks;

(D) The acquisition, establishment, construction or reconstruction of any off-street motor parking facility;

(E) The construction, reconstruction or repair of any sanitary or storm sewer or water main or portion of a water system, or acquisition of property therefor, including potable water system;

(F) The acquisition, construction, reconstruction or repair of any flood-control structure or drainageway;

(G) The acquisition, construction, reconstruction, installation and equipping of a park, playground or neighborhood recreation facility;

(H) The installation of overhead or underground wiring or related equipment and acquisition of property therefor, for the installation of power and/or communication systems;

(I) The installation of street lights;

(J) Any other local improvement for which an assessment may be made on the property specially benefited.

(7) "Owner" means all owners of legal title of record on the municipal property tax roll which owner is conclusively presumed to be the legal owner of record to each lot, tract or parcel of land in any L.I.D., and in addition shall include the purchasers of record of an equitable interest under a contract for deed, purchase contract or like instrument whereby legal title is delivered upon final payment. If the owner is unknown, the assessment may be made against unknown owner. For the purposes of this Chapter, trustees and beneficiaries of deeds of trust and real estate mortgages or leaseholders are not included in the definition of "owner."



(8) "Petitioned local improvement district," also known as "petitioned L.I.D.," means an L.I.D. established and financed according to the provisions of this Chapter, along with such modifications of said provisions applicable to the City as the Council may enact by ordinance under its home rule powers. Descriptively, a petitioned L.I.D. is initiated by a petition of the property owners within the proposed district requesting the acquisition, construction and/or installation of certain public improvements and containing a statement of the estimated cost thereof and the proposed payment terms, which is presented to the Council for further action.

(9) "Property" means land and any improvements attached thereto.

(10) Definitions provided in this section shall also apply to Chapter B entitled Improvements by Petition.

A.250 Abandonment of Proceedings. The Council shall have full power and authority to abandon and rescind proceedings for improvements undertaken hereunder at any time prior to the final consummation of such proceedings. If liens have been assessed upon any property under this procedure, they shall be cancelled, and any payments made thereon shall be refunded to the payor, such assigns, or legal representatives.

A.260 Curative Provision. No improvement assessment shall be invalid by reason of a failure to give, in any report, on the proposed assessment, in the assessment ordinance, in the lien docket, or elsewhere in the proceedings, the name of the owner of any lot or other parcel of land, or part thereof, or the name of any person having a lien upon or interest in such property, or by reason of any error, mistake, delay, omission, irregularity, or other act, jurisdiction or otherwise, in any of the proceedings hereinabove specified, unless it appears that the assessment as made, insofar as it affects the person complaining, is unfair and unjust. The Council shall have power and authority to remedy and correct all such matters by suitable action and proceedings.

A.270 Provisions Applicable to Chapter B. Sections A.095, A.115, A.240, A.250, A.260 and A.270 are applicable to Chapter B entitled Improvements by Petition of this Code.

Section 2. The Wrangell Municipal Code is hereby amended by adding thereto a Chapter entitled Improvements by Petition hereinafter set out:

B.010 Petition and Findings. The petition shall be presented to the Council in writing by those property owners desiring the extension or installation of the capital improvement project, which petition shall contain a promise by the property owners to pay the actual cost, the amount thereof as determined by the Council, of the public improvement. The Council shall, by motion, determine the necessity for the improvements and the method of apportioning the benefits. The minutes shall properly reflect the findings of the Council as to the necessity of the improvement and the apportionment of the benefits.

B.020 Estimates and Plans and Specifications. The Engineering Department of the City shall make an itemized estimate based upon detailed plans and specifications, said specifications to be on file in the Engineering Department, said estimate to specifically include the costs for cash.

B.030 Method of Determining Proportion of Benefits. The method of determining proportion of benefits shall be as provided in Chapter A entitled Improvements and Assessments, section A.050.

B.040 Exclusive Nature of Procedure. The procedure provided for herein shall only be available where all property and the owners thereof to be benefited by the public improvement are in complete agreement as to the costs pursuant to the engineering estimate, and as to the property owners absolute promise to pay for the costs of labor and material.

B.050 Assessment Roll. If the Council decides to make the improvement, correct account shall be kept of all the expenses of the improvement, and as soon as the improvement is completed, the Council shall apportion that percentage of the costs and shall assess against the various tracts of real estate in proportion to the benefit received by each. The assessment roll shall contain a brief legal description or designation of each tract of property, the name or names of the owner, or reputed owner, and the amount of the assessment. When the roll is complete the Council shall fix the time at which to hear objections to the assessment. The Clerk shall send a written notice by certified mail to each owner of a tract against which an assessment is made, stating the amount of the assessment against the tract and the time fixed by the Council for hearing objections.

(a) Notice of Hearing on Assessment Roll. When the assessment roll or rolls for any L.I.D. has or have been prepared as provided by law and this Chapter, the same shall be filed with the City Clerk. A notice of hearing as set by the Council shall

be published at least once a week for two (2) consecutive weeks in a newspaper of general circulation throughout the City and the date of the first publication thereof shall be at least fifteen (15) days prior to the day on which said hearing will be held. Notice of such hearing shall also be mailed by certified mail at least fifteen (15) days prior to such hearing date to each owner or owners of the lots, tracts or parcels of land listed on said assessment roll at the address last shown on the tax rolls of the City.

(b) Contents of Published Notice. The published notice of such hearing shall specify the number of the L.I.D. and a short statement of the nature of the improvements contemplated therein and shall contain any other information deemed relevant by the Council or the City Clerk, and shall notify all persons who may desire to object to such assessment roll or any of the separate assessments appearing thereon:

(1) To make their objections in writing and to file them with the City Clerk at or prior to the time fixed for the hearing;

(2) That at the time and place fixed for such hearing and at times to which the hearing may be adjourned the Council will sit as a board of equalization for the purpose of considering the roll and the separate assessments appearing thereon; and

(3) That at the hearing or the times to which it may be adjourned the Council will consider the objections made and will correct, revise, raise, lower, change or modify the roll or any part thereof, or set aside the roll and order the assessment to be made de novo, and at the conclusion of such hearing or hearings will confirm the roll by ordinance or resolution.

(c) Contents of Mailed Notice. The mailed notice of such hearing shall contain all of the statements and information required for the published notice and in addition thereto shall also contain a description of each lot, tract, or parcel of land owned by the owner to which it is addressed being assessed, and the amount of the proposed assessment against each such property.

(d) Proof of Mailing. Proof of mailing of the notice shall be made by the City Clerk's filing a certificate with the Council to the effect that on the date in question she mailed by certified mail notices of such hearing. Such certificate shall be conclusive as to the date of mailing.

B.060 Hearing Objections and Settlement of Assessment Roll. At the hearing, all persons concerned may present their objections to the assessment or any part of it, and point out

errors and inequities, and submit reasons for amendment and corrections. The Council may continue the hearing from time to time. After the Council has heard all objections and suggestions, it shall correct any errors which it finds in the assessment roll as originally made, and when the roll is finally settled, the Mayor shall sign the assessment roll certifying that it is the assessment roll as finally settled by the Council. The assessment roll as certified shall be recorded in the Recorder's Office, Wrangell Recording District, First Judicial District, State of Alaska.

B.061 Amendment of Assessment Roll. If any assessment roll is amended so as to raise any separate assessment appearing thereon or to include omitted property, a new time, date and place for hearing shall be fixed and new notices of hearing on the roll shall be given as in the case of an original hearing; provided, that as to any property originally entered upon the roll the assessment upon which has not been raised, no objections to confirmation of the assessment roll shall be considered by the Council or by any Court of Appeal unless the objections were made in writing at or prior to the time fixed for the original hearing upon the assessment roll.

B.062 Objections to Assessment Roll--Timeliness. All objections to the confirmation of the assessment roll or any of the separate assessments appearing thereon shall be in writing and shall state clearly the grounds of objections. Objections not made in writing and not filed with the City Clerk at or prior to the time of the original hearing shall be conclusively presumed to have been waived.

B.063 Proceedings Conclusive--Exceptions. Whenever any assessment roll for local improvements in any L.I.D. has been confirmed by the Council, the regularity, validity and correctness of the proceedings relating to the improvements therein and to the assessments therefor including the action of the Council upon the assessments roll and the confirmation thereof shall be conclusive in all things upon all parties. They cannot in any manner be contested or questioned in any proceeding by any owner unless he files written objections to the assessments roll or any separate assessment appearing thereon in the manner and within the time required by the preceding provisions of this section and unless he prosecutes his appeal in the manner and within the time required in this Chapter.

B.064 Reassessments. Whenever an assessment authorized as provided in this Chapter is set aside, annulled or declared void, or its enforcement refused by a Court of competent jurisdiction, whether directly or by virtue of a decision of such Court, the Council may by ordinance or resolution make a new assessment or reassessment upon the lots, tracts or parcels of

land benefited by the improvement for which such assessment was levied, in the manner provided by AS 29.63.010 through 29.63.085 and along with such modifications of said provisions applicable to the City as the Council has provided in this Chapter or may later provide by Ordinance under its home rule powers.

B.070 Assessment--Interest and Method of Payment.

After the assessment roll has been completed, the Council shall fix by resolution:

- (a) The type of payments, whether lump sum or installment;
- (b) The date of payment or payments;
- (c) The percentage of the total cost of the project which the first payment shall be equal to, if to be repaid in installments; and
- (d) The interest rate on all deferred payments.

B.080 Assessment--Notice of Time for Payment.

(a) Within ten (10) days after the resolution fixing the time of delinquency is adopted by the Council, the Clerk shall mail with postage prepaid a notice to the owner of each property assessed. The notice shall designate the property, the amount of the assessment, the time of delinquency and the amount of penalty and interest provided for.

(b) Within five (5) days after the notices are deposited in the Post Office, the Clerk shall file her affidavit setting forth the mailing. The affidavit is conclusive as to the facts stated in it except in proceedings against the Clerk for perjury or for malfeasance, misfeasance or non-feasance in office.

B.090 Assessment--Lien on Property. The assessments provided for herein are a first, prior, and paramount lien upon the property assessed and, when delinquent may be enforced in the manner provided for the collection and the enforcement of general taxes. The remedy provided for herein shall not be exclusive, but shall be in addition to all other remedies provided for by law.

Section 3. Separability. If any section, subsection, sentence, clause, phrase, or portion of this Chapter is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portions shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.

Section 4. Classification. This ordinance is of a general and permanent nature and the Code sections adopted hereby shall become a part of the City Code.

Section 5. Effective Date. This ordinance shall become effective thirty (30) days after date of adoption.

PASSED AND APPROVED: FIRST READING April 8, 1980

PASSED AND APPROVED: April 22, 1980

Kenneth E. Mason  
Mayor (Acting)

ATTEST: Jane Rucker  
Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 393

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 60, CHAPTER 10 OF THE SALES TAX CODE, SPECIFICALLY INCREASING THE SALES TAX REFUND TO SENIOR CITIZENS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell Municipal Code and shall be effective thirty days after passage and the increase in the sales tax refund will first reflect in refunds for July 1980.

Sec. 4. WMC, 60.10.055 (a) (1) entitled "Sales Tax Refund for Senior Citizens" is amended to read:

- (1) An applicant must reside within the City for each month that a refund is sought. An applicant may file for a refund in an amount not to exceed [~~\$15.00~~] \$20.00 per month or, if residing in a Long Term Care Facility, in an amount not to exceed [~~\$7.50~~] \$10.00 per month.

PASSED IN FIRST READING: May 13, 1980.

PASSED IN SECOND READING: May 29, 1980.

Samuel R. Rivers  
Mayor

ATTEST: Jane Raab  
City Clerk

## CITY OF WRANGELL, ALASKA

ORDINANCE NO. 394

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA AMENDING TITLE 15 OF THE BOAT HARBOR CODE, SPECIFICALLY PROVIDING FOR AN INCREASE IN MOORAGE, WHARFAGE, DOCKAGE, STORAGE, LABOR AND MISCELLANEOUS FEES AND REPEALING THE TERM OF THE PORT DIRECTOR, AND PROVIDING FOR A PUBLIC HEARING.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and Ordinances and shall be effective July 1, 1980.

Sec. 4. Public Hearing. A Public Hearing was held April 23, 1980 on the proposed rate increase as provided in Wrangell Municipal Code Sec. 15.20.110.

Sec. 5. Wrangell Municipal Code, Sec. 15.20.060 entitled "Port Director and Employees" is amended to read:

The City Manager shall appoint and discharge the Port Director [WITH THE ADVICE AND CONSENT OF THE PORT COMMISSION] and such technical and administrative employees as shall be necessary to carry on the functions of the Port of Wrangell with the advice and consent of the Port Commission. The Port Director's [TERM OF APPOINTMENT SHALL NOT EXCEED FIVE (5) YEARS AND HIS] salary shall be established by the Port Commission subject to Council approval. All such positions and the salaries therefor shall be established in accordance with the position classification and pay plan of the City. The City Manager [SHALL CONSULT WITH THE PORT COMMISSION REGARDING THE APPOINTMENT OR DISMISSAL OF THE PORT DIRECTOR AND] shall consult with both the Port Director and Port Commission regarding the appointment, classification and pay plan as these matters relate to Port and Harbor employees. [SUBJECT TO THE JURISDICTION OF THE PORT DIRECTOR.]



Sec. 6. Wrangell Municipal Code, Sec. 15.40.010, Schedule A, Part I - annual Moorage Fee is amended to read:

- (a) [~~\$6.00~~] \$6.50 per foot annually for the length of the vessel or length of the stall, whichever is greater. A minimum of 20 feet shall be charged for stalls.
- (b) [~~\$3.00~~] \$3.25 per foot annually for rafting
- (c) Skiff stalls or Ring stalls at Reliance Float at a fee according to the length of the boat at [~~\$6.00~~] \$6.50 per foot per annum
- (e) Dolphin Fee. All Boats and Barges tied to City Dolphins shall be charged [~~\$3.00~~] \$3.25 per foot annually. Rafting at City Dolphins shall be charged [~~\$1.50~~] \$1.75 per foot annually

Sec. 7. Wrangell Municipal Code, Sec. 15.40.010, Schedule A, Part II - Seasonal and Transient Moorage Fees is amended to read:

(a) Standard Rates:

<u>Length of Vessel</u>	<u>Charge Per Day</u>	
under 36 feet	[ <del>\$1.50</del> ]	\$1.75
37 - 60 feet	[ <del>\$2.00</del> ]	\$2.25
over 60 feet	[ <del>\$3.00</del> ]	\$3.25

Vessels moored in designated free space may occupy such space without charge for a period of not to exceed 5 days. Vessels occupying such place for longer periods shall be charged in accordance with the rates set forth above. The above fees are applicable to boats mooring from one to three weeks.

Sec. 8. Wrangell Municipal Code, Sec. 15.40.020, Schedule b, is repealed and re-enacted to read:

SCHEDULE B ( Sec. 15.40.020)

Part I - Wharfage\*

- 1. Container vans, net weight \$2.50 per ton of 2,000 lbs.
- 2. Bulk commodities, palletized \$2.50 per ton of 2,000 lbs.
- 3. Freight, other \$2.50 per ton of 2,000 lbs.

- |  |                                 |
|--|---------------------------------|
| 4. Vehicles and similar items, on own wheels or treads, or with separate wheels or treads. |                                 |
| (a) less than 10,000 lbs.  | \$3.13 per ton of 2,000 lbs.    |
| (b) over 10,000 lbs. but less than 30,000 lbs.   | \$2.50 per ton of 2,000 lbs.    |
| (c) over 30,000 lbs. but less than 40,000 lbs.   | \$2.19 per ton of 2,000 lbs.    |
| (d) over 40,000 lbs.   | \$1.88 per ton of 2,000 lbs.    |
| 5. Explosives, powder, etc. (with written permission of Port Director required)            | \$6.25 per ton of 2,000 lbs.    |
| 6. Lumber and logs (2,240 lbs. shall be considered 1,000 board feet)                       |                                 |
| (a) over the dock  | \$1.75 per 1,000 board feet     |
| (b) off the water  | \$0.875 per 1,000 board feet    |
| 7. Vans, empty unless charge was assessed when loading inbound, each                       | \$3.75                          |
| 8. Carrier, empty, liquid petroleum gas, each  | \$1.88                          |
| 9. Trailers or modular homes   | same as 4 above \$31.25 minimum |
| 10. Sand or gravel   |                                 |
| (a) less than 500 tons   | \$1.00 per ton                  |
| (b) over 500 tons  | \$0.75 per ton                  |

\*Note: Minimum charge for wharfage, except item 9 above, shall be \$6.25

Part II - Wharfage, Demmuration

(Charge Assessed After Free Period)  
Per day per 100 lbs. or  
fraction thereof

	<u>First 3 days</u>	<u>After 3 days</u>
Inbound Traffic	\$0.04	\$0.08
Outbound Traffic	\$0.08	\$0.08

Part III - Dockage

Shall be assessed upon gross registered tonnage of vessel as follows: Rates are stated for 24-hour period.

<u>Vessels of Gross Registered Tons</u>		<u>Rate</u>
<u>From</u>	<u>To</u>	
10	250	\$ 9.38
251	500	18.75
501	1000	24.75
1001	1500	30.75
1501	2000	37.50
2001	2600	75.00
2601	3000	112.50
3001	7000	150.00
7001	10000	250.00

Note 1: The minimum Dockage charge shall be \$9.38.

Note 2: Vessels over 10,000 gross registered tons shall be charged, in addition to the rates for vessels 10,000 gross registered tons, an additional amount of \$25.00 for each additional 1,000 gross tons or fraction thereof.

Note 3: The Port Director may waive regular dockage charges for vessels of the United States Government, the State of Alaska, or the vessels of a foreign government.

Note 4: Vessels discharging or loading freight will be assessed dockage at 25% of the above fees but will remain subject to the minimum charge. This note only applies to vessels or barges providing regular and frequent service, calling at Wrangell at least twice each month.

Part IV - Storage

<u>Type</u>	<u>Monthly Rate</u>
1. Warehouse and Office Space	\$0.19 per sq. ft.
2. Exterior Storage Space	\$0.13 per sq. ft.
3. Boat and Vehicle Storage, inside	\$1.25 per lineal ft.

4. Vehicle Storage, outside

Note 1: Warehouse and office space shall be rented on a square footage basis with a minimum of 100 square feet.

Note 2: The Port Director shall assign vehicles and boat storage space.

Note 3: Vans, freight or other articles for which no prior arrangements have been made occupying space on the wharf for periods longer than the free time allowed in the Rules and Regulations shall be charged a flat storage fee, equivalent to that charged for warehouse and office space prorated on a weekly basis or fraction thereof.

Note 4: A person desiring to rent a complete storage area may negotiate with the Port Commission for an appropriate rate for such area.

Note 5: There shall be a minimum charge on all inside and outside warehouse and dock storage of \$6.25.

Part V - Labor and Miscellaneous Fees

Note 1: In the event the Port of Wrangell incurs a labor expense, the charge shall be the wages of the personnel involved, plus 25%.

Note 2: Persons failing to pay the appropriate wharfage, dockage, or storage fees under Schedule B within thirty (30) days of the date of the bill shall be assessed interest, financing fee and delinquency charge of 1-1/2% per month thereafter until the bill is paid.

Note 3: A \$12.50 fee per round trip shall be imposed for each sight-seeing tour or chartered bus using the wharf to meet tour ships; a fee of \$6.25 shall be imposed for limousines of eight passenger capacity or less.

Note 4: A fee of \$12.50 shall be imposed against a common or contract carrier for garbage and refuse transported from a vessel docked at the Municipal Dock. \$12.50 will be the fee imposed for this service provided to each vessel, regardless of the number of garbage and refuse loads hauled.

PASSED IN FIRST READING: May 13, 1980.

PASSED IN SECOND READING: May 29, 1980.

Samuel R. Rivett  
Mayor

ATTEST: James R. Risher  
City Clerk

## CITY OF WRANGELL, ALASKA

ORDINANCE NO. 395

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA, ADOPTING REGULATIONS FOR THE WRANGELL PUBLIC FIREARM RANGE, INCLUDING PROVISIONS FOR ENFORCEMENT OF THOSE REGULATIONS REQUIRING POSTING OF THE REGULATIONS AT THE ENTRANCE TO THE RANGE AND PROVIDING THAT FUTURE REGULATIONS MAY BE ADOPTED BY RESOLUTION OF THE COUNCIL.

WHEREAS, the City of Wrangell has constructed an outdoor public firearm range for the use and benefit of the people of the City of Wrangell; and

WHEREAS, it is desirable to regulate use of such range to protect the health, safety and welfare of the public using such range; and

WHEREAS, it is desirable to formally enact such regulations as an Ordinance to properly protect the public.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AS FOLLOWS:

Sec. 1. The following Ordinance is hereby added to the Wrangell Municipal Code. The following shall be the sole regulations for the Wrangell Public Firearm Range to the exclusion of other regulations. These regulations may be amended by Resolution from time to time as the Council of the City of Wrangell sees fit:

1. No person under the age of sixteen (16) years shall discharge or have in his possession any firearm unless he is accompanied and actually supervised by an adult.
2. No person shall consume any alcoholic beverage while on the firearms range grounds, and no person who has consumed any achoholic beverage or is under the influence of drugs shall discharge or have in his possession any firearm.
3. No person shall have in his possession a loaded firearm at any location except the firing line (with the exception of law enforcement personnel.) All firing shall be done from specified firing lines or stations.
4. No person shall discharge any firearm at any target other than paper targets for which the range is designed, located down range at the target area. Targets must be hung only in the frames provided.
5. No person shall discharge any firearm when another person is in the target area.

6. When a Range Master is present all persons shall adhere to his authority when using the range. (A Range Master shall be any person who has been certified by the National Rifle Association as a Firearms Instructor.)

7. The Firearms Range shall be closed for public use for the discharging of firearms during the winter months by the Wrangell Chief of Police or his designee, with appropriate posted notice at the entrance of the premises.

8. No person shall discharge any firearm except during the hours of daylight.

9. Any organization, group, team and/or persons desiring to use the firearms facility for the purpose of training and/or group participation, shall submit to the Chief of Police for his approval the following information no less than five (5) days in advance of the intended use:

- a. Name of organization;
- b. Name of person in charge;
- c. Names of participants;
- d. Type of firearms to be used; and
- e. Date and times desired.

10. No cans, paper, shell cases, refuse, garbage or other litter shall be left or deposited on or in the firearms range. All persons shall be responsible for any or all said litter or garbage from the range.

11. Regulations must be posted at the entrance to the range in a sign no smaller than 4' x 5', or in such greater size as shall clearly be readable to any potential user of the firearms range. Said sign shall additionally generally state that the firearms range is unsupervised and that the range is to be used at your own risk. Any violations shall be reported to the Wrangell Police Department.

12. Violation of any regulation shall be cause for immediate discharge and revocation of the right to use the range of any person violating the regulations. The Range Master, if present, may enforce this section. If no Range Master is present, any Officer of Wrangell Police Department may enforce this section.

13. Violation of these regulations, whether or not any injury actually occurs, shall be a misdemeanor.

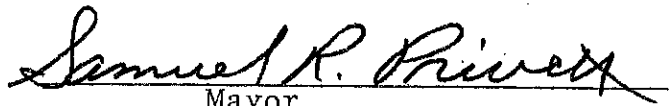
Sec. 2. Classification. This Ordinance is of a general and permanent nature and the code sections adopted hereby shall become a part of the City Code.

Sec. 3. Severability. If any provision of this Ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this Ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 4. Effective Date. This Ordinance shall become effective upon its passage and publication as required by law.

PASSED IN FIRST READING: MAY 27, 1980.

PASSED IN SECOND READING: JUNE 10, 1980.

  
Mayor

ATTEST:   
City Clerk

## CITY OF WRANGELL, ALASKA

ORDINANCE NO. 396

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 42 HEALTH AND SAFETY, CHAPTER 70, THE SEWER CODE, TO PROVIDE FOR AN INCREASE IN SEWER RATES AND PROVIDING FOR A PUBLIC HEARING.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a general and permanent nature and the code sections hereby adopted shall become a part of the code of the City of Wrangell, Alaska.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the City Charter and the Wrangell Municipal Code and shall be effective thirty days after adoption.

Sec. 4. Public Hearing. A public hearing shall be held with notice thereof given fifteen days prior to said public hearing.

Sec. 5. Section 5, Ordinance 381, dated June 12, 1979, is hereby repealed. The Wrangell Municipal Code is amended by adopting the following annexed Schedule of Rates and Charges as part of this ordinance and to be codified in Title 42, Chapter 70 of the Wrangell Municipal Code.

PASSED IN FIRST READING MAY 27, 1980.

PASSED IN SECOND READING JUNE 10, 1980.

  
Mayor

ATTEST:   
City Clerk



SCHEDULE OF RATES & CHARGES (Ordinance No. \_\_\_\_\_)

CITY OF WRANGELL, ALASKA

The monthly rate shall be computed on the basis of \$20.00 per unit or fraction thereof for Class A and Class B users who are provided service by the Municipal collection and treatment system.

The monthly rate shall be computed on the basis of \$30.00 per unit or fraction thereof for Class A and Class B users who are provided service by the Shoemaker treatment system.

Class A

Residential Rates

<u>Designation</u>	<u>Unit(s)</u>
1. per family unit	1.00
Note 1: The residential schedule is restricted to service used exclusively for general domestic purposes.	
Note 2: Where central laundry facilities are furnished for the exclusive use of tenants in apartment buildings or trailer courts, no charge in addition to above will be made.	

Class B

Commercial Rates

<u>Designation</u>	<u>Unit(s)</u>
1. Bakery	3.00
with initial preparation off premises	1.50
2. Bar	3.00
3. Barber shop - 2 chair	1.00
per each additional chair	.50
4. Beauty shop - 2 basin	1.00
per each additional basin	.50
5. Canneries	special
Shell fish canneries (hand pick)	
Shell fish canneries (machine pick)	
Fish processing	
6. Churches	1.00
7. Cleaners and cleaning plants	2.00
8. Clubs, Lodges - without bar or restaurant facilities	1.00
Clubs, Lodges - with bar or restaurant facilities	2.00
9. Cold storage plant	special
10. Docks	1.00
11. Garages, service stations, car lots	
without washrack	1.00
with washrack	2.00

12.	Grocery store without meat market	1.00
-	with meat market	2.00
13.	Hotels and motels, first 10 rooms or less over 10 rooms, per room	3.00 .20
14.	Hospitals plus per bed based on occupancy rate %	2.00 .40
15.	Laundromat, self service under 30 lb. capacity, per machine 30 lb. or over capacity, per machine	.50 1.50
16.	Office building, first office each additional plumbed office each additional unplumbed office	1.00 1.00 .20
17.	Offices, medical and dental with laboratory and/or x-ray unit without laboratory and/or x-ray unit	2.00 1.00
18.	Public showers first two stalls per each additional stall	1.00 .20
19.	Restaurants, lunch counters, etc. up to and including 30 seats each additional 20 seats or fraction thereof	3.00 1.00
20.	Industrial	special
21.	Schools, per classroom	.43
22.	Shops, miscellaneous	1.00
23.	Stores, dry goods, gift, etc.	1.00
24.	Rooming houses each bed	1.00 .20
25.	Theaters, seating 500 people or less	2.00

Note 1: Rates herein apply to the average monthly useage. No adjustments will be made for seasonal work.

Note 2: A commercial enterprise consisting of more than one facility shall be charged the sum of the applicable rates for each facility.

Note 3: Special Users. Each special user shall be evaluated separately based on the average flow, BOD, and suspended solids characteristic of its wastewater contribution. The flow, BOD, and suspended solids loadings shall be determined from estimates or measurements and tests made by City Officials or its Engineer. The monthly rate for any establishment not herein designated shall be determined by the City Council. Until such rate may be established, the rate deemed most applicable by the City Manager shall apply, subject to adjustment.

Note 4: Industrial or Special User Charge. Where industrial or special users are contributing wastes from sanitary conveniences and domestic sources only, 1.00 unit will be charged for the first twenty (20) employees and .05 unit for each additional employee.

The charge for wastes from other than sanitary conveniences and domestic sources will be computed by use of the following equation:

$$\text{SUMC} = \frac{f}{420} \left[ 1 + \left( \frac{b}{B} - 1 \right) + \left( \frac{s}{S} - 1 \right) \right] C; \text{ where}$$

"SUMC" represents the special user's monthly charge,

"f" represents the special user's average flow in gallons per day (not less than 420 gallons per day),

"420" represents the average flow of one equivalent user in gallons per day,

"C" represents the constant monthly cost factor, delivered as provided below,

"b" represents the average BOD loading of the user's wastewater contribution, expressed in parts per million (not less than 200 parts per million),

"B" represents the allowable limit of BOD loading above which a user's surcharge shall be levied, hereby designated as being 200 parts per million,

"s" represents the average suspended solids loading of the user's wastewater contribution, expressed in parts per million (not less than 200 parts per million), and

"S" represents the allowable limit of suspended solids loading above which a user's surcharge shall be levied, hereby designated as being 200 parts per million.

#### Service Connection Charges

All service connections to customers shall be at a flat fee of \$250.00 per connection.

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 397

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA AMENDING THE WRANGELL MUNICIPAL CODE TO PROVIDE FOR GARBAGE COLLECTION AND REFUSE DISPOSAL SERVICE OUTSIDE THE CITY LIMITS TO AND INCLUDING AN AREA IDENTIFIED AS "McCORMICK CREEK LOGGING CAMP" WHICH AREA IS OUTSIDE THE WRANGELL TERRITORIAL LIMITS, ESTABLISHING THE RATE TO PROVIDE SAID SERVICE AND PROVIDING FOR A PUBLIC HEARING.

WHEREAS, the McCormick Creek Logging Camp is outside the City limits, has no garbage collection disposal service, and garbage collection and refuse disposal service has been requested; and,

WHEREAS, collection of garbage outside the municipal limits is necessary for the preservation of the public peace, health and safety.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA AS FOLLOWS:

Sec. 1. The City of Wrangell shall provide garbage collection service with the frequency and at the times as the City Manager may prescribe, outside the City limits to and including an area identified as the McCormick Creek Logging Camp. Collection of garbage outside the City limits is in the best interests of the public peace, health and safety of the City of Wrangell.

Sec. 2. A public hearing shall be held as provided in Alaska Statute 29.48.070.

Sec. 3. The rate for the collection and refuse disposal service shall be double the rate for similar service provided in the territorial limits of the City of Wrangell. Said present rates are as established in Wrangell Municipal Code Sec. 42.40.050.

Sec. 4. Classification. This Ordinance is of a general and permanent nature and shall be codified in the Wrangell Municipal Code.

Sec. 5. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

published July 16, 1980

Sec. 6. Effective Date. This ordinance shall become effective thirty days after date of passage and approval as provided by law. The rate herein established shall not go into effect until thirty days after final passage and approval of this ordinance.

PASSED IN FIRST READING: JUNE 10, \_\_\_\_\_, 1980.

PASSED IN SECOND READING: JULY 8, \_\_\_\_\_, 1980.

Samuel R. Brivett  
Mayor

ATTEST: Jacqueline Bell  
City Clerk

## CITY OF WRANGELL, ALASKA

ORDINANCE NO. 398

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA AMENDING THE WRANGELL MUNICIPAL CODE, TITLE 95, PLANNING AND ZONING, SPECIFICALLY SECTION 95.40.040 ENTITLED SETBACK REQUIREMENTS WHERE COMMERCIAL AND INDUSTRIAL ZONES ABUT A RESIDENTIAL ZONE, AND PROVIDING FOR A PUBLIC HEARING.

WHEREAS, the Wrangell Municipal Code, Section 95.40.040 has been interpreted to require only one setback for the abutting residential zone, regardless of whether the subject lot has one or more residential zones abutting said lot, and

WHEREAS, Section 95.40.040 requires a setback of twenty (20) feet on all sides where there is one or more abutting residential zone, and

WHEREAS, it was not the intent of the legislative body to place such a stringent unreasonable requirement, on the development of commercial, or industrial property in abutting residential zones.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AS FOLLOWS:

Sec. 1. That Wrangell Municipal Code, Section 95.40.040 is hereby repealed and enacted to read as follows:

Sec. 95.40.040. Yards Where Commercial and Industrial Zones Abut a Residential Zone. Where an industrial or commercial zone abuts or is separated by an alley from a residential zone, the commercial or industrial use shall have a setback requirement only on those sides that abut the residential zone equal to the rear yard requirement in the abutting residential zone.

Sec. 2. A public hearing shall be held on this Ordinance as provided in Wrangell Municipal Code, Section 95.75.010 and Wrangell Municipal Code, Section 95.75.020(3).

Sec. 3. Classification. This Ordinance is of a general and permanent nature and shall be codified in the Wrangell Municipal Code.

Sec. 4. Severability. If any provision of this Ordinance or any application thereof to any person or circumstance are held invalid, the remainder of this Ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 5. Effective Date. This Ordinance shall become effective thirty (30) days after final passage and approval as provided by law.

PASSED IN FIRST READING: JULY 8, \_\_\_\_\_, 1980.

PASSED IN SECOND READING: JULY 22, \_\_\_\_\_, 1980.

Samuel R. Rivera  
Mayor

ATTEST: Jacqueline Bee  
City Clerk

ORIGINAL

CITY OF WRANGELL, ALASKA

Ordinance No. 399

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 44, CHAPTER 10 AND CHAPTER 20 OF THE JUVENILE CODE, SPECIFICALLY PROVIDING FOR THE CITY MANAGER EXTENDING THE HOUR OF CURFEW.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell Municipal Code and shall be effective thirty days after passage.

Sec. 4. Wrangell Municipal Code Sec. 44.10.010, entitled "Curfew", is amended to read:

Curfew. No person under 18 years of age shall be upon or in any street, alley, public building, place of amusement or entertainment, vacant lot or other unsupervised place between the hours of 10 o'clock P.M. Sunday through Thursday and 12 o'clock P.M. Friday and Saturday during the school term and 12 o'clock P.M. at other times and 5 o'clock A.M. of any day unless such person shall be accompanied by or in charge of his parent or other competent and adult person or be upon an emergency errand or legitimate business directed by his parent, guardian or other adult person having the care and custody of the minor. Curfew hours may be suspended or altered by the [COMMON COUNCIL] City Manager to permit attendance of or participation in school, community or other group-sponsored activities by minors covered in this section. A request of suspension or alteration of curfew shall be at the request of the Chief of Police or his designee.

Sec. 5. Wrangell Municipal Code Sec. 44.20.045 (2), entitled "Hours of Operation", is amended to read:

2. Hours of Operation. The licensee shall not conduct any dance [EXCEPT BETWEEN THE HOURS OF 7 P.M. AND 11 P.M. OR IN ANY EVENT NEVER AFTER THE TIME] during the hours of curfew. Extension of the curfew hours may be granted by approval of the City Manager, provided:



a. the licensee is an adult; and  
b. the licensee submits in writing the curfew  
extension requested with the Dance Application  
form, as provided in Wrangell Municipal Code  
Sec. 44.20.030. In no event shall the curfew  
hour be extended past 1:00 A.M.

PASSED IN FIRST READING: \_\_\_\_\_ JULY 8, \_\_\_\_\_, 1980.

PASSED IN SECOND READING: \_\_\_\_\_ JULY 22, \_\_\_\_\_, 1980.

Samuel R. Rivera  
Mayor

ATTEST: Jacqueline Bee

CITY OF WRANGELL, ALASKA

ORDINANCE No. 400

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 9, CHAPTER 10 OF THE ANIMAL CODE, TO DEFINE THAT CERTAIN ACTS ARE PROHIBITED BY THE OWNERS OF ANIMALS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell Municipal Code and shall be effective thirty days after passage.

Sec. 4. Wrangell Municipal Code, 9.10.020 entitled "Certain Animals not to Run at Large" is amended to read:

It (IS HEREBY DECLARED) shall be unlawful for (A) the owner or keeper to permit or allow any bull, ox, cow, sheep, goat, hog, dog, or other animals or any domestic fowls(,) to run at large (IN) within the city limits of the City of Wrangell, Alaska, or to be pastured or herded, or staked or tied for the purpose of grazing, in any of the streets, alleys, squares, or other grounds belonging to, or under the control of the City of Wrangell, Alaska, and within the city limits of said city; and it shall be unlawful for the owner or keeper of any of said animals, or (FOR) stock of any kind or said domestic fowls, to (BE TIED, STAKED, PASTURED, OR TURNED) tie, stake, pasture, or turn at large any of said animals upon any private property within the limits of said city, without the consent of the owner of (THE) said property.

PASSED IN FIRST READING:           AUGUST 12          , 1980.

PASSED IN SECOND READING:           AUGUST 26          , 1980.

Samuel R. Rivera  
Mayor

ATTEST:           Jacqueline Bice            
City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 401

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AUTHORIZING THE DISPOSAL OF CITY PROPERTY TO THE SENIOR CITIZENS, A NON-PROFIT CORPORATION YET TO BE CREATED, WHICH DISPOSAL MAY BE FOR LESS THAN FAIR MARKET VALUE AND CALLING FOR AN ELECTION AT A GENERAL ELECTION FOR VOTER APPROVAL OF SAID ISSUE.

The local senior citizens have requested City owned land for the purpose of building multi-unit dwellings for senior citizens housing.

The Council has held three public hearings on the matter of building said housing and disposal of the City property at which public hearings there was no adverse public comments.

The ultimate construction of said senior citizens housing will require extension of water and sewer at a net cost to the City to be determined by the grant participation of State and/or Federal government.

The Council has determined that the cost of disposal of the property shall be the cost to the City of extending the water and sewer.

It is the City's intent to acquire State and/or Federal funding to assist in the extension of water and sewer to the property.

The dollars received therefore for said real property disposal may be less than the fair market value of said property.

The Council considers and has determined that the disposal of the real property is a substantial benefit to the people of Wrangell and to be for a public purpose, including: the fact that City owned property will be put back on the real property tax rolls; much needed housing will be provided for Wrangell's senior citizens; other City property will be served by the water and sewer extensions to said senior citizens housing.

Charter Section 5-17 requires that the City may dispose of any real property the value of which is more than \$25,000 only by authority of an ordinance enacted or ratified at any election by an affirmative vote of a majority of the qualified voters of the City.

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

Sec. 1. Classification. This ordinance is of an impermanent and transitory nature and shall not be codified in the Wrangell Municipal Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell Municipal Code and its effective date shall be contingent upon referendum approval of the voters of the City of Wrangell at the general election October 7, 1980.

Sec. 4. Repealer. This ordinance repeals no existing or effective Wrangell ordinance.

Sec. 5. Referendum Proposition. The Clerk of the City of Wrangell, Alaska, is hereby directed to place upon the ballot at the forthcoming general election of the City of Wrangell for the purpose of referring to the qualified voters of Wrangell, Alaska the following:

PROPOSITION

SHALL THE CITY OF WRANGELL SELL THE FOLLOWING DESCRIBED REAL PROPERTY TO A LOCALLY RUN NON-PROFIT SENIOR CITIZENS HOUSING CORPORATION TO BE CREATED UNDER THE LAWS OF THE STATE OF ALASKA FOR A SALE PRICE THAT MAY BE LESS THAN FAIR MARKET VALUE, SAID SALE PRICE TO BE DETERMINED BY THE CITY'S COST OF EXTENDING MUNICIPAL SEWER AND WATER TO THE PROPERTY:

Lot 2, Lot 3, Lot 4, Lot 5, Lot 6, Lot 7, Lot 8,  
Lot 9, and Lot 10 of Block 58, U.S. Survey 1119.

Sec. 6. General Election. The Clerk of the City of Wrangell, Alaska, is hereby directed to call a general election of the qualified voters of the City of Wrangell, Alaska, for October 7, 1980.

Sec. 7. That for the purpose of the election on the foregoing proposition to be submitted at said general election, the City shall be divided into two election precincts, the boundaries of which and places for voting in each of said precincts are and shall be the same as for the municipal elections generally.

Sec. 8. That the polls will be open for voting on the proposition between the hours of 8:00 a.m. and 8:00 p.m. on October 7, 1980.

Sec. 9. That the qualifications for voters on the aforementioned proposition shall be the same as for voters at municipal elections generally.

Sec. 10. That notice, publication and posting shall be given by the City Clerk in accordance with the provision of the Wrangell Municipal Code and the Charter.

PASSED IN FIRST READING: AUGUST 26, 1980.

PASSED IN SECOND READING: SEPTEMBER 9, 1980.

Samuel B. Rivett  
Mayor

ATTEST: Jaqueline Bee  
City Clerk

I hereby certify that the enactment of Ordinance No. 401 was approved by a majority of votes, Yes 613 and No 41, at the Wrangell General Election held October 7, 1980.

Lanore K. Gunderson  
Lanore K. Gunderson, City Clerk 09-01-82

CITY OF WRANGELL, ALASKA

Ordinance No. 402

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 60, CHAPTER 10 OF THE SALES TAX CODE, SPECIFICALLY EXEMPTING DAY CARE CENTERS AND PRE-SCHOOL FACILITIES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell Municipal Code and shall be effective thirty days after passage.

Sec. 4. Wrangell Municipal Code Sec. 60.10.050 entitled "Exemption" is amended to add an exemption:

(18) Gross receipts derived from services provided by day care centers and pre-school facilities.

PASSED IN FIRST READING: AUGUST 26, 1980.

PASSED IN SECOND READING: SEPTEMBER 9, 1980.

Samuel R. Rivers  
Mayor

ATTEST: Jacqueline Bee  
City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 403

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 63, CHAPTER 08 OF THE TRAFFIC CODE, SPECIFICALLY AMENDING SIZE AND WEIGHT RESTRICTIONS TO REFLECT RECENT CHANGES IN TITLE 17 OF THE ALASKA ADMINISTRATIVE CODE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell Municipal Code and shall be effective thirty days after passage.

Sec. 4. Wrangell Municipal Code Title 63, Chapter 08, entitled "Size and Weight Restrictions" is repealed and reenacted to read:

Chapter 08. Size and Weight Restrictions.

Sec. 63.08.010. Penalty and Exclusions. AK 17 AAC 25.010

Sec. 63.08.020. Width of Vehicle and Load. AK 17 AAC 25.020

Sec. 63.08.030. Height and Length of Vehicles and Loads.  
AK 17 AAC 25.030

Sec. 63.08.040. Confinement of Loads. AK 17 AAC 25.040

Sec. 63.08.050. Towed Vehicle. AK 17 AAC 25.050

Sec. 63.08.060. Gross Weight Limits of Vehicle and Load.  
AK 17 AAC 25.060

Sec. 63.08.070. Enforcement. AK 17 AAC 25.070

Sec. 63.08.080. Permit for Excess Size and Weight. AK 17  
AAC 25.080

Sec. 63.08.090. Requirements for Permits. AK 17 AAC 25.090



Sec. 63.08.100. Road Closures and Restrictions. AK 17  
AAC 25.100

Sec. 63.08.110. Definitions. AK 17 AAC 25.110

PASSED IN FIRST READING: SEPTEMBER 23, 1980.

PASSED IN SECOND READING: OCTOBER 14, 1980.

Thomas J. Howe  
Mayor

ATTEST: Jacqueline Bell  
City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 404

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 30, CHAPTER 10 OF THE CRIMES AND PENALTIES CODE, SPECIFICALLY SEC. 30.10.120 ENTITLED DANGEROUS WEAPONS BY REPEALING A PART OF SUBSECTION (B) TO REMOVE CERTAIN EXCEPTIONS TO THE CARRYING AND POSSESSION OF DANGEROUS WEAPONS WITHIN THE CITY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

Sec. 2. Severability. If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

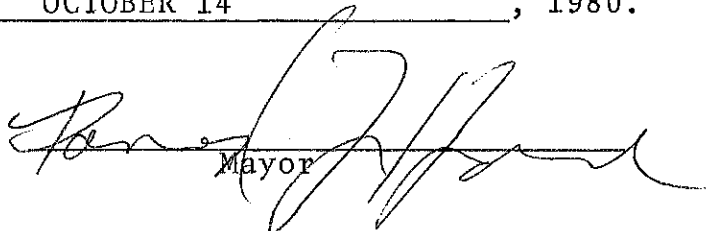
Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell Municipal Code and shall be effective thirty days after passage.

Sec. 4. Wrangell Municipal Code Sec. 30.10.120 (b) entitled "Dangerous Weapons" is amended to read:

(b) The above subsection shall not apply to law enforcement officers. [NOR SHALL IT BE CONSTRUED TO PROHIBIT DANGEROUS WEAPONS FROM BEING CHECKED AT THE DOOR TO ANY SUCH LICENSED PREMISES WITH THE PROPRIETOR THEREOF, FOR HIS TEMPORARY CUSTODY, NOR SHALL IT BE CONSTRUED TO PROHIBIT AN OWNER FROM POSSESSING SUCH DANGEROUS WEAPON FOR PROTECTION OF HIS OWN PROPERTY AND PREMISES OR AS BAILEE OR CUSTODIAN FOR A PATRON ON THE PREMISES.]

PASSED IN FIRST READING: SEPTEMBER 23, 1980.

PASSED IN SECOND READING: OCTOBER 14, 1980.

  
Mayor

ATTEST: Jacqueline Bue  
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 405

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA; AMENDING TITLE 9, CHAPTER 10 OF THE ANIMAL CODE, SPECIFICALLY PROVIDING FOR COURT IMPOSED FINES THAT MAY NOT BE SUSPENDED.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell Municipal Code and shall be effective thirty days after passage.

Sec. 4. Wrangell Municipal Code Sec. 9.10.030 entitled "Penalty" is amended to read:

Any person convicted of violating any of the provisions of this Chapter shall be punished by a court imposed fine [NOT TO EXCEED THREE HUNDRED DOLLARS (\$300.00).] in the following manner: first conviction, fifteen dollar (\$15.00) fine; second conviction, fifty dollar (\$50.00) fine; third conviction, one hundred dollar (\$100.00) fine; fourth conviction, one hundred twenty five dollar (\$125.00) fine; fifth conviction, one hundred fifty dollar (\$150.00) fine; sixth and subsequent convictions, two hundred dollar (\$200.00) fine. The execution of sentence may not be suspended nor may imposition of sentence be suspended, except upon the condition that the defendant pay the minumum fine as provided above, nor may the punishment provided for in this section be reduced.

PASSED IN FIRST READING: OCTOBER 28, 1980.

PASSED IN SECOND READING: NOVEMBER 25, 1980.

*Donald J. [Signature]*  
Mayor

ATTEST: *Jacqueline Bell*  
City Clerk

## CITY OF WRANGELL, ALASKA

ORDINANCE NO. 406

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 45, CHAPTER 40 OF THE LANDS AND TIDELANDS CODE, SPECIFICALLY PROVIDING THAT TIDELANDS LEASE APPLICATIONS ARE TO BE REVIEWED BY THE PORT COMMISSION.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

Sec. 2. Severability. If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell Municipal Code and shall be effective thirty days after passage.

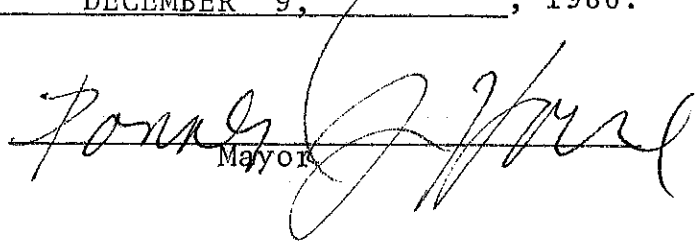
Sec. 4. Wrangell Municipal Code Sec. 45.40.075 entitled "Preliminary Examination" is amended to read:

(a) Upon receipt of a tidelands lease application, the city clerk [MAY] shall transmit same directly to the Port Commission and the Planning and Zoning Commission for preliminary examination, compliance with applicable codes, compatibility with existing and prospective uses, [AND] feasibility of the project and any other feature or aspect which the Port Commission and the Planning and Zoning Commission in [ITS] their independent discretion [WISHES] wish to undertake. The [COMMISSION'S] Commissions' jurisdiction shall be limited to the power of investigations, findings of fact on the subject matter, and the submission of recommendations to the [CLERK AND/OR] Council. The [COMMISSION'S] Commissions' findings and recommendations need not be submitted in formal form, but [SUCH] their reports shall be prepared and submitted within [TWO] one month[S] following submission of the tidelands lease application to [THE COMMISSION] them.

(b) The Council may, at any stage of the proceedings, refer the tidelands lease application to the Port Commission and/or the Planning and Zoning Commission for preliminary examination and/or further recommendations in the manner of the preceding paragraph. Neither the Council nor the applicant are bound by the Port Commission's or the Planning and Zoning Commission's findings of fact and recommendations to the Council.

PASSED IN FIRST READING: NOVEMBER 25, 1980.

PASSED IN SECOND READING: DECEMBER 9, 1980.

  
\_\_\_\_\_  
Mayor

ATTEST:   
\_\_\_\_\_  
City Clerk

## CITY OF WRANGELL, ALASKA

ORDINANCE NO. 407

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA AMENDING TITLE 27, CHAPTER 20 ENTITLED "ORDINANCES OF THE MUNICIPAL CODE", SPECIFICALLY BY ADDING SECTION 27.20.047 ENTITLED "ABSTENTIONS" MORE SPECIFICALLY PRESCRIBING A RULE FOR DETERMINING THE VALIDITY OF ANY CLAIM OF ABSTENTION AND SETTING FORTH THAT THE VOTE OF THE MEMBER ABSTAINING SHALL NOT BE COUNTED EITHER FOR OR AGAINST THE MATTER BEING CONSIDERED.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA:

Sec. 1. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

Sec. 2. Severability. If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in Wrangell Municipal Code and shall be effective thirty days after passage.

Sec. 4. Wrangell Municipal Code Title 27, designated "Council", Chapter 20, designated "Ordinances" is hereby amended by adding Section 27.20.047 entitled "Abstentions". Said section to read as follows:

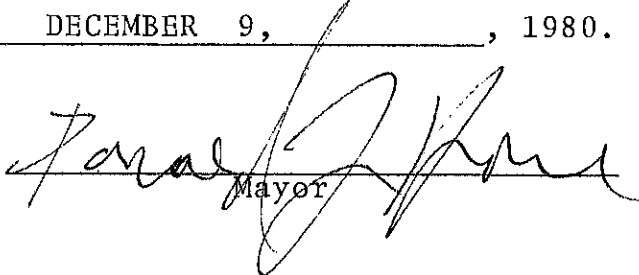
Section 27.20.047. Abstentions.

(a) All members of the Council present at any regular or special meeting of the Council shall be required to vote upon all matters, motions, resolutions and ordinances before the Council for vote, unless he or she is required to abstain for good and special cause to include a substantial direct or indirect financial interest in the matter to be voted upon.

(b) The Council shall rule upon the validity of any claim of abstention by a vote of the members present at the time of the claim. A simple majority of those voting shall be sufficient to sustain or deny any claim of abstention. The abstaining Council member's vote shall not be counted either for or against the matter, motion, resolution or ordinance that is before the Council after abstention is determined as above.

PASSED IN FIRST READING: NOVEMBER 25, 1980.

PASSED IN SECOND READING: DECEMBER 9, 1980.

  
\_\_\_\_\_  
Mayor

ATTEST: Jacqueline Bell  
City Clerk